

**TOWN OF WILLIAMSPORT
MAYOR AND COUNCIL MEETING MINUTES
September 12, 2016**

A regular meeting of the Williamsport Mayor and Council was held on September 12, 2016, at the Williamsport Town Hall Williamsport, MD at 6:30 p.m.

In attendance were:

Mayor James G. McCleaf II
Asst Mayor Joan Knode
Councilman Dustin Byers
Councilman Jim Kalbfleisch
Councilman Bill Green
Councilman Scott Bragunier
Town Attorney Ed Kuczynski

Also present was Town Clerk Donnie Stotelmyer

Mayor James G. McCleaf II called the meeting to order.

A motion was made by Councilman Dustin Byers to accept the Regular Council Meeting Minutes from August 8, 2016. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried.

Financial Report

There was no financial report presented this month.

Guests

Mayor McCleaf introduced Randy Watson, engineer from Thrasher Engineering. Mr. Watson was present to provide updates on the status of the Town's Phase II Water Improvement Project. He informed the Mayor and Council there will be 1.5 miles of water line and service line replacement. They plan to begin this project on West Sunset Street and replace the line going out Sunset Avenue as far out as Grove Avenue. They will also replace water lines from S. Conococheague Street to Osborne Funeral Home, then from Osborne Funeral Home to S. Artizan Street to N. Artizan Street. They will go as far as they can with the allotted funding. Total construction cost will be approximately \$1.25 million. Overlay of the streets affected by this construction is included.

Mayor McCleaf called up LeeAnne Stotelmyer from the Williamsport Food Bank. Councilman Bill Green presented LeeAnne with a check in the amount of \$520 to be donated to the Williamsport Food Bank. These funds were the result of fundraising efforts from this year's Williamsport Bike Nite.

Mayor McCleaf opened the floor for discussion for suggested uses for the former Sheetz building on East Potomac Street. Mark Sandell, Pastor of St. Andrews Presbyterian Church and current

President of the Williamsport Ministerium spoke first. Pastor Sandell oversees operation of the Williamsport Food Bank currently housed in Zion Lutheran Church. Pastor Sandell said the current location is inadequate for their operations and they have actively been seeking a new location. The Williamsport Food Bank serves about 200 families and 300 individuals in the Town of Williamsport. It is the wish of the Williamsport Ministerium to move the Williamsport Food Bank operations to the old Sheetz building. Sarah Moore, Associate Pastor of St. James Brethren Church and former president of the Williamsport Ministerium, said placing the food bank in the highly visible store front would show residents and visitors that the Town of Williamsport cares for people in need. Many people spoke in support of moving the Williamsport Food Bank to the old Sheetz building including: Leeanne and Mike Stotemyer who currently runs the operations of the Williamsport Food Bank; Susan Bohls, Pastor of United Methodist Church; Reverend Brad Seal; Georgia Salisbury and Cathy Queens.

Margaret Reed, town resident, presented a letter to the Mayor and Council. Mrs. Reed is a big advocate for the Town of Williamsport and the C&O Canal National Park. Mrs. Reed suggests we convert the old Sheetz building into a visiting center for the Town. If the Town went in this direction, she would be willing to volunteer to staff it.

Pastor Tom Perry said he would like to see an urgent care facility move into that building. There is no other acute care clinic in the immediate area.

Doug Gigeous, town resident, said the Town needs to generate tax revenue with this property.

Tony Drury, town resident said he does not feel the Town should sell the property. He feels like it is too good of an opportunity and it took too much to acquire the building. He said the Town should find a way to use the building for the better of the community. Also, he said when Sheetz occupied the building it only generated approximately \$2,100 in tax revenue each year, which is not substantial.

Grace Bennett spoke up and said the building is situated in a great location and she would love to see a thriving business move into this location.

Beth Stewart said she would like to see a nice restaurant go into this location that would serve maybe barbeque or pulled pork.

