

For “in-person” meetings, persons who are not on the agenda but wish to address the governing body must register to speak at least 15 minutes prior to the start of the meeting. For Zoom meetings, the Mayor will canvas attendees for those wishing to speak. Time limits will be imposed. Written comments and/or questions to be addressed at the meeting, must be submitted to jimauzer@yahoo.com 24 hours before the meeting. Requests for copies of documents related to agenda items must be made in writing at least 24 hours in advance of the meeting, not during the meeting. NOTE: Council members are elected to represent citizens of the Corporation of Shepherdstown, please contact them regarding any questions or comments you may have about the agenda items. This Council follows Robert’s Rules of Order (Revised).

THE MEETING IS STREAMED ON THE TOWN’S FACEBOOK PAGE
“SHEPHERDSTOWN, WEST VIRGINIA”

TOWN COUNCIL MEETING AGENDA

Tuesday, June 13, 2023

6:30 p.m.

TOWN HALL

104 NORTH KING STREET

MASK WEARING IS OPTIONAL

1. Call to order
2. Approval of Town Council Meeting Minutes of May 9, 2023
3. **Public Comment Period**
 - a. Persons who have registered to address Town Council.
4. **Public Hearings**
 - a. Second Reading To An Ordinance Re-Enacting Section 11-601 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Define Types Of Refuse
 - b. Second Reading To An Ordinance Re-Enacting Section 11-604 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify County Landfill Entity
 - c. Second Reading To An Ordinance Re-Enacting Section 11-605 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify Tenant Responsibilities
 - d. Second Reading To An Ordinance Re-Enacting Section 11-606 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify Owner And Tenant Responsibilities

- e. Second Reading To An Ordinance Re-Enacting Section 11-607a Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Revise Refuse Container Size And Material Requirements
- f. Second Reading To An Ordinance Re-Enacting Section 11-608 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Revise Refuse Storage Requirements
- g. Second Reading To An Ordinance Re-Enacting Section 11-609 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify Permitting Entity
- h. First Reading To An Ordinance Re-Enacting Section 9-902 XIV., Entitled “Project Permit Fee Schedule” To Add A Fee For The Publication Of Legal Notices.

5. Visitors

6. Unfinished Business

- a. Market House Update
- b. Comprehensive Plan Update
- c. Website Update

7. Old Business

8. New Business

9. Reports of Committees

A. Finance Committee

- 1. No meeting in May 2023
- 2. Recommendations:
- 3. Review and approval of General Fund financials

B. Parking Committee

- 1. No meeting in May 2023
- 2. Recommendations: NONE

C. Police Committee

- 1. No meeting in May 2023
- 2. Recommendations: NONE

D. Public Works Committee

- 1. Meeting minutes of May 2023
- 2. Recommendations: NONE

E. Parks and Recreation Committee

1. Meeting minutes of May 2023 – not available
2. Recommendations: NONE

F. Grants Committee

1. Meeting minutes of April 2023 – not available
2. Recommendations: NONE

G. Age Friendly Committee

1. Meeting minutes of June 2023 – not available
2. Recommendations: NONE

H. Personnel Committee

1. Meeting minutes of May 2023
2. Recommendations: NONE

10. Report of Commissions and Boards

A. Tree Commission

1. Meeting minutes of May 2023 – not available
2. Recommendations: NONE

B. Water and Sanitary Board

1. Meeting minutes of May 25, 2023 – not available
2. Recommendations: NONE

C. Historic Landmarks Commission

1. Meeting minutes of May 2023 – not available
2. Recommendations: NONE

D. Planning Commission

1. Meeting minutes of May 2023 – not available
2. Recommendations: NONE

E. Board of Appeals

11. Mayor's Report

Shepherdstown Town Council Meeting Minutes

Tuesday, May 9, 2023

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), Chris Stroech, Jenny Haynes, Leah Rampy, Cheryl Roberts, and Marty Amerikaner.

Absent: None

Staff: Town Clerk Amy Boyd, Town Administrator Stephanie Grove, Director of Public Works Frank Welch, and Chief of Police Mike King.

Visitors: Melissa Jackson, Richard Young, Jim Gatz, Rebecca Parmesano, Linda Spatig, Paul Butler, Adam Thomas, and Edwina Benites..

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

Call to order by Mayor Auxer at 6:29 pm.

Approval of the Town Council Meeting Draft Minutes of April 11 and April 18, 2023.

