

SHEPHERDSTOWN TOWN COUNCIL MEETING MINUTES

Wednesday, December 11, 2024

6:30p.m.

TOWN HALL

104 NORTH KING STREET

1. Call to Order: 6:32pm:

Mayor Gatz, Chris Stroeck, Cheryl Roberts, Marty Amerikaner, Linus Bicker, Shannon Thomas, Marcy Bartlett.

Staff present: Amy Boyd, Woody Coe, Andy Beall, Sgt. Jeffries.

Visitors present: See attached Sign-In Sheet.

2. Approval of Town Council Meeting Minutes of November 13, 2024:

***Cheryl motion to approve, second by Marcy, all in favor excepting Chris who abstained due to his absence from the November meeting.

3. Public Comment Period:

Persons who have registered to address Town Council prior to or at meeting:

a. George Moody · expressed concern regarding Mark P., the UNICEF solicitor / agitator, and requested a plan to address the situation;

b. Jan Hafer · expressed appreciation for all the nonprofit corporations operating in and around Town;

c. Jim Auxer · questioned if and when his Water Board application would be considered;

d. Christine Wimer (Jefferson County Foundation) · expressed concerns regarding the plans for the water bottling plant in Middleway. She noted that certain water sources in Jefferson County have dried up, and this plant will continue to have such impacts.

4. Visitors: Chazz Printz (Town attorney) · see below.

***Upon Mayor Gatz's request, Cheryl motioned to reorder agenda items from consideration, second by Marty, all in favor. Whereupon, the TC addressed the

following items in this order: New Business (in part), Public Hearings, Ongoing Business, Reports of Committees, Commissions and Boards, New Business (in part), Mayor's Report.

5. Public Hearings:

a. First Reading of Amendment to Section 7A-110, Disorderly Conduct: Penalty Ordinance ·

*Chazz explained the process and purpose for first and second readings and further advised that additional readings can be requested.

*Chazz explained that the purpose of this proposed change is to ensure that any disorderly conduct violations pursued by the Town would result in fines being paid to the Town · not the JC Magistrate Court.

*Discussion ensued regarding the varying actions that the TC can take at each reading of a proposed ordinance.

***Shannon motion to approve on first reading, second by Linus, all in favor.

b. First Reading of Vacant Storefront Ordinance ·

*Chazz questioned the purpose of this proposed Ordinance, and Linus recalled that there was considerable support for the same.

***Chris motion to table and defer the proposed Ordinance to staff and counsel for review, second by Linus, all in favor.

c(i). Second Reading of 9-103 (number of Planning Commission members) -

*Mayor Gatz and Chazz advised that the purpose of this proposed changes was to comply with state law and that vacancies on the Planning Commission and Board of Zoning Appeals have not been filled for some time.

*Upon all comments considered, Chazz has taken a conservative approach with ensuring that Town ordinances comply with state law. He therefore made some changes after the subject first readings.

*Discussion ensued regarding appropriate number of Planning Commission members.

*Planning Commission did not have the opportunity to make a recommendation regarding the number of members.

***Chris motion to defer back to the Planning Commission for their recommendation on the number of members, second by Cheryl, all in favor.

Second Reading of 9-103 (nomination and appointment of members) ·

*Planning Commission agreed with the proposed change.

***Chris motion to approve on second reading to make clear that Mayor nominates and Town Council approves appointments to the Planning Commission, second by Cheryl, all in favor.

c(ii). Second Reading of 9-104 (qualifications to serve on Planning Commission) ·

*Proposed changes include eliminating freeholder requirement and reducing residency requirement from 5 to 3 years.

*Planning Commission agreed with the proposed changes.

***Chris motion to approve as ed for second reading, second by Linus, all in favor.

c(iii). Second Reading of 9-107 (Planning Commission authority to hire, remove and compensate employees) ·

*Marty questioned why this was necessary since Town Council approves expenditures.

