

**TOWN OF WILLIAMSPORT  
MAYOR AND COUNCIL MEETING MINUTES  
September 8, 2014**

A regular meeting of the Williamsport Mayor and Council was held on September 8, 2014, at the Williamsport Town hall in Williamsport, MD at 7:00 p.m.

In attendance were:

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

Also present was Town Clerk Donnie Stotelmyer

Mayor James G. McCleaf II called the meeting to order. Mayor McCleaf asked all in attendance to stand for a moment of silence followed by the pledge of allegiance.

A motion was made by Councilman Bill Green to accept the regular meeting and executive session minutes held on August 11, 2014. This motion was seconded by Councilman Alan Redding. With all voting in favor, motion carried.

**Financial Report**

Mayor McCleaf informed the council there was a computer glitch and we were unable to provide a financial report for this month. At our next month's meeting we will present the financial report for August and September 2014.

**Guests**

**Correspondence**

Mayor James G. McCleaf informed the Council we received a thank you card from Joyce Kramer from C&O Canal Days Committee thanking the town employees for all of their help to prepare for this year's C&O Canal Days event.

Mayor James G. McCleaf informed the Council we received an invitation from the MML regarding the next Chapter meeting scheduled for Monday, September 22, 2014 hosted by the town of Keedysville. The meeting will be held at the McClellan Gun Club. Social hour begins at 6:00pm. The cost for the meal is \$22.00.

Mayor James G. McCleaf informed the Council we received a flyer for a “Remembrance In The Park” event at the Hagerstown City Park on September 9<sup>th</sup>, 2014 at 6:30pm.

**Reports:**

**Board of Elections Supervisor**

No report.

**Board of Zoning and Appeals**

No report.

**History and Museum Board**

Jerry Knode reported they put up 5 new signs to help direct traffic to the barn. They also recently added 2 new displays. They were very busy over the C&O Canal Days weekend. They had another book signing over this weekend, and a lot of people came for that. The museum is open from 1-4pm on Sundays.

**Planning Commission**

**September 5, 2014**

**To: Williamsport Mayor and Council**

**Subject: Planning and Zoning Activities Report for August, 2014**

- There were Five (5) permits submitted in August, and a total of five approved. There are twelve (12) permits being reviewed.
- **Sidewalk Usage Standards: Final document has not been received** from attorney; Letter to Commercial establishments should be composed and issued to commercial establishments.

**Permits Approved:**

|         |                        |                                    |                 |
|---------|------------------------|------------------------------------|-----------------|
| 2014-15 | 17 E Frederick Street  | Construct semi attached dwelling   | Permit Approved |
| 2014-40 | 25 W. Frederick Street | Construct free standing porch deck | Permit Approved |
| 2014-41 | 334 Sunset Avenue      | Storage building                   | Permit Approved |
| 2014-42 | 337 S Artizan Street   | Fence                              | Permit Approved |
| 2014-43 | 28 W. Church Street    | Fence                              | Permit Approved |

**Permits Being Reviewed:**

|         |                       |                              |                           |
|---------|-----------------------|------------------------------|---------------------------|
| 2012-36 | 15940 Lockwood Rd     | Business Change              | Connecting road Approvals |
| 2014-20 | 124 E. Potomac Street | Sidewalk and ADA replacement | Awaiting print            |

|              |                               |                                   |                                 |                   |
|--------------|-------------------------------|-----------------------------------|---------------------------------|-------------------|
| 2014-21/26   | 14-26 E Salisbury Street      | Remove and replace frnt sidewalks | Meeting                         | w/property owners |
| 2014-30      | Byron Memorial Park           | Sidewalks and Trail               | Awaiting print                  |                   |
| 2014-36      | 10 Sunset Avenue              | Refurbish Water Tower             | Paperwork is incomplete         |                   |
| 2014-37      | 154 N Artizan Street          | Two dwelling sewer hook-up        | Require detail drawing and spec |                   |
| 2014-38 & 39 | 113 E Salisbury & 2 N Vermont | Sub divide parcels                | Require Zoning and Exceptions   |                   |
| 2014-44      | 104 E Potomac Street          | Bus Shelter                       | Awaiting site Plan              |                   |

**Code Administration:**

There were two (2) Code Violation letter issued in August.

**Planning Activities:**

Welcome Center Plans – Notified FEMA permit applications incomplete, USDA grant paperwork incomplete;

Structure mission and size unresolved: USDA paperwork incomplete:  
Potomac St drainage and Electrical Poles relocation being reviewed

East Potomac GC District Development (South) – Traffic Study completed, discussion on-going.  
EDU - Survey continues with Conococheague, Potomac, Salisbury, Potomac Parkway, Leaf Alley, and Moose Alley completed.