C. Stroeck - move to approve Town Council Draft Minutes of April 11, 2023. Second by C. Roberts. No objections noted.

C. Stroeck - move to approve Special Town Council Draft Minutes of April 18, 2023. Second by M. Amerikaner. No objections noted.

Agenda Item 3 – Public Comment Period:

- Persons who have registered to address Town Council.

Agenda Item 4 – Public Hearings:

a. Shepherdstown Grant Guidelines -

C. Stroeck - the proposed guidelines are from months of ideas to keep the process consistent. A database is and will be maintained by the committee. On an annual basis the goal is to have the committees and commissions look at forthcoming projects, to vet them and get them pre-approved. This will help with longterm strategic and budget planning. This process will help. A shortterm project could still be on the table.

M. Amerikaner - regarding criteria - what will the review process be? Public engagement - how much sway do they have? Can a few stop a project?

C. Stroeck - an Intent to Apply will be helpful. Council will handle all approvals. There will be some wrinkles but our goal is not to slow the process down. Depends on the project - the public will definitely have input. An additional survey can be done. We want the process to be efficient.

L. Robertson - the council is thoughtful and listens to public input. If there is pushback from a few members of the public, and the project is deemed good by the council, historically we have moved forward.

S. Grove - if there is a priority from a committee or commission, a capital budget can be created - so there could be exemptions.

C. Stroeck - on pg. 3 Exemptions where it mentions Below A Certain Dollar Amount - this can be linked to the state bidding requirements and we need to include this language in the document.

Mayor - the council meetings are open so a short-term project can get approved rather quickly if need be.

b. First Reading To An Ordinance Re-Enacting Section 11-601 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Define Types Of Refuse.

C. Stroeck - move to approve the First Reading To An Ordinance Re-Enacting Section 11-601 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Define Types Of Refuse. Second by L. Robertson. No objections noted.

c. An Ordinance Re-Enacting Section 11-604 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify County Landfill Entity.

C. Stroeck - An Ordinance Re-Enacting Section 11-604 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify County Landfill Entity. Second by J. Haynes. No objections noted.

d. An Ordinance Re-Enacting Section 11-605 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify Tenant Responsibilities.

C. Stroech - An Ordinance Re-Enacting Section 11-605 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify Tenant Responsibilities. Second by C. Roberts. No objections noted.

e. An Ordinance Re-Enacting Section 11-606 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify Owner And Tenant Responsibilities.

C. Stroech - An Ordinance Re-Enacting Section 11-606 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify Owner And Tenant Responsibilities. Second by C. Roberts. No objections noted.

f. An Ordinance Re-Enacting Section 11-607a Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Revise Refuse Container Size And Material Requirements.

C. Stroech - An Ordinance Re-Enacting Section 11-607a Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Revise Refuse Container Size And Material Requirements. Second by L. Robertson. No objections noted.

g. An Ordinance Re-Enacting Section 11-608 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Revise Refuse Storage Requirements.

C. Stroech - An Ordinance Re-Enacting Section 11-608 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Revise Refuse Storage Requirements. Second by C. Roberts. No objections noted.

h. An Ordinance Re-Enacting Section 11-609 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify Permitting Entity.

C. Stroeck - An Ordinance Re-Enacting Section 11-609 Of Chapter 6 Of Title 11 Of The Code Of Shepherdstown, West Virginia, To Clarify Permitting Entity. Second by L. Rampy. No objections noted.

Agenda Item 5 - Visitors:

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

a. Jim Gatz - Jefferson County Development Authority

Thanked us for nominating him again for another 3-year term. One question brought up at the last council meeting was how can we bring back a hotel to town? The JCDA is interested in this idea and will brainstorm as well.

The JCDA has partnered with Parks & Rec around outdoor recreation.

Jump Start Jefferson - is small business training

He introduced Edwina Benitis - the new Executive Director - who spoke to the agriculture promotion programs.

b. Melissa Jackson - American Foundation for Suicide Prevention - AFSP Out of the Darkness - September 9, 2023

The walk will include SU and Rumsey Park and will last about 40-minutes. At Rumsey Park there will be an ice cream truck, a remembrance table, and people will be there for any dialog needed. They will need trash and recycling bins from public works. The event will end around 3-4 p.m. A DJ will set up facing the monument. Parking is available at SU as there is no game that weekend.

