

**TOWN COUNCIL MEETING MINUTES**  
**Tuesday, September 10, 2024**  
**6:30 p.m.**  
**TOWN HALL**  
**104 NORTH KING STREET**

**1. Call to Order: 6:31pm:**

Mayor Gatz (MG), Chris Stroeck (CS), Marty Amerikaner (MA), Linus Bicker (LB), Shannon Thomas (ST), Marcy Bartlett (MB).

Staff present: Amy Boyd (AB), Woody Coe (WC), Kenny Shipley (KS), Andy Beall (AB).

Visitors present: See attached Sign-In Sheets.

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

\*\*\*ST motion to approve, second by LB, all in favor and approved with minor changes.

**Approval of Town Council Special Meeting Minutes of August 21, 2024:**

\*\*\*LB motion to approve, second by MB, all in favor and approved as drafted.

**3. Public Comment Period:**

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

A. Leigh Koonce – provided info on Book Festival to be held 9/21;

B. Carrie Blessing – reminded the TC of her submitted letter re gentrification;

C. Steve Pearson – thank you to all volunteers involved in Town affairs.

#### **4. Public Hearings:**

A. First Reading of an Ordinance Re-Enacting and Revising Section 9-7A04 of Chapter 7A of Title 9 of the Code of Shepherdstown, WV, to Change Subparagraph (E) Space Requirements

\*AB summarized changes which will increase open space requirements for new developments.

\*Changes were proposed by the Planning Commission.

\*\*\*Approved on first reading without rejection.

#### **5. Ongoing Business:**

A. Staff Reports

\*Town Clerk – See attached Staff Report.

\*Chief of Police – None.

\*Public Works Director – See attached Staff Report.

\*Zoning Officer – See attached Staff Report.

**6. Reports of Commissions and Boards:** See Minutes in meeting packet.

#### **7. New Business:**

A. Town Employee Pay Scale Adjustments –

\*John Bresland presented on behalf of the Water & Sewer Boards – see attached statement.

\*WC provided his analysis regarding pay scale adjustments – see attached.

\*CS asked if these adjustments are included in the Water & Sewer Boards budgets – Sue Kimitzer responded yes on behalf of the Water Board, WC responded yes.

\*CS asked if these adjustments would lead to a rate increase – WC responded no.

\*MG stated that this issue is an emergency due to retention and hiring issues and the need to catch up.

\*Immediate need from Town is \$28K as set forth in WC report, plus adjustments going forward.

\*\*\*MB motion to accept proposed increases as recommended by WC, second by LB.

\*MA offered and then withdrew a proposed amendment to accepting the Water Board's proposal. Upon discussion, there was agreement that the MB motion contemplated this.

\*\*\*All in favor

B. Request from Tree Commission for purchase of memorial plaque –  
\*To honor Pete Spaulding, the “tree whisperer,” will be placed next to the plaque honoring his wife.

\*\*\*LB motion to approve, second by MB,

\*MB asked who will pay? MG stated the Town will pay for the plaque.

\*\*\*All in favor.

C. Planning for upcoming community/holiday events –

a. Special Event Requests –

i. Boo Fest – Mary Buffington provided an update – German Street to be closed, no significant changes from prior years.

\*\*\*ST motion to approve, second by LB, all in favor.

ii. Christmas Parade – 12/7 – Peter Smith and Jackie Perow provide an update, no significant changes from prior years.

\*\*\*ST motion approve, second by MB, all in favor.

\*Discussion ensued regarding ad hoc committee for Town events.

\*ST discussed Christmas in Shepherdstown, CATF “Our Town” premier, decorating events, etc.

\*Christmas lights need to be fixed – ST to review contract and reach out to vendor.

\*ST proposed a paid position that would oversee Town events.

\*MG thanked all the volunteers.

\*MA asked if this committee or its predecessor group has a budget? MG and ST responded no.

D. Magistrate Appointment --

\*MG recommended that Jim Auxer be appointed.

\*\*\*MB motion to approve, second by ST, all in favor.