**Respectfully Submitted,**

*Charles Stumbaugh*

**Planning and Zoning Commission**

**Legal Council**

Town Attorney Ed Kuczynski said he received a request from the Knode Enterprises to rezone the property at the northwest corner of North Vermont Street and West Salisbury Street. The property is currently zoned as General Commercial and they wish for it to be rezoned as Town Residential. Town Attorney Ed Kuczynski says in order to consider this a public hearing must be held. He asked the Mayor and Council when they would like to hold this public hearing. The Mayor and Council expressed they would like to schedule the public hearing for Monday, October 13<sup>th</sup>, 2014 at 6:45pm.

Town Attorney Ed Kuczynski also reported he has received a request from Jason Devilbliss representing the Fulton Group. There is a parcel of land adjacent to interstate 81 South, behind the Exxon Gas Station. They request that property be annexed into the Williamsport Corporate limits. It is currently in the County limits. The Fulton Group currently has a project they are trying to develop in this area. He said he will keep everyone updated on how this project progresses.

**Sheriff’s Report**

Mayor James McCleaf gave the August 2014 Sheriff’s Report.

## **Council report**

Asst. Mayor Joan Knode reported she has had two meetings with Cyndi Powell, event coordinator, Nica Such, owner of 4-Star Athletics, Jenny Fleming from HEAL of Washington County and Karen Oyster, a local fitness leader. She is working with these different representatives to plan a Wellness Day on September 18<sup>th</sup>, 2014 from 5-8pm. At this event there will be a ribbon cutting ceremony for the new wellness trail and other activities to promote wellness in the community. The wellness trail is 0.6 miles. There will be a local fitness leader to demonstrate the fitness equipment. Joan talked about a conversation she had with Brandon with Cunningham Recreation and how he said the park is great and it will soon become a destination for tourists. Joan discussed an incentive program and walking challenge. At the Wellness Day event there will be fitness class demonstrations. She met with the Boys and Girls Club this afternoon to talk with the kids about the Williamsport community and history.

Councilman Jim Kalbfleisch provided the following report on the water tower project:

- Preconstruction meeting was held on Tuesday, September 2<sup>nd</sup>, 2014 at 10am at Town Hall.
- Met with representatives from Thrasher Engineering, Titan Industrial, and MDE.
- All project documents were signed and approved.
- Project is scheduled to begin on Wednesday, September 10<sup>th</sup>, 2014.
- Project is scheduled to be completed within no more than a 90 day period.

Councilman Scott Bragunier reported mulch has been laid around the outdoor fitness equipment and he has observed several people using the new equipment. We will be putting playground mulch around the playground equipment. He asked if anyone ever observes damaged equipment, to please let us know as soon as possible. Councilman Scott Bragunier also reported he recently met with two playground equipment companies to get some ideas and suggestions regarding a new playground we wish to install at Billy Doub Field.

Councilman Alan Redding provided the following report:

- Pool is now closed for the season.
- The main pool and the baby pool have been drained.
- The Apparatus ARE has removed the main pool and the baby pool motor, which will be recondition for next year's pool season.
- Antietam Cable has been notified to disable the internet service at the pool.
- The concession stand in and storage in pavilion 3 has been shut down and cleaned out.
- The toilets at the pool are being winterized for the winter season.

Councilman Bill Green reported he met with the Planning and Zoning Commission recently to discuss the sidewalk and curbing by the new Sheetz store. He has received some complaints about kids on bicycles and skateboards around town and on the sidewalks. He discussed how there is no real penalty in the town ordinance regarding no bicycles on the sidewalks. Town Attorney Ed Kuczynski said there is a penalty, but the Sherriff's Department has to enforce the ordinance. Town representatives have no authority to enforce the ordinance. Mayor James

McCleaf said the sheriffs and deputies in the past have confiscated the vehicles/bicycles and stored them in town hall and that was the penalty.

Councilman Bill Green also reported 2 vehicles were recently removed/towed out of a residence yard. Councilman Scott Bragunier asked the Mayor and Council if we are permitted to go on a person's property to remove vehicles like that. Town Clerk, Donnie Stotelmyer said a letter was sent to the residence stating untagged vehicles are not permitted to sit on one's property. It was sent certified, so the residence had to sign to receive the letter. After the warning period of time passed, we coordinated the removal of the vehicles with the Washington County Sherriff's Department. Town Attorney Ed Kuczynski said it is permissible what we did because it was coordinated with the Sherriff's Department.

Councilman Bill Green reported we will be posting "No Parking" signs throughout town at red painted curbs to prevent people from parking in the red zone. This will be done in the coming weeks.

Councilman Bill Green reported we will soon be installing doggie waste bag stations throughout town. Assistant Mayor Joan Knode suggested we put several of these in the park. Bill agreed there will be several placed in the park as well as throughout the town.

### **Mayor's Report**

Mayor James McCleaf reported the annual financial audit is complete. The auditors were here for one week and a day. He is looking forward to hearing the numbers from the auditors. He feels we had a good year. The auditors indicated there were no deficiencies in their findings. The Mayor says the town has come a long way and he credits the town employees for doing such a good job.