C. Roberts - move to approve the American Foundation for Suicide Prevention - Out of the Darkness - September 9, 2023. Second by L. Robertson. No objections noted.

c. Richard Young - Services for Jack Young - June 16, 2023

He has lived here since the late 80's. He wants to do a Celebration of Life at the Presbyterian Church then have a reception at the Community Club. He's asking for a tent to be erected behind the Market House for the expected spillover - expecting 300 people. Closure from German to Back Alley. Needs Friday from 9a.m. to 5p.m. for set up and tear down.. No special parking arrangements are necessary and he will make up a flyer to let the neighbors know.

J. Haynes - move to approve the stree closure for the continuation of the Celebration of Life for Jack Young behind the Market House. Second by M. Amerikaner. No objections noted.

Agenda Item 6 – Unfinished Business:

a. Market House Update – S. Grove - is drafting the lease that will include a space for the library. She will go present to the CVB, the council will get the comments back, then call a special meeting. Following that will be a public hearing and a resolution to approve the lease.

C. Stroeck - has some additions for more defined language to include the library workspace, ADA bathroom, and to strongly encourage the CVB to work with community organizations. He read his suggestions. The CVB will need to commit to working with local groups, and if not, we sit down with them. There is a termination/default clause.

M. Amerikaner - yes, we want to make sure they are doing what we want them to do.

S. Grove - she can request a quarterly report starting October 1 where they come here to report to us. She will email the updated version of the lease to council.

b. Shepherd University Law Enforcement Mutual Assistance Agreement –

Chief - the changes have been made and has been run by Chazz.

J. Haynes - move to approve the Shepherd University Law Enforcement Assistance Agreement. Second by M. Amerikaner. No objections noted.

Agenda Item 7 – Old Business:

_____ a. Update of website-

A. Boyd - there has a been a little delay but moving along. Finance recommended the drone footage expenditure.

Agenda Item 8 – New Business:

_____ a. Planning Commission - appointment of Rebecca Parmesano to fill unexpired term.

Mayor - this will fill Hani's term to go until May 31, 2026

M. Amerikaner - feels like we need to regularly advertise these open positions on the email list/website.

L. Rampy - move to approve the appointment of Rebecca Parmesano to fill the unexpired term. Second by J. Haynes. No objections noted.

Agenda Item 9 – Reports of Committees:

A. Finance Committee:

1. Meeting minutes o April 2023

2. Recommendations:

a. Jefferson County Parks and Recreation Commission Treasurer, Paul Marshall - funding request for fireworks at Sam Michael's Park in July 2023

J. Haynes - move to approve \$2,000 to Jefferson County Parks & Rec for the fireworks. Second by L. Robertson. No objections noted.

b. Mills Group proposal for drone video footage capture for the new website

A. Boyd - it is \$4,000 for the video and still photos which we will own all of the footage.

L. Rampy - move to approve \$4,000 to the Mills Group for the drone footage. Second by M. Amerikaner. No objections noted.

3. Review and approval of General Fund financials

Mayor - we took in more than we spent.

L. Rampy - move to approve the Corporation Financials. Second by C. Stroech.

L. Rampy - thank you for the categories, and there are variances can you say why?

S. Grove - with the next budget there should be more detailed information, and we can do that. She explained the line items on the Budget VS Actuals page. She expects the expenses to ultimately go down.

A. Boyd - the audit results should be ready in 2-weeks via a written report.

No objections noted.

B. Parking Committee:

1. No meeting in April 2023
2. Recommendations: None

C. Police Committee:

1. No meeting in April 2023
2. Recommendations: None

D. Parks and Recreation Committee:

1. Meeting minutes of April 2003 - not available
2. Recommendations: None

E. Public Works Committee:

1. No meeting April 2023
2. Recommendations: None

F. Path Advisory Committee

1. No meeting April 2023
2. Recommendations: None

G. Grants Committee

1. Meeting minutes of April 2023 - not available
2. Recommendations:
 - a. New member appointment - Emily Simade

L. Robertson - move to approve the appointment of Emily Simade to the Grants Committee. Second by J. Haynes. No objections noted.

H. Age Friendly Committee

1. Meeting minutes of May 2023 - not available
2. Recommendations: None

L. Spatig - Age Friendly Shepherdstown was accepted into an international organization. The goal is to endeavor to make the town accessible/livable, and is administered through AARP in the USA. The council approved the action plan. They are working on a bike path route, fall prevention, helping with transportation for those in need, and directional signage projects.