E. Domestic Violence Awareness Month (October) Tree Ribbons Request –

\*Melissa Kinchoele presented on behalf of the Eastern Panhandle Empowerment Center (EPEC), and asked if they can place purple ribbons on trees.

\*\*\*MA motion to approve, second by ST, all in favor.

## **8. Mayor’s Report:**

\*MG thanked Ken Lowe, in memoriam, for his long service to the Town.

\*MG thanked Lori Robertson for her long service to the Town.

\*MG will schedule “Office Hours with the Mayor” on every fourth Wednesday. He welcomed all Council members to join him. The first to be held 9/25, at 6:30pm.

\*MG reported that applications have been received for the Town Administrator position and are under review.

\*MG reported that the Stubblefield Institute will be offering a presentation by Capito and Manchin.

\*MB discussed the Community Initiative Work Group and its potential ideas including cross-channel marketing for Town, “Year of Civility,” “Conversations on a Bench, and an alumni breakfast event.

A. Comprehensive Plan Consultant contract –

\*MG reported that discussions are being had with varying consultants.

B. Virtual CFO contract –

\*MG reported that a contract has been signed with Star Chapman CPA.

\*MG discussed county opioid funds and possibility of applying by Oct. 1 for some funds. CS to further research.

C. Residential Parking Permit Renewal –

\*MG reminded all to renew.

D. Lead and Copper Service Line Inventory Survey –

\*MG reminded all to complete. Oct. 1 is the deadline.

\*MA to include on Town email.

\*MA proposed consideration of switching Town email system from an opt-in to an opt-out setting.

\*MG reminded that next TC meeting will be held WEDNESDAY, 10/9, at 6:30pm.

**9. Adjournment:** \*\*\*ST motion to adjourn, second by MA, all in favor at 8:04pm.

Town Council Meeting  
 Sign-In Sheet  
 Tuesday, September 10, 2024  
 6:30 p.m.  
 Town Hall

Name/Organization (PRINT CLEARLY)	Phone or Email	Do you wish to speak? About which agenda item?
1. Beth Betdorf	bethbetdorf@msn.com	NO
2. John Bresland	JOHN5BRESLAND@MSN.COM	YES
3. Jan Hafer	janhafer52@gmail.com	no
4. <del>Peter</del> SUTTY	PUSHTA@FRONTIER.NET	YES - X WAS RANAOE
5. Melissa Kinchela (EPEC)	(204) 841-1696	YES -> EPEC/Oct. DU PIDDING
6. Brit tany Bush (EPEC)	commcoordinator@swinc.org	Yes ↗
7. Leigh Koonce	304-433-1076	Yes - public comment
8. Nancy Stewart	646-519-1941	no
9. Erik Anderson	240 344 1112	NO
10. Kameron Turner	703 673 8116	NO
11. Garl McMillen	304-261-1951	no
12. Dave McMillon	d691081@gmail.com	NO
13. Jackie Finn	240-447-5115	NO
14. Stu Kemnitz	571-331-4832	NO
15.		
16.		
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20.		

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6:30 p.m.  
Town Hall

Name/Organization (PRINT CLEARLY)	Phone or Email	Do you wish to speak? About which agenda item?
1. Mary Ruffin		BooFest
2. STEVE PRADON		VOLUNTEERS
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## **Staff Report of Ongoing Projects**

### **Town Hall**

#### **Market House**

Finishings are currently being completed. The work is progressing on time and completion continues to be on schedule for October 1.

#### **WVDOT Pedestrian Path**

No change since August Town Council Meeting. This is a WVDOT project to install a pedestrian path from Shepherdstown Elementary School to Morgan's Grove Park. The WVDOT has completed the design and engineering, and it has secured all requirement permits and easements. The final funding from the Governor's Office was received and sent on to the WV DOT along with the signed contract agreement and resolution. The next step will be for the State to put the project out for bid. We do not currently have a clear timeline from the WVDOT for the start or completion dates for this project.

#### **Contract for Custodian Services at Town Hall**

A company has been selected and will begin in the next few weeks. Initially, a deep clean will be done followed by a once-a-week cleaning schedule.

