SHEPHERDSTOWN TOWN COUNCIL MEETING MINUTES

Regular Meeting — Wednesday, October 14, 2026 — 6:30 p.m.
Town Hall — 104 North King Street and via Zoom

1. Call to Order

The meeting was called to order at 6:32 p.m. Mayor Gatz presided.

2. Attendance

Council Members Present: James Gatz (Gatz), Mayor; Jim Auxer (Auxer); Marcy Bartlett (Bartlett); Harriet Pearson (Pearson); Cheryl Roberts (Roberts); Ashleigh Sanders (Sanders); and Joe Yates (Yates). All members were present in person.

Members Absent: None.

Staff Present: Amy Boyd (Boyd), Town Clerk; Maged Kirollos (Kirollos), Finance Director; Gino Sisco (Sisco), Town Administrator; and Karl Musser (Musser), Program Manager and Planning & Zoning Specialist.

Visitors Present: List of those who signed in is available from the Town Clerk.

3. Approval of Minutes

a. Town Council Minutes of September 9 and 15. Roberts moved, Sanders seconded, to approve both sets of minutes. Bartlett asked that the September 9 minutes state the reason for her vote against the International Property Maintenance Code ordinance (Item 5.a). Pearson moved, Auxer seconded, to amend the motion by adding, after "Bartlett, who voted no," the words "because her position is that the Corporation of Shepherdstown should adopt both the State Building Code and the International Property Maintenance Code, as West Virginia law allows municipalities to adopt a State Building Code with or without a maintenance code." The amendment carried, all ayes. The motion to approve the September 9 minutes as amended and the September 15 minutes as written then carried, all ayes.

4. Public Comment Period

River Road Property Development (Item 8.a)**.** J. Aldis stated his belief that a recorded Old River Road easement crosses the property and asked that its status be resolved before construction, and suggested fencing along the bluff. S. Friedman, C. LeBeau, S. Tsukuda and B. Lukens raised concerns about a future development's consistency with the Comprehensive Plan; its density, scale and design; outdoor lighting and dark skies; and traffic speed and volume, and asked that residents be kept informed of the review process. C. LeBeau also noted the need for a buffer between her property and the new construction.

Accessory Dwelling Units. K. Alexander, Chair of the Historic Landmarks Commission, stated that the draft ordinance (Item 5.a) incorporates the Commission's recommended changes and addresses its historic preservation concerns.

Traffic Safety. A. Jones, L. Potter-Saum and E. Gross asked the Council to address speeding and pedestrian safety on West German, East German and West High Streets, including through traffic calming, one-way designations, signage and a public awareness campaign.

Immigration Enforcement Resolution. E. McGowen thanked the Council for adopting the resolution in September and for reporting it in the Town newsletter.

5. Public Hearings

a. First Reading of an Ordinance Authorizing Accessory Dwelling Units (ADU). Gatz read the title, "An Ordinance of the Corporation of Shepherdstown Establishing Requirements for Accessory Dwelling Units," and opened the public hearing. No members of the public spoke during the hearing. Gatz moved, Auxer seconded, on the question, "Shall the proposed ordinance be rejected?" Council members raised questions about enforcement, setbacks and the zoning districts covered, to be addressed before second reading. The motion failed, all nays. The ordinance will be considered on second reading at the November meeting.

6. Mayor's Report and Proclamations

Gatz highlighted the October Town newsletter and asked residents who do not receive it to contact Town Hall to be added to the email list. He reported that a water break in the Chaplain's Choice neighborhood that day required a temporary shutdown of the water system; service was restored, and a boil water advisory remained in effect pending state health department testing. There was discussion about how notices were sent to residents about the situation.

Gatz announced that Police Chief Mike King will retire at the end of October, and that C. Rodis, a member of the Board of Zoning Appeals, is moving away at the end of October.

Fall clean-up week is November 2–6.

Gatz thanked Public Works for curb and street cleaning work and asked residents to observe the temporary no-parking signs posted on cleaning days; Roberts noted that signs were posted on West High Street without visible cleaning, and Gatz noted that he will follow up.

Gatz announced a briefing for the Town Council by the Town's consultant Sustainable Strategies on Friday, October 16 at Town Hall, and a special Town Council meeting focused on the elementary school property on Wednesday, October 28.