I. Personnel Committee

1. Meeting minutes of March 2023
2. Recommendations: None

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

A. Historic Landmarks Commission:

1. Meeting minutes of April 2023 – not available
2. Recommendations: None

B. Planning Commission:

1. Meeting minutes of April 2023 – not available
2. Recommendations: None

C. Tree Commission

1. No Meeting in April 2023 - not available
2. Recommendations: None

D. Water and Sanitary Board:

1. Meeting minutes of Special Water Board April 25, 2023 - not available
2. Recommendations: None

E. Board of Appeals

1. None scheduled.

Agenda Item 11 - Mayor's Report:

* Woody Coe, our Water Plant Operator - was nominated by the Health Department for a State award and won. He will be awarded it May 25th at 1 p.m.

Congratulations to Woody!

* Historic Shepherdstown Awards - a ceremony will be held at the Opera House, May 17 at 7p.m. They were awarded to Steve and Harriett Pearson, Jim Surkamp, Jerry Busey, and Nick Blanton.

* Signs/flyers in town announcing events - please remove them after the event.

* Have a great Memorial Day weekend and a very Happy Mother's Day to all mom's.

* The Back Alley Garden Tour is in 2 weeks.

* L. Robertson - thanked S. Grove and expressed how happy she is that Stephanie is with us.

L. Robertson – move to adjourn at 8:14 p.m. Second by J. Haynes. No objections noted.

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

**AN ORDINANCE RE-ENACTING
SECTION 11-601 OF CHAPTER 6 OF TITLE 11 OF THE
CODE OF SHEPHERDSTOWN, WEST VIRGINIA,
TO DEFINE TYPES OF REFUSE**

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 6 of Title 11 of the Shepherdstown Code is hereby amended by amending and re-enacting Section 11-601, entitled "Definitions," to revise the definition of refuse and to add the definitions of "raw garbage", "trash", and "ashes". Accordingly, there is re-enacted Section 11-601 of Chapter 11 of Title 6 to read as follows:

Section 11-601 Definitions

Refuse - The word "refuse" shall be taken to mean all sweepings, cleanings, trash, rubbish, litter, garbage, industrial or domestic waste; organic wastes or residue of animals sold as meat, fruit or other vegetable matter from kitchens, dining rooms, markets, or places dealing in or handling meats, fowl, fruits, grain or vegetables; offal, animal excreta, the carcasses of animals, tree or shrub trimmings, grass clippings, dirt, wood, stone, brick, plaster, or materials resulting from the demolition, alteration or construction of buildings or structures, accumulated waste materials or substances which may become nuisances, some of which are more particularly classified as follows:

(1) "Prepared garbage" means material from kitchens, dining rooms and similar places, from which liquids have been drained and solid matter rapped in paper.

(2) Raw garbage" means swill not prepared as prepared garbage.

(3) "Trash" means waste material containing no putrid matter or organic wastes.

(4) "Ashes" means residue resulting from the combustion of coal, coke or wood in domestic, industrial or commercial stoves, furnaces or boilers.

Private scavenger - The term "private scavenger" shall be taken to mean a person who, for hire, engaged in the hauling and transportation of refuse from point of collection to point of disposal.

_____ (Mayor)

_____ (Recorder)

First Reading: May 9, 2023

Second Reading: _____

Adopted: _____

**AN ORDINANCE RE-ENACTING
SECTION 11-604 OF CHAPTER 6 OF TITLE 11 OF THE
CODE OF SHEPHERDSTOWN, WEST VIRGINIA,
TO CLARIFY COUNTY LANDFILL ENTITY**

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 6 of Title 11 of the Shepherdstown Code is hereby amended by amending and re-enacting Section 11-604, entitled "Use of county landfill," to revise the landfill operating entity. Accordingly, there is re-enacted Section 11-604 of Chapter 11 of Title 6 to read as follows:

Section 11-604 Use of county landfill

Municipally operated refuse service or any private scavenger service shall use the Jefferson County Landfill, Jefferson County Solid Waste Authority, or any other disposal site as designated by Town Council.

_____ (Mayor)

_____ (Recorder)

First Reading: May 9, 2023

Second Reading: _____

Adopted: _____

**AN ORDINANCE RE-ENACTING
SECTION 11-605 OF CHAPTER 6 OF TITLE 11 OF THE
CODE OF SHEPHERDSTOWN, WEST VIRGINIA,
TO CLARIFY TENANT RESPONSIBILITIES**

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 6 of Title 11 of the Shepherdstown Code is hereby amended by amending and re-enacting Section 11-605, entitled “Duty of resident, etc., to subscribe to and pay for collection, removal and disposal service,” to clarify tenant responsibilities. Accordingly, there is re-enacted Section 11-605 of Chapter 11 of Title 6 to read as follows:

Section 11-605 Duty of resident, etc., to subscribe to and pay for collection, removal and disposal service.

