

Shepherdstown Town Council Meeting Minutes

Tuesday, September 12, 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 (arrived 7:11 p.m.), and Marty Amerikaner.

Absent: Cheryl Roberts

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

Visitors: Frank Hill, Esq., Peter Smith, Phil Baker-Shenk, Jim Gatz, Marshall DeMerritt, Bryon Byrd, Steve Pearson, Edwina Benitez, and Shepherdstown Fire Chief Morgan.

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

Call to order by Mayor Auxer at 6:30 p.m.

Approval of the Town Council Meeting Draft Minutes of August 8, 2023.

L. Rampy - move to approve Town Council Draft Minutes of August 8, 2023 as written. Second by M. Amerikaner. No objections noted.

Agenda Item 3 – Public Comment Period:

- Persons who have registered to address Town Council.

P. Baker-Shenk - to comment on the Shentel agreement. Although he likes competition, he has some concerns. The look of the town needs to be preserved. We already have a lot of overhead wires and cables, and they are an ugly look to town. Does Shentel have a plan to deal with these wires and cables?

Mayor - please forward these concerns to me. C. Stroeck has expressed the same concerns.

Agenda Item 4 – Public Hearings:

a. A public hearing will be held on Tuesday, September 12, 2023, at 6:30 p.m. at Town Hall (104 N. King St., Shepherdstown, WV) for the purpose of considering a franchise agreement between the Corporation of Shepherdstown and Shenandoah Cable Television, LLC. The franchise agreement pertains to the Town granting a nonexclusive right and privilege to Shenandoah Cable Television, LLC, for the operation of a community antenna television system (CATV) within all areas of the Corporation of Shepherdstown. The term of this agreement is 20 years. The franchise fee to be paid to the Corporation of Shepherdstown is \$250,000 and .05% of the gross revenue derived from the operation of the CATV system during the preceding quarter.

B. Byrd - when they come in they will be minimally invasive. They will have to work with the pole owners to make sure their wires can be attached. The power company will determine that.

Mayor - we will table this until Shentel can address the issues Phil and Chris have brought up. They will send us a new contract.

L. Robertson - could we see a lowering of rates with this competition?

B. Byrd - yes, historically, that is what we've seen with the competition.

Mayor - there is a point of clarification regarding the amount listed in the public hearing notice. It says \$250,000 and should read \$250.00

L. Robertson - move to close the hearing with the franchise fee correction from \$250,000 to \$250.00. Second by L. Rampy. No objections noted.

L. Robertson - move to Table the Public Hearing. 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. Event Request -

i. Rotary Club of Shepherdstown - Annual Christmas Parade - December 2, 2023.

P. Smith - Excited for the parade. Starts at 10:00 a.m. and should last about an hour.

L. Robertson - move to approve the Annual Christmas Parade December 2, 2023. Second by J. Haynes. No objections noted.

ii. Christmas In Shepherdstown -

Mayor - inquired if L. Robertson was still being considered for the committee?

S. Pearson - sure, we haven't really had a formal meeting to date.

J. Haynes - we need to get a star for the tree on McMurrin. There a lot of events planned! Would like to add some music to McMurrin. She has an idea for the businesses to promote Xmas by decorating their windows- make it a contest. Would like to decorate the two unused black poles at the corners of the Community Club and the wall of McMurrin. Possibly decorate the meters once we waive the meter fee for the holidays. Amy and Steve will present a budget so we know what we can expect to spend.

L. Rampy - move to approve the dates and street closures for the events. Second by L. Robertson. No objections noted.

b. JCDA - Edwina Benites, Executive Director.

- Resolution Supporting the Expansion of the YMCA into Jefferson County

E. Benites - The YMCA is one of the largest child care facilities in the country. There is a shortage of child care options in Jefferson County with the wait lists being very long, putting a hardship on parents. They are looking to place a YMCA in Jefferson County between Rt. 9 and Rt. 340, and in Berkeley County with the location to be announced. A Y is not only a great place for activities/health/wellness for kids, but also for seniors. They also want to include a pool at each location.

L. Rampy - move to support the Resolution and to approve the Mayor to sign the Resolution. Second by J. Haynes . No objections noted.

- Small business classes starting in September

E. Benites - these classes are free and offer college credits. You can take one free class or all of them.

- Our Jefferson County Grown/Made Programs

E. Benites - they received a grant to have products made. She has some sweatshirts for the Council. The products help grow and brand Jefferson County.

c. Shepherdstown Fire Department - Marshall DeMerritt, EMS Chief - Funding request for needed small tools and equipment

M. DeMerritt - asking for \$9,688.00 for the purchase of tools they use on every call.

M. Amerikaner - move to approve the funding request of \$9,688.00 from unallocated video lottery money. Second by L. Rampy. No objections noted.

L. Robertson asked how the department was doing with all of the recent changes. M. DeMerritt - they are still figuring out the system and doesn't have any real data to share - they are working through it. Regarding the service to Shepherdstown - the first call, the patient is gotten to pretty quickly. The second call, the patient is waiting longer.

d. Frank Hill - Charles Morris II lot consolidation - 218 South Duke St.

