

SHEPHERDSTOWN TOWN COUNCIL MEETING MINUTES

August 12, 2026 – 6:30 p.m.

Town Hall – 104 North King Street

1. Call to Order

Meeting called to order at 6:40 p.m.

2. Attendance

Members Present: James Gatz (Gatz), Harriet Pearson (Pearson), Marcy Bartlett (Bartlett), Cheryl Roberts (Roberts), Ashleigh Sanders (Sanders), Joe Yates (Yates) — all in person; Jim Auxer (Auxer) — via Zoom.

Members Absent: None.

Staff Present: Amy Boyd (Boyd), Gino Sisco (Sisco), Maged Kirollos (Kirollos), Woody Coe (Coe), Karl Musser (Musser), Hunter Wetzel (Wetzel), Police Officer Bryce Dickens (Dickens).

Visitors Present: List of those who signed in is available from the Town Clerk. Visitors who spoke during the meeting: Latina Clark, Elizabeth McGowen, Heather Niedermeier, Kay Schultz, Keith Alexander, Christine Wimer, Rebecca Phipps, Shannon Thomas, Mark Kohut, Rachael Meads, and Meredith Poffenberger.

3. Approval of Minutes

Bartlett moved and Sanders seconded approval of the Regular Town Council Minutes of July 8, 2026. During discussion, Auxer noted that his name had been omitted from the list of members present at that meeting. Roberts moved, Sanders seconded, to add Auxer to the attendance list and approve the minutes as corrected. Motion passed unanimously.

4. Public Comment Period

Latina Clark asked that the Town look into direct U.S. Postal Service delivery to homes, noting the inconvenience of not having such service since some institutions will not deliver items to a P.O. Box.

Elizabeth McGowen read a statement expressing concern over unconstitutional immigration-related policing and asked Town Council to adopt a resolution in support.

Heather Niedermeier, owner of 120, 124, and 126 E. German St., including the Study Hall Sports Pub, requested that the Town reconsider Study Hall's application to place five to six video slot machines in that business, noting such machines had been allowed in that space in the past. She stated that having such machines in town makes it safer for students and others to use them, as opposed to driving out of town, and requested reconsideration of the application.

Kay Schultz, representing the Town Run Watershed group, thanked the Public Works Department for supporting the group's monthly cleanup efforts by supplying a truck to haul invasive plants, and highlighted upcoming events including the Rubber Ducky Race encouraging community participation.

Keith Alexander raised three matters: as chair of the Historic Landmarks Commission and as an individual, he asked for enforcement of HLC requirements with respect to several properties he

noted were out of compliance; as a Historic Shepherdstown Commission board and executive committee member, he asked that Town sidewalk maintenance, particularly in front of the Entler Hotel, be done consistent with the Town's historic character; and as a private citizen, he raised pedestrian safety concerns, describing a recent near-miss at the intersection of Duke and German Streets and asking the Town to consider a communications campaign and a “see me” flag system.

Christine Wimer, speaking on behalf of the Jefferson County Foundation, asked that planning for the Market House Plaza pilot account for issues specific to Farmers Market participants: small changes in booth location can significantly affect sales; the Market's success relies on synergies among vendors, so even a single vendor dropping out should be avoided; and given the nature of agricultural work, vendors have already put in significant effort by the time the Market starts, so the pilot must not add extra burden for them. Wimer also asked the Town to proactively seek feedback from the Farmers Market early in the pilot.

R. Phipps raised pedestrian safety concerns and asked for additional law enforcement visibility and enforcement, and for removal of vegetative growth that has obscured visibility, such as where Rocky Street meets High Street.

5. Public Hearings – Second Reading of Planned Unit Development (PUD) Ordinance Amendment and Replacement (continued); First Reading of Amendment to Chapter 13 (2018 IPMC)

Bartlett withdrew the first (to Section 9-7A01) and third (to Section 9-7A05) of the four amendments she had previously offered to the proposed PUD replacement ordinance. Bartlett moved, and Sanders seconded, discussion of her remaining amendments as revised in the meeting packet. Discussion followed on amending Section 9-7A04(E)1(b) (regarding the amount of Permanent Improved Open Space and Permanent Natural Open Space) and Section 9-7A02(G) (regarding the definition of Permanent Natural Open Space), and on amending Section 9-7A06(B)3(f) (regarding traffic impact assessment and study requirements), incorporating by reference the expert consultant's amended language. Yates raised the possibility of a future amendment to delete “swimming pools” from the definition of “Permanent Improved Open Space” in Section 9-7A02(F), on the basis that pool surfaces are impermeable and should be considered an amenity rather than open space. Roberts raised a point of order to clarify whether the matter was being put forward for action; Yates clarified he was not seeking action at this time. Sanders moved, Pearson seconded, adoption of the proposed replacement PUD ordinance as amended by Bartlett’s amendments. Motion passed unanimously.