7. Ongoing Business

a. Purchase of Former Elementary School Property. Gatz moved this item to the end of the meeting. See "Item 7.a, Taken Up Out of Order," following Item 10.

b. Postal Service Mail Delivery in Town. Sisco reported on his October 6 meeting with the Postmaster, who declined to attend a Council meeting but agreed to respond to written questions. Residents may email questions about mail delivery in town to Sisco through close of business October 21; Sisco will compile and forward them. No action was taken.

c. Traffic Issues on West High Street and the Surrounding Area. Gatz reported that the Public Works Committee will meet Monday, October 26 to develop a recommendation on the West High Street traffic proposals.

d. Use of Video Lottery Terminals in Town. Sisco reported that video lottery is not currently a permitted use in the Town's commercial districts and, according to Town counsel, the Lottery Commission's certification requires that video lottery be expressly recognized as a permitted use in the municipality's zoning ordinance. The Town may regulate the number, location and spacing of machines. Gatz asked staff to take next steps to develop an ordinance amendment allowing limited video lottery, with Planning Commission input. No vote was taken.

e. Proposed Donation of Building. Sisco reported on work done to analyze the proposed donation of a non-historic building at 205 North Mill Street, to be relocated to the Public Works yard on East High Street. A building mover estimated the move at more than $50,000; with site preparation and related work, the total is estimated at about $100,000, compared with about $45,000, plus concrete and electrical work, for a new steel building. No motion to accept the donation was made, and no action was taken.

f. Holiday Lights on German Street Buildings. Sisco reported that the holiday lights on German Street buildings are in disrepair and pose a safety hazard. He is consulting Experience Shepherdstown and German Street property and business owners on whether to repair, rehang or remove them. Town Council discussion noted the importance of safety and encouraged Sisco to seek a temporary fix for this season and a longer-term plan coordinated with Experience Shepherdstown. No formal action was taken.

g. Call for Volunteers for Town Boards, Committees and Commissions. Gatz called for volunteers for the Tree Commission, the Planning Commission, the Board of Zoning Appeals, and the Parks and Recreation Committee. Those interested should contact the Town Clerk (clerk@shepherdstown.gov).

8. New Business

a. Application for Planned Unit Development – Property at 5026 River Road. Gatz reported that he and staff held a pre-application conference with the applicants on September 29 and the materials provided to the Town Council are a general concept. If the applicants proceed with an application, it will first go to the Planning Commission under

the process established in the Town's PUD ordinance as recently amended. The process and materials will be posted on the Town website. No action was taken.

b. Mayor's Advisory Committee on Police / Traffic Enforcement. Gatz announced that he is forming an advisory committee on police and traffic enforcement, in response to the events of July 4 and public concern about traffic, to develop recommendations to Council targeted for January 2027. W. Mitchell and A. Jones have agreed to serve, and Gatz invited suggestions for additional members.

c. Business License Enforcement. Auxer shared his observation that there are businesses working in town that do not have business licenses from the Town as required, which he said creates public safety issues and makes it difficult for the Town to assist with consumer complaints. A discussion was held about how to address such non-compliance, including by the Town's encouraging residents and businesses to ask contractors about their licenses and posting a list of currently licensed businesses on the Town's website. No formal action was taken.

d. Special Events Requests – Votes.

i. Town Wide Yard Sale – October 24. P. Peltola described the event, in which residents hold yard sales at their own homes and keep sidewalks clear. Council agreed that a special event permit is not required for residents holding yard sales on their own property. No vote was taken.

ii. Holiday Kick Off & Tree Lighting – November 27. Vote on the application was deferred to the October 28 special Town Council meeting with applicant Experience Shepherdstown to confirm Fire Department participation and review.

iii. Festive First Friday – December 4. Deferred to the October 28 special meeting with same request as prior item.