#### **Bane Harris Playground Equipment**

MetroRecreation Inc. began installation of the playground equipment last week. The new equipment will expand the current play area and accommodate an age range from 5-12. Town Hall staff is overseeing the completion of this contract.

#### **Tree Commission Purchases**

Town Hall staff reviewed bids totaling approximately \$23,000 that were submitted by vendors for tasks and purchases requested by the Tree Commission. Staff plans to assist the Commission with reviewing bids and related tasks going forward.

September 2024

## **Wastewater, Water and Streets**

### **New Equipment Status:**

Dump truck will be delivered this week

### **Water Distribution Project Update (Mecklenburg Heights/Mill Update:**

As of August 29<sup>th</sup>, 2024, the project is at 58% of completion. Projected completion date is December 19<sup>th</sup>, 2024. Of the 9,300' of waterline to be installed, 4566' have been installed, inspected and soon to be sampled. The waterline installation includes 12 gate valves and 5 fire hydrants. Four of the eight main connections are complete. Service interruptions will be minimal but are necessary. Customers will be notified 24 hours in advance of any type of service loss. Next progress meeting with Snyder Environmental (the contractor) will be, September 26<sup>th</sup>, 2024.

### **New Hires in Public Works**

We have hired an Operator in Training for the sewer plant. The new laborer was terminated due to NO driver license. The water plant OIT transferred back to that vacant laborer position. We have no applicants for the other advertised positions. The positions have been advertised for 4 weeks.

The Public Works Director is reaching out to post these jobs at WV rural water. Wage study is complete, after the wage scale and adjustments are passed, we will be more competitive in hopes of keeping our existing employees and entice new employees to apply.

Our newest Class I Operator, Jackson Shanholtz, suffered heat stroke 8/28/24. He is recovering well and should return on 9/12/24.



## Planning and Zoning

### Kalathas Property

There have still been no formal submittals regarding the proposed residential development. The developers have hired JHA Companies in Martinsburg as the site engineers. The project lead, Marc Mezzanotte, PE has reached out to the Planning & Zoning Office on Sept 5 for clarification regarding Title 9 PUD zoning regulations regarding minimum parking requirements, and staff responded later that day that the Town's PUD ordinance does not specify parking requirements, but a ratio of somewhere in the 1.2 – 1.5 per dwelling unit would most likely be acceptable.

### Green Stormwater Infrastructure

RFQ's to hire an engineering firm to design the (2) green stormwater infrastructure BMP areas for which the town received grant funding have been distributed. A virtual pre-bid meeting hosted by Region 9 was held on Wednesday, September 4<sup>th</sup>. Bid proposals are to be submitted to the Planning & Zoning Office by 4:00 p.m. on September 20<sup>th</sup>.

### Town-Owned Structures

Staff conducted a physical assessment of town-owned building exteriors and exploring painting needs of the interior portions of Town Hall. The following is an initial list of painting needs:

1. **The Market House** All exterior wood surfaces should be painted. The west elevation especially is chipping and peeling.
2. **The Train Station** All exterior wood surfaces should be painted. The metal roof is showing signs of rust and should be repaired and painted.
3. **The Lift Station on N. Princess** Grape vines need removed and all exterior wood surfaces painted.
4. **Tobacco Warehouse** The metal roof is showing signs of rust and should be repaired and painted.

September 2024

Mr. Mayor and Town Council members:

The Public Works Department in Shepherdstown has three sections – water treatment, wastewater treatment and Streets/Sanitation. The employees in the drinking water plant and the wastewater plant are trained and certified by regulations authorized by the West Virginia State Code. For example, the drinking water plant operator positions are classified as:

Operator in Training

Operator Class I

Operator Class II

Operator Class III

Moving up in a class requires passing a state exam and having as many as 4 years' experience as a lower-Class operator. The requirements are comprehensive and stringent. For example, the Class II Water Operator Course Manual is a 550-page document and 4,160 hours of work at a Class II or higher plant.

Earlier this year, after two of our employees quit to take higher-paid positions with Charles Town, the Water and Sewer Boards instructed me to conduct a wage and compensation study to examine how our wage scales compare with neighboring municipalities and to suggest updates. I feel certain that our hiring process and employee retention has failed due to wage competition from other companies.

