

# Shepherdstown Town Council Meeting Minutes

Tuesday, November 14, 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"

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

**Absent:** None

**Staff:** Town Clerk Amy Boyd, Town Administrator Stephanie Grove, Director of Public Works Frank Welch, Chief of Police Mike King, Sgt. Jake Jeffries, Officer Dave Kelvington, Officer Bryce Dickens, Officer Allen Thomas, and Officer Austin Simms.

**Visitors:** Marc Peitpierre, Peggy McKowan, Bryan Byrd, Elizabeth Ricketts, Danielle Corsetto, Steve Pearson, Bowen Davis, Mr/Ms.? Lillard, Crystal Kittle, Jennifer Kittle, and Larissa Mendy.

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

Call to order by Mayor Auxer at 6:32 p.m.

Approval of the Town Council Meeting Draft Minutes of October 10, 2023.

**C. Stroeck - move to approve Town Council Draft Minutes of October 10, 2023 with the following changes - pg. 4 Agenda Item 5 - Visitors, top paragraph under “Mayor”- please add “ there was a special consensus to have a special meeting.” Also, pg. 4 Agenda Item 6 - Unfinished Business - d. Remove the motion altogether. Second by C. Roberts with changes. No objections noted.**

Approval of the Special Town Council Draft Minutes of October 18, 2023.

**L. Rampy - move to approve the Special Town Council Draft Minutes of October 18, 2023 with the following changes - pg. 1 under Present - remove Jim Ford and add Leah Rampy. Second by C. Stroeck with changes. No objections noted.**

**Agenda Item 3 – Public Comment Period:**

- a. Persons who have registered to address Town Council.

Chief King - wants to recognize Officer Simms with a Lifesaving Award. He gave the details of the Rt. 480 bridge possible suicide incident where Officer Simms grabbed the male from jumping and pulled him back onto the road. Congratulations Officer Simms and well done.

M. Petitpierre - spoke to the Market House - every time it is damaged by being hit, it is expensive to repair. He likes the idea of a green space for a pedestrian area, more parking, and still accommodate the Farmers Market.

#### **Agenda Item 4 – Public Hearings:**

- a. None

#### **Agenda Item 5 - Visitors:**

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

- a. Peggy McKowen, CATF Artistic Director - Request for Funding in the amount of \$5,000 to support adaptation of *Our Town* entitled *Our Shepherdstown*. Discussion/Action

P. McKowen - this money request is for a production of *Our Town* that is specifically about Shepherdstown. This will be an annual event with local people in the community being interviewed. The requested \$5K is for a production to air next year.

**C. Roberts - move to approve the request for funding of \$5,000 to support adaptation of *Our Town* entitled *Our Shepherdstown*. Second by M. Amerikaner. No objections noted.**

- b. Elizabeth Ricketts, Jefferson County Municipal HEPMPO Representative - Presentation on HEPMPO -

E. Ricketts. -is a Council member in Charles Town - explained that the MPO is a federally designated and funded regional transportation planning agency based on urban area boundaries. Jefferson County is included in this area. There is a board of representatives comprising of State, public and local officials. They look at providing the 3 C's; Comprehensive, Coordinated, Continuous to meet the needs of economic, social and environmental goals. They are looking at a Congestion Management Plan and a Transportation Improvement Program for the areas under their umbrella. They have and are

looking at a Transit Center for bus facilities, the Marc Train, the Shepherdstown Bike Path, Maddex Square Pedestrian Crossing, and more. They focus on a lot of studies /surveys that look at vulnerable roads and sidewalk assistance safety issues.

C. Stroeck - will there be a corridor study for Rt. 45?

E. Ricketts - can certainly look into it.

**L. Robertson - move to approve the request increase in Shepherdstown annual contribution from \$128.74 to \$336.82 per year for HEPMPO to continue their studies. Second by L. Rampy. No objections noted**

c. Linda Layne - Request and Information concerning Bee City USA designation for Shepherdstown. Discussion/Action

Mayor - there will be no action tonight and will be put on the December Council Agenda.

### **Agenda Item 6 – Unfinished Business:**

a. Website Update –

A. Boyd - not a lot to report due to her absence. She is part of a meeting this week however and will have more info soon.

b. Rt. 340 Traffic Detour -

Mayor - they are 65% complete.

d. Franchise agreement between the Corporation of Shepherdstown and Shenandoah Cable Television, LLC. - Discussion/Action

B. Byrd - Rep from Shentel - He has provided maps and contacts for the pole owners to Frank Welch for coordination purposes. There is some overlap, so sections of E. German and S. Princess will not see additional lines. There is a Make Ready provision where Shentel has

to submit a permit and the pole owners then have to do an engineering analysis. If there is any undue load, the pole owners have to deal with that. Included in the franchise agreement is new language that if lines are abandoned, they can be cut down. The new lines create more competition for customers, better service, better speed, better uploading speed.