Gatz noted that Shepherd University will hold its annual Founders Day walk during homecoming weekend; no Council action is required.

e. Shepherdstown Community Grant Applications. None.

f. Donations Received. None.

g. Town Applications for Grants. No new applications.

h. Posted Requests for Bids, Proposals and Qualifications. Gatz reported that a request for proposals for a consultant to assist with decision-making on the school property has been posted on the Town website and that responses have been received.

i. Resolution in Support of Voices Opposing Line Transmission (VOLT). C. Kemmerling of Jefferson County VOLT presented a resolution opposing the Valley Link North, Gore-Doubs-Goose Creek and MARL transmission line projects and urging the West Virginia Public Service Commission to deny any certificates for them. She and another VOLT representative described the projects' routes through Jefferson County and their effects on farmland, historic resources and groundwater. They noted that Valley Link's application to

the Public Service Commission is expected in early 2027 and that Valley Link will hold an open house in Ranson on November 18. The presenters clarified that VOLT stands for Voices Opposing Line Transmission, not Volunteers as stated on the agenda. Council members asked for time to review the resolution before acting. Gatz asked Council members to send comments to the Town Clerk by October 21 and stated that the resolution will be taken up for a vote at the October 28 special meeting.

9. Town Staff / Department Reports

a. Department Reports. Council reviewed the written reports. In response to questions, it was reported that the DEP citation at the wastewater plant was resolved through remediation without a fine, that three more benches (one memorial bench and two art benches) are to be installed, and that the new concrete pad at the Public Works yard will store rock, stone and glass. Questions on chlorine line replumbing and operator hiring will be referred to Coe. Council asked that the Public Works report indicate whether listed items are planned, in progress or completed. In response to a question on succession for King, Gatz stated that he will take time to consider next steps with the Personnel Committee, and that the department's experienced officers, including Sgt. Bryce Dickens, will provide continuity in the meantime.

b. Town Financial Status. Kirollos reported that, as of August 31, revenue was $145,881 below the year-to-date plan, due to the timing of sales, liquor and video lottery tax distributions, and expenses were $83,654 under plan. City Hall is over budget due to two Mills Group grant invoices, about $23,000, submitted for reimbursement. Budget Revision #1, previously approved, will be reflected in the September financial report, and Kirollos will update the schedule of restricted funds. Currently staff and outside consultants are preparing the annual report to the Public Service Commission for filing by the end of October.

c. Approval of Town Expenditures. Council asked about community grant disbursements and follow-up reports, tree removal costs, Tek Advisors charges, the Bavarian Inn trash reimbursement, the lease at 102 North King Street, the elevator telephone line and the general liability insurance payment. Kirollos clarified that the $64,338 liability insurance payment is a quarterly payment for the entire Corporation, allocated among the General Fund and the Water and Sanitary departments, and will provide the tree removal invoices. Sanders moved, Bartlett seconded, to approve the expenditures. Motion carried, all ayes.

10. Reports by Committees, Commissions, and Boards

a. Age Friendly Shepherdstown Committee. It was reported that volunteers are conducting point-in-time counts on the Market House Plaza and encouraging completion of the Plaza survey, online or on paper, and that the committee is exploring a Crash Studio traffic-safety assessment. Whether the group will recommend that it be a Town committee or an advisory body is on its next meeting agenda.

b. Finance Committee. No report.

c. Grants Committee. No report.

d. Historic Landmarks Committee. No report.

e. Parks and Recreation Committee. No report.

f. Personnel Committee. No report.

g. Planning Commission. No report.

h. Police Committee. No report.

i. Public Works Committee. No report.

j. Tree Commission. No report.

k. Water Board. It was reported that the Water Board is pursuing a simple rate increase limited to the unit rate, with other tariff elements to be reviewed later, and will then focus on its capital improvement plan.

l. Sanitary Board. No report.

Item 7.a, Taken Up Out of Order: Purchase of Former Elementary School Property. Bartlett moved, Gatz seconded, to enter executive session under W. Va. Code § 6-9A-4(b)(9) to discuss matters involving the purchase of real property. Motion carried, all ayes. Council entered executive session at 9:22 p.m. Gatz moved, Bartlett seconded, to return to open session. Motion carried, all ayes. Council returned to open session at 10:32 p.m. No action was taken.

11. Adjournment

Sanders moved, Yates seconded, to adjourn. Motion carried, all ayes. The meeting adjourned at 10:33 p.m.

Prepared and submitted by Harriet Pearson, Recorder