On the first reading of an amendment to Chapter 13 of the Code of Shepherdstown for adoption of the 2018 International Property Maintenance Code, the Mayor framed the question as whether to place the amendment on the docket for second reading. Sanders moved, Roberts seconded. Bartlett noted the Town also needs to enact a building code, in addition to updating its property maintenance code. Motion passed unanimously, and the amendment was placed on the docket for second reading.

6. Mayor's Report and Proclamations

Following Public Comment, Mayor Gatz read into the record and submitted a letter dated August 10 to Kate Savidan, President of the Shepherdstown Sunday Farmers Market, addressing the Market House Plaza pilot. The letter stated the Town's commitment to design the pilot plaza so

that it does not reduce the space available for the Farmers Market and to coordinate closely with Market organizers, and described the plaza's movable furnishings. The letter noted that on Sunday mornings during the Farmers Market, the plaza footprint will be reduced to the sides of the Market House and will not take space from the Market.

Regarding pedestrian safety, the Mayor also described steps the Town is taking to address concerns, including new warning signage at crosswalks, increased law enforcement presence, and planned budget adjustments to fund additional law enforcement presence and safety equipment.

Proclamation: A proclamation was unanimously adopted honoring and thanking Ernest (“Ernie”) Mose on his retirement after 19 years of excellent service on the Town's Public Works Department.

7. Ongoing Business

a. Market House Plaza Pilot – Update. Musser presented on implementation of the pilot which will run September 7 (Labor Day) through October 31, 2026. The goals of having this plaza include improving pedestrian safety, creating a flexible community gathering space, and making the town center more inviting and attractive. The pilot design includes movable furniture and planter boxes to define the space and manage traffic; programming coordinated by Experience Shepherdstown with a stipend from the Town; communications plan; and evaluation plan. The street at King and German Streets will be closed, and a “no through traffic” sign will be placed where New Street meets King Street. Sanders asked Experience Shepherdstown President Shannon Thomas for additional information about planned events and promotion; Thomas responded that Experience Shepherdstown will recruit community partners to hold programming and will promote events through the organization's newsletter and social media, while the Town will be responsible for communicating about the pilot itself. Pearson asked about the pilot's budget; the majority of costs will be covered by an AARP grant, with additional funding from the Town.

b. Flower Bed Maintenance – Update. As previously discussed, Native Haven was hired and began work that day removing flower beds and replacing soil.

c. Purchase of former Shepherdstown Elementary School Property – Update. Ryan Simonton, attorney with the Kay Casto law firm and counsel to the Town on the acquisition, joined the meeting via Zoom. Bartlett moved, Roberts seconded, to enter executive session under the exception for real estate matters; motion passed unanimously. Roberts moved, Bartlett seconded, to return from executive session; motion passed unanimously. No action was taken in open session.

d. Town Council Member Committee Assignments. Gatz moved, Yates seconded, approval of updated Town committee membership as set out in the handout provided and as amended during the meeting (to move Auxer to the Tree Commission from Age-Friendly Shepherdstown and add Bartlett to Age Friendly Shepherdstown) and subject to effectuating certain appointments via necessary ordinances (e.g., for the Planning Commission and Police Advisory Committee). Motion passed unanimously.

e. Resolution on Updated Town Council and Town Committee Procedures – Update. Council discussed proposed edits to the resolution. Action was postponed to the next regular meeting.

f. **Town Council Planning Retreat – Discussion.** Gatz asked for volunteers to help plan the retreat. Bartlett, Pearson, and Yates volunteered.

8. New Business

a. **Designation of Working Group on the Oversight of Three Town-Owned Properties: Shepherdstown Train Station; Entler Hotel; and Historic Market House Building.** Gatz raised the need for a working group of Town residents to help develop a strategy for improved oversight of Town-owned properties operated by outside entities. Discussion confirmed the working group's scope would include the Train Station, the Entler Hotel, the Market House building, and the Shepherd family burial ground; the tobacco warehouse would be excluded, as it is managed directly by the Town. Gatz will take next steps to develop a more refined proposal, including potential working group membership, back to Council at a future meeting.

b. **Contract for Consultant Services for Grant Writing and Advocacy.** This item was deferred.

c. Special Events Requests – Votes.

i. Constitution Day Parade – September 19. Roberts moved, Pearson seconded. Sanders asked whether police support would be needed and requested clarification of the route. It was noted that Police Department had signed off on the event. Organizer Mark Kohut described a half-block route ending near Town Hall for a speaker program and said German Street road closure would be minimal, limited to the parade itself. Organizers will consult with Experience Shepherdstown regarding use of the Market Plaza for the speaker portion. Motion passed unanimously.

ii. Town Run Rubber Ducky Race – September 20 event organized by Town Run Watershed. Roberts moved, Pearson seconded. Event organizers will approach Shepherd University and Jefferson Security Bank for support following Town approval. Motion passed unanimously.