F. Hill - is here at the request of the Planning Commission to merge 2 parcels into a single parcel. The town is not giving up any property, and there is no modification of Union Alley at all.

Mayor - this is information only for us and those streaming. The Planning Commission approved it.

Agenda Item 6 – Unfinished Business:

a. Market House Update –

- Environmental Remediation Proposal

Mayor - they wanted \$24K and he was able to get them down to \$18K. The money will come out Hotel/Motel Tax. The proposal has been vetted by the town attorney.

M. Amerikaner - move to approve the Mayor to sign the Environmental Remediation Proposal for \$18,000. Second by L.Rampy. No objections noted.

- Renovation Drawings ,

Mayor - moving forward with what the Visitor's Bureau wants. We will have to bid it out, and prior to doing that, the Council will need to approve the drawings. There will be two ADA bathrooms and an ADA lift. The overall goal is to make it accessible for any renter. The Library has agreed to use a space for a book drop-off and pick-up.

b. Website Update –

A. Boyd - no update this month. It is coming to fruition. She should have a sample ready in a few days.

c. Rt. 340 Traffic Detour -

Chief King - it has been busier than usual but not as bad as we thought it would be. The SPD and Dept. Of Highways(DOH) are tracking it. The DOH will provide traffic directors if needed.

L. Robertson - reading on social media that people are blowing through the stop signs a certain times of the day.

A. Boyd- witnessed drivers going into the intersections and blocking them.

S. Grove - will keep in touch with the engineers on the project and keep us informed. At peak times, it's taking 40-minutes from Sharpsburg to Shepherdstown.

C. Stroeck - thinks we should make the request for DOH.

Mayor - asked S. Grove to go ahead and make the request from the DOH for the traffic director/s.

S. Pearson - can we have tow-trucks on call/standby to help with breakdowns?

Chief King - Brown's is right down the road.

Chief - speaking of delays - the train tracks were blocked recently for 25-minutes. He called and was told that every 25 miles the tracks have an automatic train checker system. It was triggered around Antietam and the train was so long, by the time it was able to stop it was across all of the crossings here. They told the Chief they can change the train checker to 5 miles so the stoppage will be past our crossings.

L. Rampy - inquired as to what the trains carry.

Chief - there's an app that tells him exactly what's on the train.

C. Stroeck - is there an emergency plan to get across the tracks for those in need?

Chief - he has some options for when the crossings are blocked.

Agenda Item 7 – Old Business:

_____ a. None

Agenda Item 8 – New Business:

_____ a. None

Agenda Item 9 – Reports of Committees:

A. Finance Committee:

1. No Meeting August 2023
2. Recommendations:
 - a. Review and approval of General Fund Financials

S. Grove - The June financials have been updated to reflect the wine and liquor sales as it's done quarterly. She will email it to us.

Reading the financials are a little confusing because although it shows a negative, we are expecting monies from different entities soon. The bottom line is that we are in good shape.

C. Stroech - move to approve the Corporation Financials as written. Second by L. Robertson, with L. Rampy abstaining. No objections noted and the motion carried with a majority.

B. Parking Committee:

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

C. Police Committee:

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

D. Parks and Recreation Committee:

1. Meeting minutes of August 2003
2. Recommendations: None

E. Public Works Committee:

1. Meeting minutes of Special August meeting 2023 - not available

2. Recommendations: None

F. Path Advisory Committee

1. No meeting August 2023

2. Recommendations: None

G. Grants Committee

1. No meeting of August 2023

2. Recommendations: None

H. Age Friendly Committee

1. Meeting minutes of August 2023 - not available

2. Recommendations: None

I. Personnel Committee

1. Meeting minutes of August 2023

2. Recommendations: None

J. Recycling Committee

1. No meeting of August 2023

2. Recommendations: None

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

A. Historic Landmarks Commission:

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

B. Planning Commission:

1. Meeting minutes of August 2023 - not available
2. Recommendations:
 - a. Charles Morris II lot consolidation
See Visitor's D

C. Tree Commission

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

D. Water and Sanitary Board:

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

E. Board of Appeals

1. September 19 - High Street - Mickey Duncan - variance request.

Agenda Item 11 - Mayor's Report:

- * Go to the Visitor's Center and the Shepherdstown Historic Museum
- * The Green Infrastructure Project is moving forward

- * We are holding interviews for another police officer this week
- * Please hang onto the drawings from the Mills Group for the Market House
- * He was informed by a contractor doing the work, that German/Washington, and Princess Streets are slated to be milled and paved starting October 1. The work will be done at night. This Thursday the representatives from the DOH and the construction company are coming to speak to the Mayor, Frank, and Stephanie.
- * This Saturday at 10 a.m. there is a ribbon cutting in front of the Community Club for the Bookfest. The Council is invited to attend.

L. Robertson – move to adjourn at 8:07 p.m. Second by L. Rampy. No objections noted.

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