All residents or business houses or their tenants residing in or doing business within the town shall subscribe to, use and pay for the collection, removal and disposal service provided by the town or by an approved private scavenger having a permit from the town as provided in this chapter.

It shall be unlawful for any person to neglect or refuse to subscribe to such service and to pay therefore at the rates established by the town council for the type of service furnished to each such person or business house.

_____ (Mayor)

_____ (Recorder)

First Reading: May 9, 2023

Second Reading: _____

Adopted: _____

**AN ORDINANCE RE-ENACTING
SECTION 11-606 OF CHAPTER 6 OF TITLE 11 OF THE
CODE OF SHEPHERDSTOWN, WEST VIRGINIA,
TO CLARIFY OWNER AND TENANT RESPONSIBILITIES**

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 6 of Title 11 of the Shepherdstown Code is hereby amended by amending and re-enacting Section 11-606, entitled “Rules and regulations,” to clarify owner and tenant responsibilities. Accordingly, there is re-enacted Section 11-606 of Chapter 11 of Title 6 to read as follows:

Section 11-606 Rules and regulations

The Town Council may prescribe, publish, promulgate and enforce reasonable rules and regulations, deemed necessary or proper, consistent with this chapter to carry out the objects and purposes thereof and for the safety and health of the citizens of the Town in respect to the collection, removal and disposal of refuse as herein defined. It shall be unlawful for any person to fail, neglect or refuse to comply with such rules and regulations. Both owners and tenants are responsible to ensure compliance with such rules and regulations.

_____ (Mayor)

_____ (Recorder)

First Reading: May 9, 2023

Second Reading: _____

Adopted: _____

**AN ORDINANCE RE-ENACTING
SECTION 11-607A OF CHAPTER 6 OF TITLE 11 OF THE
CODE OF SHEPHERDSTOWN, WEST VIRGINIA,
TO REVISE REFUSE CONTAINER SIZE AND MATERIAL REQUIREMENTS**

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 6 of Title 11 of the Shepherdstown Code is hereby amended by amending and re-enacting Section 11-607A, entitled “Specifications of refuse containers,” to revise container size and material requirements for refuse containers. Accordingly, there is re-enacted Section 11-607A of Chapter 11 of Title 6 to read as follows:

Section 11-607A Specifications for refuse containers

Standard containers for the storage of refuse shall be substantially made of metal or plastic, leak proof and water tight, shall be a capacity, approximately of not less than five (5) nor more than thirty (30) gallons for trash and garbage.

Standard containers for the storage of ashes shall be substantially made of metal and not less than five (5) nor more than ten (10) gallons and shall be equipped with an adequate carrying bail or carrying handles, with a tight cover, or shall otherwise be prescribed by the state, county or local health officials.

_____ (Mayor)

_____ (Recorder)

First Reading: May 9, 2023

Second Reading: _____

Adopted: _____

**AN ORDINANCE RE-ENACTING
SECTION 11-608 OF CHAPTER 6 OF TITLE 11 OF THE
CODE OF SHEPHERDSTOWN, WEST VIRGINIA,
TO REVISE REFUSE STORAGE REQUIREMENTS**

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 6 of Title 11 of the Shepherdstown Code is hereby amended by amending and re-enacting Section 11-608, to now be entitled “Location and upkeep of containers” and to revise refuse storage requirements. Accordingly, there is re-enacted Section 11-608 of Chapter 11 of Title 6 to read as follows:

Section 11-608 Location and upkeep of containers

Where alleys are used by the municipal refuse collectors, containers shall be placed on or within six (6) feet of the alley line in such a position as not to intrude upon the traveled portion of the alley. Where streets are used by the municipal refuse collections, containers shall be placed adjacent to and back of the curb, or adjacent to and back of the ditch or street line if there be no curb, at such times as shall be scheduled by the municipality for the collection of refuse therefrom. The containers shall be kept secure and tidy, so as to not allow refuse to escape. As soon as practicable after such containers have been emptied, the containers shall be removed by the owner or tenant within, and stored away from the street line until the next schedule time for collection.