Mayor McCleaf asked Councilman Scott Bragunier to talk about the restrictions place on this property when Sheetz conveyed it to the Town. Councilman Scott Bragunier said whatever business would move into that property, 30% of the new business' sales could not be from a product that competes with anything that Sheetz sells. For example, selling sandwiches, gas, cigarette, it would have to be a small enough percentage of their profits so as not to compete with the new Sheetz building. Councilman Bragunier also said 5 parking spaces at the old Sheetz building would have to be reserved or blocked off for the current Sheetz building's employees. Town Attorney, Ed Kuczynski said we could probably go back and renegotiate the parking spaces if that became an overarching issue. These terms were outlined in a 30 year long agreement.

Debbie Carroll said she would like to see the Town utilize that building for a 4H Club, Girl Scouts and/or Boy Scouts. She would also like to see it used to sell local crafts. She would also be willing to share the space with the local food bank.

Jim Jewells said he would like to see an auto repair shop go into this building.

Paul Romsburg is interested in purchasing the property from the Town and turning it into a restaurant. Mr. Romsburg currently owns the Western Sizzlin' in Halfway.

Karen Hendrickson, town resident, said she is against moving the Williamsport Food Bank to the old Sheetz building. She thinks a business should go into that space.

Matt Haggerty, town resident, proposes to open a business called C&O Consignments. He estimates he will employ 2 full time and 2 part time employees and would sell unique items on consignment.

Karen Himes wants to open a business called Holy Smokes BBQ, LLC. She said it would be a cafeteria style business. She would offer dine-in or carry-out. They would also offer a picnic-to-go option for people to pick up all the supplies that are needed for a picnic to be taken to one of the local parks and enjoyed. She plans to employ 4 full-time and 4 part-time people.

Mayor McCleaf called on Donnie Stotemyer, Town Clerk to talk about the various projects underway at the C&O Canal National Park.

Correspondence

Mayor McCleaf shared an invitation to "Remembrance In The Park" at Hagerstown City Park on September 13, 2016 at 6:30pm for the anniversary of September 11, 2001.

Mayor McCleaf shared a letter from the Williamsport Lion's Club who donated \$290 towards the National Night Out event. This check came from proceeds they raised selling funnel cakes at National Night Out.

Mayor McCleaf shared an invitation to the next Washington County MML meeting to be held at the McClellan Gun Club at 5241 Red Hill Road in Keedysville on Monday, September 26. The social hour will begin at 6:00pm and the meal will be served at 6:45pm.

Mayor McCleaf shared an invitation to participate in this year's Alsatia Mummer's Parade on Saturday, October 29th with a start time at 6:00pm.

Reports:

Board of Elections Supervisor

No report.

Board of Zoning and Appeals

No report.

History and Museum Board

Mr. Jerry Knode reported the Museum is officially open. They have a new sign and new displays. They volunteered a total about 200 hours to get everything ready, but they are not open and happy to be back.

Planning Commission

August 30, 2016

To: Williamsport Mayor and Council

Subject: Planning and Zoning Activities Update for August, 2016

There were **one permit submitted** in August, and a total of one **approved**. Nine (9) permits remain under review.

Permits Approved:

2016-22 409 S Conococheague St Construct Roof Over Existing Slab Approved
08/2016

Permits Being Reviewed:

2014-20	124 E. Potomac Street	ADA Sidewalk replacement		Priority 1
	/Sched. Spring 2016 WC			
		D Stotelmyer		
2014-21/26	14-26 E Salisbury Street	Remove & replace front sidewalks		
	Councilman- B. Green			
2014-44	104 E Potomac Street	Bus Shelter (County)	Financing	Fed
	Approval–Wash Co			
		D. Stotelmyer		
2014-45	5 N. Commerce Street	Construct Visitor Center (Town)		Project on
	Hold – Town Council			