I reached out to utilities at the City of Martinsburg, Berkeley County PSSD/PSWD, City of Hagerstown, Loudoun County Water, Harpers Ferry and Charles Town Utility Board. Most, but not all got back to me in a timely manner, either verbally or via email. I have completed a wage study twice in my career here in Shepherdstown with the help of board members. I have used the same strategies as in the past.

The last wage study was completed in January 2021. The goal of the current study is the same: to understand the wage structure of regional utilities and to offer competitive wages resulting in top-notch long-lasting employees. Unfortunately, you will see from my findings that we are low in most areas, especially entry level. Comparing job descriptions vs job titles proved to be as tricky as it was 3 years ago. Many employees in Shepherdstown wear multiple hats and work outside of their current job description.

See the attached Excel chart for details. You will first see our “Current Hire-On Scale.” This is used for entry level positions. For example: if we have a new hire or an operator achieves the next license.

Second, you will see my “Proposed Scale.” This scale reflects my findings from the study, and I am asking the board and council to approve to stay competitive, help recruit new hires and retain our much-appreciated current employees.

Third, you will see details of any additional “Adjustment” I am recommending. This category includes pay increases for the much-needed help outside the current job descriptions. Following what other small utilities do, these other duties will be added to the current job descriptions as most are done by one person. For example: our Chief Wastewater plant operator is paid per scale, but he also serves as the Water and Sewer Contractor Coordinator / Inspector as well as the Town Safety Officer. A pay increase is justified for these other duties because this individual has saved us approximately \$300,000 on inspection fees already.

I am suggesting we also compensate staff for other qualifications, such as for having a Commercial Driver’s License and for serving as a Field Technician. These adjustments will be added to the Handbook as they are policy additions.

I propose that the three salaried employees who are on-call 24 hours a day should be provided with a take-home vehicle. (This will help the employees that do not receive overtime pay to save on fuel costs.)

I also propose we institute a new policy on compensation time for salaried employees. Currently a salaried employee can accumulate only up to 120 hours of compensation time. After accumulating up to 120 hours, any additional is not guaranteed to be paid. I propose the Town change this policy so that any employee who has accumulated more than 120 compensating time hours will be paid for those hours at the end of each fiscal year (June 30). In addition, if you approve my recommendation, I will also suggest the Town also pay any employees that currently have accumulated more than 120 hours should be paid for those hours now (September 2024) to catch up, showing immediate compensation for their tireless work, and then also pay them for any additional compensation hours earned by the end of Fiscal Year 2025.

I completed this study using my previous experience reviewing and understanding the knowledge of the positions. The current scales and projected scales are close. If the current scale had historically allowed merit and COLA raises it would be nearly

where we want to be. Adjustments and policy additions are completely justified, but unfortunately not addressed in the past. Please consider voting in favor of the 'Proposed Wage Scale' and permit the added "adjustments" to go in effect immediately.