_____ (Mayor)

_____ (Recorder)

First Reading: May 9, 2023

Second Reading: _____

Adopted: _____

**AN ORDINANCE RE-ENACTING
SECTION 11-609 OF CHAPTER 6 OF TITLE 11 OF THE
CODE OF SHEPHERDSTOWN, WEST VIRGINIA,
TO CLARIFY PERMITTING ENTITY**

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 6 of Title 11 of the Shepherdstown Code is hereby amended by amending and re-enacting Section 11-609, entitled “Permit for private refuse collectors,” to revise the permitting entity. Accordingly, there is re-enacted Section 11-609 of Chapter 11 of Title 6 to read as follows:

Section 11-609 Permit for private refuse collectors

No private scavenger shall engage in the collection, removal or disposal of refuse without first obtaining a permit from the Town Council to render such services.

_____ (Mayor)

_____ (Recorder)

First Reading: May 9, 2023

Second Reading: _____

Adopted: _____

**AN ORDINANCE RE-ENACTING
SECTION 9-902.XIV OF CHAPTER 9 OF TITLE 9 OF THE
CODE OF SHEPHERDSTOWN, WEST VIRGINIA,
TO ADD LEGAL NOTICE FEES**

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 9 of Title 9 of the Shepherdstown Code is hereby amended by amending and re-enacting Section 9-902.XIV., entitled "Project permit fee schedule" to add a fee for the publication of legal notices. Accordingly, there is re-enacted Section 9-902.XIV of Chapter 9 of Title 9 to read as follows:

Section 9-902.

XIV. Project permit fee schedule

In order to defray the expense of administering this title, a fee is adopted in the following categories:

Category I: Minor projects such as painting (change in color only), awnings, porch railings, window boxes, satellite dishes, solar panels, propane tanks, signs, or other minor changes and permit extensions. \$35.00.

Category II: Accessory buildings, sidewalks, decks, fences, driveways, garages, storage buildings, carports. \$50.00.

Category III: Single family dwelling major changes excluding additions but including window and roof replacement, non-profit tax exempt organizations. \$150.00 (Plus \$1.50 per \$1,000.00 value over \$50,000.00).

Category IV: Additions, commercial-industrial, multi-family residences. \$400.00 (Plus \$1.50 per \$1,000.00 value over \$50,000.00).

Category V: Demolition.

\$50.00 Accessory Buildings.

\$150.00. Non Contributing Structures.

\$500.00 Contributing Structures.

Category VI: Publication of Legal Notice. \$15.00.

The Planning Commission shall categorize any request not specifically listed in the above categories.

Fees shall be paid to the Town Treasurer/Clerk and must accompany the application. If work begins without the required permit, double the cost of said permit would be charged.

Authority: W. Va. Code § 8A-9-1; W. Va. Code § 8-26A-7.

_____ (Mayor)

_____ (Recorder)

First Reading: _____

Second Reading: _____

Adopted: _____

Corporation of Shepherdstown

Balance Sheet As of April 30, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
GENERAL FUNDS BANKING	1,517,384.61
110 Lighting 2728	4,686.10
RESERVED FUNDS BANKING 6209	3,851,701.23
103 Customer Deposit Accounts 3194	122,409.84
101.031 Grants Funds-Other Grants	14,900.00
101.037 JC Bike Path Project Funds	2,731.48
101.039 Oil and Gas Tax	36,068.45
Parks & Recreation Hotel/Motel 5985	66,652.48
105 Police Dept. Equip. Fund (JSB) 4986	11,702.97
Special Fund	532,716.52
Undeposited Funds	931.18
Total Bank Accounts	\$6,161,884.86
Accounts Receivable	
General Funds A/R	91,097.56
108 Other Accrued Receivables	0.00
108.01 NSF Check Receivables	-515.97
Total Accounts Receivable	\$90,581.59
Other Current Assets	
Due from Coal Severance	117.69
Other Current Assets	109,835.63
112.011 Tobacco Warehouse	5,261.00
Total Other Current Assets	\$115,214.32
Total Current Assets	\$6,367,680.77
Fixed Assets	
General Fixed Assets (Gov-Wide)	5,443,487.51
Total Fixed Assets	\$5,443,487.51
TOTAL ASSETS	\$11,811,168.28
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
General Funds A/P	2,469.00
Total Accounts Payable	\$2,469.00
Credit Cards	
Credit Cards Payable	97.96
Fifth Third	0.00
213 Purchase Card Payable	59,393.46