*Cheryl motion to approve as ed for second reading, second by Linus, all in favor excepting Marty who opposed, passed with majority vote.

c(iv). Second Reading of 9-108 (scheduling of monthly meetings) ·

*Planning Commission advised that the current 9-108 is cumbersome and confusing.

*Marty questioned what authority other committees have to call special meetings and recalled that the initial plan was to address these types of issues and other procedural matters for all Town entities.

***Chris motion to approve on second reading to permit Chazz to simplify the language for calling a special meeting, second by Cheryl, all in favor.

c(v). Second Reading of 9-1001 (qualifications to serve on Board of Zoning Appeals) ·

*Discussion ensued regarding whether members of the BZA should be freeholders · consensus was no.

***Shannon motion to approve as ed for second reading, second by Marty, all in favor.

6. Ongoing Business:

a. Staff Reports

*Town Clerk · See attached Staff Report.

*Zoning Officer · See attached Staff Report.

*Public Works Director · See attached Staff Report.

*Chief of Police · See attached Staff Report.

b. Board, Commissions, and Committee Purpose Statements and Goals · no update.

c. Town Financial Status · See Financial Reports in Agenda Packet. Presentation was made by Christopher Longerbeam regarding these Reports.

d. Review of Town Expenditures · See above.

e. Status of 2024 Comprehensive Plan · Mayor Gatz reported that the Planning Commission is working away. The proposed plan will soon be posted for public comment.

f. Town Administrator · The Personnel Committee has narrowed the field to 3 or 4 potential candidates, final interviews to be conducted.

7. Reports of Commissions and Boards: See Minutes in Agenda Packet.

*Additionally:

*Marcy reported that Charles Town is willing assist in budget planning process. Finance to hold joint meeting with Water Board regarding budgeting issue on December 19, 2024.

8. New Business:

a. Water Line Improvement Project · Woody reported that the project is 85% complete. Work is related to hydrants and water lines in Mecklenburg and on Mill Street. Adjustments have been made to placement of water line on Mill Street to avoid Town Run. Disruption will be minimal.

b. Town Website · Mayor Gatz reported that the town website has launched, thank you to Deb Tucker and Amy Boyd.

c. Town Records · Chris reported that a complete Town record inspection is on-going and will include updating records retention policies.

d. Hometown Heroes Banners · Jim Schmidt reported on this proposed project. See information in Agenda Packet. No action taken.

e. WV Urban Forestry Grant Application · Linus reported that the Town will apply for this grant to improve the tree canopy, specifically for pruning along the major corridors.

f. Shepherdstown Farmers Market 2025 · Natalie Grantham reported on the event application · no significant changes noted. She advised that sales have dropped, possibly due to solicitation issues. The TC expressed its support for the market. No action taken due to incomplete event application.

g. Event Application (Shannon Thomas) for Christmas ·First Friday· event · See information in Agenda Packet.

***Chris motion to approve, second by Cheryl, all in favor.

h. Volunteer Applications ·

***Tobi Moriarty to Parks & Rec Committee · Cheryl motion to approve, second by Marty, all in favor.

***Dan Shelton to Water Board · Chris questioned why Jim Auxer's application has not been acted upon. Marcy motion to approve, second by Linus, all in favor excepting Chris who opposed, passed with majority vote.

***Carolyn Rodis to BZA · Cheryl motion to approve, second by Linus, all in favor.

*Other noted nominations were tabled.

i. Employee matter · Mayor Gatz reported that holiday bonuses in the total amount of \$9,400.00 will be given to 32 employees.

9. Mayor's Report:

*Thank you to Shannon, Judy Shepherd, Jenny Haynes, and the Rotary Club for all holiday decorations and planning.

*Budget sessions to be scheduled in early January.

*Training for Planning Commission to be scheduled soon.

*Welcome Center will open soon.

9. Adjournment: ***Marcy motion to adjourn, second by Cheryl, all in favor at 9:26pm.