Planning Follow-up

9/15/2014	Town Clock Reclamation	Town Council Approved Project	Bid
	Submission – D. Stotelmyer		
1/18/2015	Sidewalk Usage Standards:	Town Council Approved	Formal
	Document – E. Kuczynski		

Zoning Review for Proposed Business:

Three applications were reviewed and approved

Respectfully Submitted,

Charles Stumbaugh

Chairman

Planning and Zoning Commission

Legal Council

Town Attorney, Ed Kuczynski reported he received an annexation request from Jason Divilbliss to annex a parcel adjacent to Interstate 81. He is in the process of working through this request. Mr. Kuczynski said there was one stipulation in the annexation request requesting no property tax be paid on this property until the property would be developed. Mr. Kuczynski did not agree with this section and asked the Mayor and Council for further guidance. The Mayor and Council also did not agree with this request so Mr. Kuczynski is going to have Mr. Divilbliss amend this section of the request.

Sheriff's Report

Mayor McCleaf gave the August Sheriff's Report.

Council report

Asst. Mayor Joan Knode reported she recently met with the Small Museums Board. The Board recently loaned the Williamsport Museum a special display on the C&O Canal. This display is on loan to us for a 5 year period. She reported the wedding season is almost to a close. She gets calls all the time about renting the barn. They will soon start prepping the barn for Charlie Brown Christmas.

Councilman Jim Kalbfleisch had no report.

Councilman Scott Bragunier reported C&O Canal Days was a good event, good weather and seemed to be well attended. He said the Second Sunday events seem to be going well. Councilman Bragunier said the EDC recently met and they are working on creating a Facebook page for the Williamsport EDC. Councilman Bragunier said he sent the request to utilize Zion Lutheran Church's parking lot for municipal parking, but has yet to hear anything back. The playgrounds in the park have been heavily used. He has noticed weeds growing up through the mulch and stone path throughout the park and along the fitness trail. There are also weeds growing in the stone dust on Double Day Hill. He asked that these be addressed. Councilman Bragunier said the new fitness equipment has been installed, but there were a few pieces that needed adjustments and Cunningham Recreation will be coming to make those adjustments in the near future. Councilman Bragunier reported the Hagerstown Hot List was published recently in the Hagerstown Magazine. Zelda's Boutique made the list as the #1 women's boutique. Canal View Candles & Barrel Company came in second for new business category. Councilman Bragunier asked everyone to please go online to vote for a contest for the Williamsport vs Liberty football game to be sponsored by the Ravens.

Councilman Dustin Byers had no report.

Councilman Alan Redding was not present; no report.

Councilman Bill Green reported he is working on a sidewalk project for E. Salisbury Street. He has spoken with all of the residents and they are in agreement to have the sidewalks repaired. Councilman Green reported he talked with the Washington County Sherriff's Department about a resident complaint about speeding on E. Salisbury Street. They have since installed a counter to track the speed of vehicles and the peak time speed violations are taking place. If the counter identifies a true problem or time when speeding violations occur most frequently, then they will use that information to set up patrols.

Mayor's Report

Mayor McCleaf reported many residents have complained to him about commuters cutting through Tony's Pizza's Parking lot to bypass the traffic light at the intersection of Conococheague and Salisbury Streets. Town Attorney Ed Kuczynski said that is something we can discuss with the Planning and Zoning Committee to determine if Tony's Pizza should erect barricades or somehow redesign their parking lot to avoid this from taking place. Mayor McCleaf reported on the new bus that was donated to the Town. It's very nice and it worked out well for the C&O Canal Days Festival. That bus was donated from McCleaf bus lines out of Waynesboro. He reported the Town audit has been completed for this year and the audit went well. The Town will be converting to the new Tyler software system beginning the first of the New Year for electric and water utility billing. In the meantime, Sue Harrison, town accountant has begun the conversion process. Mayor McCleaf reported the bay restoration fee will be increasing on the water bills. During the auditing process, the auditors asked why the bay restoration fee had not been increased back in 2012. Currently, the bay restoration fee is \$2.50 per dwelling per month. We will be raising this fee to \$5.00 per dwelling per month. This increase will be reflected on the next water and sewer bills. Mayor McCleaf reported Congressman Chris Van Hollen recently visited Williamsport to learn about all of the projects underway at the C&O Canal. He also toured the downtown area and it was a nice visit. Assistant Mayor Joan Knode said she would like for us to discuss the EDU situation for the town. Mayor McCleaf said we can discuss that topic when we go into Executive Session.