C. Stroeck - Bryan has been very responsive to his requests.

M. Amerikaner - Can the poles be addressed that are blocking the sidewalks for ADA access?

B. Brad - he has seen good luck regarding this in other places.

**L. Rampy - move to remove it from the table so we can act on it. Second by C. Roberts. No objections noted.**

Discussion-

C. Stroeck - remains a no vote due to pole crowding. There is not enough communication from the pole owners and they need to be cleaned up.

M. Amerikaner - Shentel can move forward anyway regarding fiber?

B. Byrd - yes.

L. Rampy - we can vote no and Shentel can still have wires put up.

Mayor - and we would not get the franchise fee.

L. Robertson - likes the idea that the engineering has to be done.

F. Welch - has concerns regarding underground cables and potential water leaks. We will have to fix those. We get reimbursed but it's still a hassle.

**L. Robertson - move to approve the Franchise Agreement between the Corporation of Shepherdstown and Shenandoah**

**Cable television, LIC. Second by J. Haynes and opposed by C. Stroeck and C. Roberts. Motion passed by majority.**

**Agenda Item 7 – Old Business:**

\_\_\_\_\_ a. Market House Update - the Market House was hit again between the hours between Friday p.m. and Saturday a.m. Our insurance carrier has been notified and a contractor contacted. The RFP is going out soon for the inside work. The structural evaluation is being done tomorrow.

b. Christmas in Shepherdstown - we have someone contracted out to hang all new LED lights. Most of German St. should be done by Friday the 24th. The tree is arriving this week. The Grinch and the Who characters are ready to go. The tree lighting is Friday and his speech is ready. The lights are being paid for out of Hotel/Motel tax funds.

**Agenda Item 8 – New Business:**

\_\_\_\_\_ a. HEPMO - request increase in Shepherdstown annual contribution from \$128.74 to \$336.82 per year. Discussion/Action

See 4. Visitors a.

**Agenda Item 9 – Reports of Committees:**

**A. Finance Committee:**

1. No Meeting October 2023
2. Recommendations: None
3. Review and approval of General Fund Financials - forthcoming discussion of timing of statements -

S. Grove - the 2021 audit was successfully completed and approved. The 2022 audit is going out to bid. The sales tax and liquor tax brought us into the black. She added a new line as to where we were last year. Video lottery/gaming money is going down - part of which is from the construction on Rt. 340. We are doing very well. We get the other half of the property tax in March. There is a \$70,000 surplus.

M. Amerikaner - how much is appropriate to hold back?

S. Grove - this is really savings for the capital fund.

L. Rampy - looking for a plan for capital projects and a reserve for unanticipated expenses.

Mayor - our responsibility is to look forward to funding things we need and Stephanie's plan will help lay this out; what we need to save for etc.

S. Grove - the state requires us to plug our funds into specific categories.

Mayor - be careful about just spending our funds and not pursuing grants

**C. Roberts - move to approve the General Fund Financials as written. Second by L. Rampy No objections noted.**

**B. Parking Committee:**

1. No meeting October 2023
2. Recommendations: None

**C. Police Committee:**

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

**D. Parks and Recreation Committee:**

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

**E. Public Works Committee:**

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

**F. Path Advisory Committee**

1. No meeting October 2023
2. Recommendations: None

**G. Grants Committee**

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

C. Stroeck - is going to do some outreach to the committees and commissions by attending their meetings to help with grant opportunities. He would like the Chairs to reach out to him to attend.

**H. Age Friendly Committee**

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

**I. Personnel Committee**

1. Meeting minutes of October 2023



2. Recommendations: None

**J. Recycling Committee**

1. No meeting of October 2023
2. Recommendations: Winchester Glass Crusher Field Trip  
December

C. Stroeck - met with the Director of Waste Management with hopes of moving the county wide project forward. A visit is planned to the facility.

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

**A. Historic Landmarks Commission:**

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

**B. Planning Commission:**

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

**C. Tree Commission**

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

**D. Water and Sanitary Board:**

1. Meeting minutes of October 2023

2. Recommendations: None

**E. Board of Appeals**

1. Meeting minutes - None

2. Recommendations: None

**Agenda Item 11 - Mayor's Report:**

- \* FY 21 Audit Report Enclosed
- \* Go to the Visitor's Center and the Shepherdstown Historic Museum - docents are needed.
- \* Crosswalks will be thermally marked tomorrow night.
- \* Please check on your neighbors during the holidays.
- \* Check with Shepherdstown Shares to donate items, and help provide for SU students.
- \* For Christmas in Shepherdstown, the meters will be free from December 1st to January 1st.
- \* There is a Toys for Tots box in Town Hall lobby.
- \* Breakfast with Santa - Blue Moon December 9, 8a.m. - 11a.m.
- \* The Tree Commission, working with First Energy, will be planting upwards of 15 trees soon.
- \* If you'd like to be included on the email list, you can go to the website to sign up or contact the Town Clerk, Amy Boyd.

**L. Robertson – move to adjourn at 8:10 p.m. Second by L. Rampy. No objections noted.**

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