Sincerely

Charles "Woody" Coe

Public Works Director/Chief Operator

Title	Current "Hire On" Scale	Proposed Scale	Adjustment Range Per Task and Policy Changes	Total Amount of Increase Per Department After Adjustments	Other
<b>Water</b>					
Water Plant Operator in Training (OIT) / Field Tech	\$14.80	\$17.00 - \$21.00	\$0.50		
Water Plant - Class I Operator / Field Tech	\$18.57	\$19.00 - \$23.00	\$0.50 - \$1.50		
Water Plant - Class II Operator / Field Tech	\$22.81	\$25.00	\$0.50 - \$2.50		
Water Plant - Class III Operator / Field Tech	\$24.74	\$28.00	\$0.50 - \$2.50		
Water Plant - Assistant Chief	\$28.65	\$32.00	\$0.50 - \$2.50		
Water Plant - Chief Operator	\$36.60	\$38.50	\$0.50 - \$2.50		
<b>TOTAL</b>				<b>\$28,000.00</b>	
<b>Sewer</b>					
Sewer Plant Operator in Training (OIT)	\$14.80	\$17.00 - \$21.00	\$1.50		
Sewer Plant - Class I Operator	\$18.57	\$19.00 - \$23.00	\$1.50		
Sewer Plant - Class II Operator	\$22.81	\$25.00	\$1.50		
Sewer Plant - Class III Operator	\$24.74	\$28.00	\$1.50		
Sewer Plant - Assistant Chief	\$28.65	\$32.00	\$1.50		
Sewer Plant - Chief	\$36.60	\$38.50	\$1.00 - \$3.00		Take Home Vehicle
<b>TOTAL</b>				<b>\$28,000.00</b>	
<b>Public Works</b>					
Public Works - Director	\$47.22	\$52.00			Take Home Vehicle
Public Works - Distribution Supervisor	\$30.24	\$35.00	\$1.50		Take Home Vehicle
Public Works - Operator / Pipe Fitter	\$24.00	\$24.00	\$1.50		
Public Works - Laborer	\$14.85	\$17.00	\$1.50		
Public Works - Laborer with CDL	\$17.00	\$19.00			
<b>Town Hall</b>					
Town Hall - Town Administrator	\$60.00	\$60.00			
Town Hall - Town Clerk/Treasurer/Human Resources Lead	\$40.00	\$43.00			
Town Hall - Billing Clerk	\$22.00	\$23.00	\$1.00		
Town Hall - Accounting Clerk	\$23.00	\$25.00	\$1.00		
Town Hall - Receptionist	\$14.00	\$17.00	\$1.00		
<b>TOTAL</b>				<b>\$28,000.00</b>	

**Exempt/ Salary Positions**

**Adjustments**

- Water Meter Testing License \$ .50
- Water Field Tech I - \$ .50
- Water Field Tech II - \$1.00
- Water Master Field Tech - \$2.00 (one person)
- Water and Sewer Contractor Coordinator/Inspector - \$2.00 (one person)
- Town Safety Officer - \$1.00 (one person)
- Commerical Drivers License - \$1.50
- Town Bill Payment Processing - \$1.00

**Policies**

Allows take home vehicles for on call, exempt/salary employees

Exempt/salary employees will be paid for compensation overages above 120 hours  
Currently, there's not payout option unless termination of employment or retirement.

COLA/Merit will be included in the budget each.

Good evening, Mr. Mayor and members of the Town Council. I am John Bresland, and I have been a board member of the Shepherdstown Water Board for more than five years. I am here this evening representing The Water Board. The Board has asked Woody Coe to evaluate the pay scales at the water plant, the wastewater plant and streets/sanitation.

Why now? The operations of the water plant and the wastewater plant are critically important to the Town of Shepherdstown. We all need a consistent supply of drinking water. Both plants must comply with stringent USEPA and West Virginia DEP regulations. Noncompliance will result in financial and civil penalties for Shepherdstown.

Each plant is technically complex. I would describe them as small chemical plants. The employees at each plant are highly trained and skilled technicians. At the water plant they are classified from Operator in Training up to Operator Class 3. To move up to a higher class they must have up to four years of experience and pass a state authorized examination.

However, now we have a problem. Experienced employees are leaving the Shepherdstown drinking water plant and Woody is having difficulty in attracting new employees because they are being recruited by neighboring communities who can offer better salaries for these highly skilled workers.

This is not a sustainable situation.

How did we get here? Historically the employees have had no regular pay raises or Cost of Living Adjustment (COLA). It is only in the last four years that the staff have received any pay increases and then only 2%.

As I said in my introduction, the Water Board asked Woody to evaluate the Shepherdstown pay scales.

Woody used the same process that he used three years ago. He contacted regional utilities and asked them to share their employee pay scales. Woody determined that the pay scales in Shepherdstown are significantly lower than that in surrounding communities.

Based on the information he received Woody has outlined changes to pay scales, compensation time and the use of take-home vehicles.

In closing I can tell you that have visited the drinking water plant many times. I never fail to be impressed by the dedication and expertise of all the staff.

Woody will now discuss his recommendations in more detail.