Councilman Dustin Byers asked what will be done with the Sheetz Property. Town Attorney Ed Kuczynski said we would first have to hold a hearing indicating the building would not be for public use. Councilman Kalbfleisch asked if there would be any benefit to the town to keep the property. Mayor McCleaf suggested we talk to our local Maryland legislature to change the legislation regarding properties owned by municipalities to try and reduce the barriers and hoops we have to jump through. Mr. Kuczynski said if the Town could lease the building, we can control who occupies the space, but if we sell it, we could still put certain restrictions on the type of businesses that could go into that space.

Unfinished Business

Mayor McCleaf stated there was a lot of information and ideas presented tonight regarding the possible future use of the old Sheetz building. The Mayor and Council will need some time to review all of the proposed ideas and decide what will be in the best interest of the Town and its residents.

Mayor McCleaf presented a proposed schedule for Town clean-up days. The Fall Clean-Up Day has been scheduled for Saturday, November 5th from 7am-12pm in Byron Memorial Park. In addition to collecting bulk and yard waste, volunteers will be pruning trees. The next Spring Clean-Up Day will be on Saturday, April 29, 2017 from 7am-12pm in Byron Memorial Park. ON this same day, we will celebrate Arbor Day and plant trees with the Maryland Forestry Department. The Council was all in agreement with these proposed dates.

New Business

Mayor McCleaf presented a letter from the Cumberland Valley Breast Cancer Awareness requesting permission to tie pink ribbons on parking meters, utility poles and trees along the main thoroughfare in Williamsport. This would be in support of their Annual Park in the Pink Awareness Campaign. The volunteers wish to place the ribbons on Monday, October 3, 2016 and remove them on Friday, October 14th, 2016. Councilman Scott Bragunier made a motion to approve this request. This motion was seconded by Councilman Dustin Byers. With all voting in favor, motion carried.

Mayor McCleaf introduced a Resolution 2016-02 for the purpose of making a declaration of official intent pursuant to U.S. Treasury Regulation Section 1.150-2 regarding The Town of Williamsport's intention to reimburse from the proceeds of one or more obligations to be issue by the Town prior expenditures made in connection with the Phase II Water Improvement Project, together with related costs and financing costs. Councilman Bill Green made a motion to introduce Resolution 2016-02. This motion was seconded by Councilman Dustin Byers. With all voting in favor, motion carried. Mayor McCleaf asked that the Council review the Resolution and we can pass it at the next Council Meeting.

Mayor McCleaf asked for approval of MOU between Town of Williamsport and Maryland Department of Human Resource. This MOU pertains to an Energy Assistance Funding agreement that has recently been updated. Councilman Scott Bragunier made a motion to approve this MOU agreement. This motion was seconded by Councilman Bill Green. With all voting in favor, motion carried.

Mayor McCleaf presented a letter from Brandy Stottlemeyer with Brushed, LLC. The letter requested to use the Williamsport Community Building at a reduced rate on week nights. Ms. Stottlemeyer is in the business of hosting Paint Events. She was hoping to use the Community Building on a regular basis to host these events and requested she be able to rent the building at a negotiated rate of \$100 per evening on week nights. She agreed in her letter to pay the \$300 rental fee whenever using the building on a Saturday or Sunday. The Mayor and Council did not approve this request. No further action was taken.