Corporation of Shepherdstown

Balance Sheet As of April 30, 2023

	TOTAL
Total Credit Cards	\$59,491.42
Other Current Liabilities	
260 Accrued Compensated Absences	45,929.73
Child Support	544.61
Christmas Club	0.00
280.40 DI - Changes in Assuptions	25,685.00
280.30 DI-Changes/Differences Prop. S	15,979.00
280.20 DI-Difference Proj/Actual Earn	4,911.00
280.10 DI-Different Expected/Actual I	3,813.00
140.02 DO - Change in Proportionate	-16,430.00
140.01 DO-RHBT Payments Subsequer	-24,060.26
Due to/from Sewer	-589,011.95
Due to/from Water	21,763.53
200.02 EVCF Endowment Fund	0.00
Garnishments	0.02
Gen Fund Other Current Liab.	26,578.55
250.10 Net OPEB Liability	262,044.00
Payroll Liabilities	6,139.91
2104 PEIA Payable	2,420.00
292.30 PPA-2017 RHBT Payment	-61,390.76
292.40 PPA-Beginning Net OPEB Obligati	313,932.00
292.20 PPA-Beginning OPEB Liability	-276,168.79
290.50 Restricted for Equipment	3,731.48
VALIC Retirement Payable	27,971.99
Total Other Current Liabilities	\$ -205,617.94
Total Current Liabilities	\$ -143,657.52
Total Liabilities	\$ -143,657.52
Equity	
Fund Balance	4,680,537.16
290 Investment in Gen. Fixed Assets	5,466,470.38
Retained Earnings	1,342,273.89
Net Income	465,544.37
Total Equity	\$11,954,825.80
TOTAL LIABILITIES AND EQUITY	\$11,811,168.28

PUBLIC WORKS COMMITTEE MINUTES (DRAFT)

Monday, May 22, 2023

9:00 AM

Town Hall - In Person

104 North King Street

1. Call to Order – 9am; JA, CS, MA; Staff – FW, AB, SG; D. Frank Hill, III
2. Reading and approval minutes – April, 2023 – CS motion, second by MA, approved.
3. Visitors – See reports below.
4. Public Comment – None.
5. Unfinished Business
 - a. International Property and Maintenance Code-property maintenance report –
 1. 349 W. German St. - Violation notice – Work on house partly finished – Violation sent – Establishing ownership
 2. Violations – 205 E, German St. – To be resolved early summer or will proceed with enforcement.
 3. 103 Ray St. – Clutter – Improved, will continue to monitor.
 4. 332 W. German St. – Enclosure – Owner has asked for additional time for demolition. Committee would like proposal to demolish from contractor within thirty (30) days.
 - b. Trash in alleys-cleaning and contacting property owners and occupants about trash and grass Issues
 - c. Recycling Grant-Garbage truck (for glass) – Recycling Committee to review glass recycling program.
 - d. Glass Recycling – Glass drop-offs in Town are increasing. Recycling Committee to review glass recycling program.
 - Washington Street-partly paved and improved – Handicap Corners to be installed before paving – Spring – Corners are completed – on schedule to pave, 2023
 - German Street - pave Princess to Mill Street – going East – work planned for 2023
 - Re-do Crosswalk decals – Partly completed
 - Inspect German St. at crossing of “Town Run” – Bridge Crew to assess – no report.

Travis Ray has not responded to letters. DOH to inspect areas 5/23.

- e. Sidewalk Survey – On-going repair work. Letters to be send out for red and yellow areas. Committee to inspect house on High Street (Dr. Al-Salah?). Sidewalk repaired, but grass strip between sidewalk and roadway has been removed and replaced with gravel for parking purposes.
- f. FEMA Study – To be completed by Sept. 1, 2023.
- g. Market House – Lease being drafted and approved. Contractor estimates are coming in.
- h. Stormwater – St. Agnes Catholic Church + Shepherd Village – Awaiting grant decision.
- i. Mill St. to Princess St. – Request from Allen Meske – open backyard access:

Ms. Meske, with several other neighbors present, reported that there is an area of land along their backyards with unknown ownership. The property has trash and abundant wildlife and needs to be cleaned up. It is either privately owned or an alley / access owned by the Town.