iii. Appalachian Heritage Festival – September 25–26. Pearson moved, Bartlett seconded. Organizer Rachael Meads reported the event has been expanded actually to run Thursday the 24th through Sunday the 27th, with the expansion affecting only campus activities, and requested that Public Works block King Street from German Street to Town Hall/Old Queen Alley for the outdoor weekend events which will take place on an outdoor stage. Meads also requested that the outdoor stage be permitted to remain in place until Sunday at noon, rather than being removed Saturday night. Motion to approve was made subject to the Town's receipt of an updated application reflecting the revised schedule. Motion passed unanimously.

iv. Shepherd University Homecoming Parade – October 17. Roberts moved, Bartlett seconded. The event will follow the same format used for the past 40 years, a one-hour parade. Motion passed unanimously.

d. **Overview by Experience Shepherdstown of Plans for Fall Festivities including Boo Fest.** Meredith Poffenberger, chairing Boo Fest this year on behalf of Experience Shepherdstown, presented plans for October programming, including a business decorating contest (entries due October 1) and a residential decorating contest (entries due October 15)

for judging consideration). Events are again planned to be spread across the week preceding Halloween, with trick-or-treat itself remaining focused solely on trick-or-treat. Experience Shepherdstown will inventory and promote town-wide activities. Street closures needed for Trick-or-Treat on October 31 include: New Street to High Street, Church Street to Mill Street, and King Street to Old Queen Alley.

e. Volunteer Applications – Vote.

i. Tree Commission. Sanders moved, Roberts seconded, approval of Edith Thompson's application to the Tree Commission. Motion passed unanimously.

f. Community Grant Applications – Vote.

i. Jamie Byron – Landscaping of Shepherd University Parcel Adjacent to the Wall. Roberts moved, Sanders seconded, approval of a \$2,500 community grant to Jamie Byron for the “Town Run Triangle Garden” native-plant landscaping project on the parcel adjacent to the Wall and the Town Run, conditioned on Byron providing documentation of Shepherd University's final approval of, and agreement to, the project. Motion passed unanimously.

ii. Shepherdstown Chess Club – Tournament. Bartlett moved, Sanders seconded. The Chess Club is still seeking event space and will notify the Town if a venue is found costing less than the amount requested. Motion passed to approve funding of up to \$1,000, to be decreased if a lower-cost venue is secured below the originally budgeted \$500.

g. Donations to the Town. None to report.

h. Town Applications for Grants – Status. Staff reported the following grant applications in preparation or submitted:

- Engineering plan for a sidewalk on German Street from Sage Place to Christ Church.
- Engineering plan for sidewalk replacement on both sides of Washington Street between King and Church Streets.
- Engineering plan for a hiking trail from Mill Street to the river.
- Norfolk Southern Safety First grant, requesting \$15,000 to support development of a railroad-disaster emergency plan and training for first responders through Norfolk Southern's Operation Awareness and Response Program; Mary Fortuna was recognized for her work on the application.

i. Resolution on Update to On-Line Display of Town Ordinances – Vote. Pearson moved, Roberts seconded, adoption of the resolution correcting the online display of Title 9, Chapter 16 of the Town Code, which currently displays certain text twice and lacks a chapter header. Motion passed unanimously.

9. Town Staff / Department Reports

a. Department Reports

Public Works – Public Works Director Coe reported on several water and sewer leaks, including a sewer backup at the Market House. Grease from restaurant use is suspected as a contributing cause, and the Town will check grease traps at area restaurants.

b. Town Financial Status. Finance Director Kirollos reported the Town remains in a strong financial position and addressed questions regarding the fund balance carryover, held for contingencies, and video lottery revenue, which is remitted to the state with a share returned to the Town. Kirollos reported the FY25 audit has been completed and submitted to the State Auditor, and that the Town is now working with its external auditor toward submission of the FY26 budget audit by November 2026. Gatz noted that completion of the audit is necessary for the Town to retain its ability to borrow money.

c. Approval of Town Expenditures – Bartlett moved to approve, Roberts seconded, and all voted aye to approve the town expenditures as presented.

10. Reports by Committees, Commissions, and Boards

Parks and Recreation Committee – Roberts reported that two new parking spaces at Rumsey Monument Park have been completed. Next meeting is August 25.

Water Board and Sanitary Board – Bartlett reported the Water Board and Sewer Board will bring in a consultant and attorney to educate the Boards and Council members on the rate and tariff change process, and will invite Council members to attend. Gatz reported the Sanitary Board is exploring opportunities to serve additional customers by extending sewer lines, and that part of the GRR (water pipe replacement) project will be combined with streetscape work.

11. Adjournment

Roberts moved, Bartlett seconded, to adjourn. Motion passed unanimously and meeting adjourned at 10:19 pm.

Prepared and respectfully submitted by Harriet Pearson, Recorder