Citizen Participation

Mayor McCleaf recognized town resident, Mr. Ken Lafferty. Mr. Lafferty was present to ask the Mayor and Council where we are with the ordinance books for the Washington County Sheriff's Department. Town Attorney Ed Kuczynski said the books are on his desk and he is working on them. Mr. Lafferty said there were two sheds at the new duplex on W. Salisbury Street and he wanted to know if they were permitted to have them down there. Mr. Kuczynski said we would

have to check with the members of the Planning and Zoning Committee to see if that was a part of the original site plans or not. Mr. Lafferty complained about the kids down on Vermont Street running around at all hours of the night. Mr. Lafferty said these issues have to be addressed and we have to address them before this anticipated spike in tourism to the area. Mayor McCleaf asked Mr. Kuczynski if we could look into the ordinance that Smithsburg recently implemented a nuisance ordinance.

Mayor McCleaf recognized town resident, Mr. Doug Gigeous. Mr. Gigeous presented the Mayor and Council with a copy of email correspondence between Rob Slocum, Director of Washington County Division of Engineering and Construction Management with Angela Smith, Deputy Director and Deputy Code Official. Attached with the correspondence page was a copy of a receipt from town hall where excise tax was collected from Williamsport Nursing Home in July of 2010, but it was just recently paid in 2016. Mr. Gigeous informed the Mayor and Council said the staff working in Town Hall are not being honest with the Council about some of the proceedings going on in town. Mayor McCleaf responded that Mr. Gigeous does not have all of the information pertaining to this particular transaction. The reason the Town did not forward this payment to the County immediately was because the County owed the Town money and we were holding payment until those monies were received. Mr. Gigeous then raised concerns over the Town owing \$460,000 for EDUs. Mr. Kuczynski spoke to this claim saying Mr. Gigeous does not have all of the information pertaining to this issue either. The debate over EDU payments goes back nearly 30 years. There was a payment agreement between the Town of Williamsport and the County drafted back in 1998 where the EDU total was set and that is what the Town was working off of up until 2008 when the County questioned the town regarding EDU totals. Since 2008, the Town has debated and also worked with the County towards a resolution to properly report the EDU totals for the Town. The current balance due to the County is not owed by the Town but rather by the businesses for additional EDUs that need to be purchased by the owners. The town will soon be sending out invoices and letters to start collecting a portion of these fees. The Mayor explained there were some discrepancies in the reporting for the amount of money owed to the County. These discrepancies have been addressed, which reduced the amount owed the county. A payment agreement has been drafted between the Town and the County to pay off the money owed over the course of a 5 year term. Installment payments will be made on the first of each year with no interest.

Mayor McCleaf recognized town resident, Mrs. Carolyn Spinney. Mrs. Spinney reported the new Town of Museum sign looks very nice and she thanked the Mayor and Council for that. Mrs. Spinney talked about her water bill. Every winter, she travels to Myrtle Beach. She received a termination letter because she had not paid her balance. Her water was turned off while she was away, but she was still billed a minimum charge. She hasn't paid this because she doesn't feel like she should have to. Mayor McCleaf called on Town Clerk, Donnie Stotemyer who reported he is working on a written document outlining the Town's billing policies and procedures.

Mayor McCleaf recognized town resident, Mr. Jim Jewells. Mr. Jewells said he would like to see the Town utilize the Pool building for the Food Bank.

Mayor McCleaf recognized town resident, Ms. Chris Grimes. Ms. Grimes asked if the new Taylor System would automatically generate EDUs. Mayor McCleaf said they are setting it up so

that the new system could flag when there is an increase in water consumption for a business thus resulting in a new EDU and it will help improve our reporting to the County.

Councilman Dustin Byers made a motion to adjourn. This motion was seconded by Councilman Bill Green. With all voting in favor, meeting adjourned.

Respectfully submitted,

Donnie Stotelmyer
Town Clerk
Town of Williamsport