Mr. Hill, based upon his preliminary research, reported that the area was not owned by the Town. Group will do more research, will keep on Agenda until they report back.

j “Tonic-Herb Shop” – Bench request:

Ms. Cesare requested that they be permitted to place a bench outside store. There is adequate space for a bench to stay ADA compliant. She presented the bench design, without objection. The Committee has no issues with this bench.

k. Directional Signs

l. 218 S Duke St. – Purchase Easement:

Owners (names?) have asked the Town sell them an easement strip that separates their two (2) parcels. See attached Plat. They have maintained this area, and the desire to have just one (1) tax parcel. This area does not provide access. FW – this request was made before and turned down as this area could provide utility access. Committee to research.

6. New Business

a. Sidewalk reimbursement at 202 E. High Street - \$1,100.00 have been approved, check to be sent.

7. Mayor’s Report:

a. Bike Path – Mr. Ayraud and Ms. Spatig reported that the bike route and directional signs have been approved by the Parks & Rec Committee. See attached Route. Chief King to review route for safety issues. Committee to research. Does the State need to approve directional signs?

8. Adjournment: CS motion to adjourn, approved.



The Shepherdstown
Parks & Recreation Committee
INVITES YOU
to

BOOKMARK THE PARK

Sunday, June 11, 2023

- **Bygone Poets of Jefferson County - Cullison Park 2:00 pm.**

Local author Leigh Koonce will introduce his latest book, Forgotten Voices: Early Poets of Jefferson County. Local performers will be on hand to read from notable poets such as John Peale Bishop, Danske Dandridge, Virginia Bedinger Lucas, and Daniel Bedinger Lucas among many others. Who knew our area nourished such a talent!

The park's newest walking trail will also be introduced.

Saturday, July 22, 2023

- **Poetry and Photography - Bane-Harris Park 2:00 pm.**

Shepherdstown's own Nate Howard will read from his book, Outside Everything. Moving and personal, this work also includes expressive photographs by Sarah Eckstine.

The park's new Pickle Ball court will also be unveiled.

Saturday, Aug 12, 2023

- **Open Mic - Viola Devonshire Park 2:00 pm.**

Calling all poets and authors - come share your art!

Another new Pickle Ball Court will also be introduced to the public.

DRAFT Shepherdstown Personnel Committee Minutes
Thursday, May 18, 2023
5:00 p.m.
Town Hall
Social distancing and masks if unvaccinated

1. Members Present: Lori Robertson (Chair), Jenny Haynes, Leah Rampy, Marty Amerikaner

Staff Present: Stephanie Grove

2. Call to Order: 5:00 by Lori

3. Approval of April 19, 2023, draft Personnel Minutes: two needed revisions were noted: the title should be “Minutes” rather than “Agenda” and the document should have been labeled as “DRAFT”. Pending those revisions, the minutes were approved without further questions.

4. Visitors: none

5. Public Comment: none

6. Unfinished Business:

a. Employee Handbook Revisions – suggestions from S. Grove - UPDATE

Stephanie reported that she had reviewed the Handbook, including the tentative changes made by the Committee thus far. She would like to make additional suggestions and will bring these to the Committee for review.

b. Training – Sexual Harassment Prevention Training - UPDATE
Stephanie reported that she had been in contact with the proposed presenter; no firm date has yet been established.

c. Term Length–UPDATE –
Stephanie reported that she had talked with Chazz Prinz (Town Attorney). He confirmed that changes to term lengths would require a change to the Town charter. If elections were held concurrently with

statewide elections, then our election would be part of the overall ballot, and voting held at the state election polling place. We can continue to hold our own elections if held at a different time. One possible strategy to maintain our control of Town elections and change the length of terms would be something like this:

Propose an initial, one-time change to 3 years, in order to move our elections to the off years while also proposing that subsequent elections be held every four years.

A question was raised concerning which elections get higher turnouts of town residents- our municipal elections or the statewide elections. Stephanie volunteered to do the research on this issue and report to the committee. Stephanie also noted that a bill had been introduced in the Legislature this past session to change all of the terms of office for publicly elected officials in the state to four years. That bill was not acted upon, but she speculated that it may be reintroduced next year.

d. Town Administrator – UPDATE –

- * Status - completed
- * Office space – completed
- * Press release – completed and sent out
- * Evaluation and feedback process - to be further discussed at our August meeting

e. Job Descriptions - Stephanie will collect all available job descriptions from Amy and Frank, review and update them, and then bring them back to the committee.

7. New Business:

Stephanie reported that she had been invited to a county wide meeting focused on law enforcement dispatching processes which she plans to attend.

8. Adjournment: Leah moved; Marty seconded at 5:52

Next Committee meeting is scheduled for June 21 at 5:00