Mayor McCleaf stated he received complaints from St. Augustine Catholic Church and Rehoboth United Methodist Church about E. Salisbury Street being closed during the C&O Canal Days event. The churches were not able to access parking for services held over the weekend.

### **Unfinished Business**

Mayor McCleaf said last month we approved accepting a \$750,000 loan and \$750,000 loan forgiveness from MDE for the Town of Williamsport Phase II Water Improvement Project. He thought the loan and loan forgiveness would cancel out, where the town would not have to pay for this project to be done, but he misunderstood the project plan. Therefore, he recommends we reject this loan/loan forgiveness because the town cannot afford the funding needed to complete the project. Councilman Jim Kalbfleisch made a motion we reject the MDE loan and loan forgiveness for the Town of Williamsport Phase II Water Improvement Project. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried.

### **New Business**

Mayor McCleaf asked the Mayor and Council for permission to bid the mowing and snow removal for 2014-2015. Assistant Mayor Joan Knode made a motion to bid the mowing and

snow removal for 2014-2015. This motion was seconded by Councilman Bill Green. With all voting in favor, motion carried.

Mayor McCleaf notified the Mayor and Council the Quarter Horse Association will be holding their annual ride/event on September 28, 2014 and making use of River Bottom Park. The Mayor and Council already approved this event last year, so no action is needed, but the Mayor wanted to remind everyone this event is coming up.

Mayor McCleaf introduced the topic of Yemi, a local artist, who is in discussions with a local resident regarding installing a mural depicting Town of Williamsport history and icons. Town Clerk, Donnie Stotelmyer was called upon to discuss this project further. He explained that Yemi would construct 10 external, aluminum panels, each measuring 4 feet by 8 feet, for a total mural area of 16 feet by 20 feet. There will also be constructed a sign above the mural with the Town name and a tag line at the bottom of the sign. The art will be printed on exterior grade aluminum substrate of the original art. The life span of the art work is 15 years. The artist will provide the town with a disc of all the images should the need ever arise where it needs to be reprinted. Town Attorney Ed Kuczynski raised concerns about this being a town project and do we need to do a bid process because the cost exceeds \$10,000. However, if it is a private area where a resident is contracting the artist and the town is not, than it eliminates the bid process. Councilman Alan Redding asked if it would be possible to do small panels and post them all throughout the town. Town Attorney Ed Kuczynski also raised concerns about ethical issues with the town supporting the installation of a mural on a town employee's property. He said if the town wants to partner with this town resident, there will have to be some sort of an agreement regarding the maintenance and upkeep of the art work. Mayor McCleaf stated the Mayor and Council are not opposed to this project. They would like Yemi, the artist to attend the next meeting to discuss this project further.

Assistant Mayor Joan Knode brought up a previous discussion regarding repairs to the clock tower. She asked Town Clerk, Donnie Stotelmyer to explain further what is involved with this. Donnie explained it would cost between \$35,000-40,000 to stabilize and reconstruct the clock tower. The gentleman who consulted us on this project recommended instead of investing in the reconstruction of the clock tower, that we purchase a nice street clock for approximately \$20,000-25,000. Town Attorney Ed Kuczynski said we have been looking for some kind of agreement that was drawn up back in the past regarding the town's ownership of the clock tower. Mayor McCleaf suggested we reach out to Ed Cave who recently purchased the Pythian Tower to see if there were any documents included with the sale of that building that outlines the town's responsibility for maintaining that clock tower. Town Attorney Ed Kuczynski wants to know what is necessary to make this clock tower structurally sound. He suggests we contact Dan Metonic, a local structural engineer to give input on the project. Councilman Scott Bragunier suggested we contacted a gentleman named Scott Brown who works on restoring historical structures and maybe he could provide some input. Scott also states if there is a document outlining an agreement that the town is responsible for the maintenance of the clock tower, then this is a liability concern. He said we really need to get Ed Cave involved in this conversation and whatever plans we develop for the clock tower because it is his building. Mayor McCleaf said he agrees we should consult with a structural engineer. He asked Donnie Stotelmyer to arrange this and to bring a report back to the Mayor and Council.

Mayor McCleaf shared a letter from Austin Gisriel requesting the Mayor and Council consider putting up a sign to commemorate famous local baseball players. Mayor McCleaf called on Town Clerk, Donnie Stotemyer to discuss this further. Donnie discussed how Austin Gisriel is the author of the book “Boots Poffenberg-Hurler, Hero, Hell-Raiser” and he thinks it would be a good idea to create some sort of sign recognizing local residents who made it to the major leagues in baseball. He asked that the Mayor bring it before the Mayor and Council. Assistant Mayor Joan Knode said this is just an idea he had and something to be considered, but she does not feel this is something we could include in our new gateway signs. She said maybe we could create a small sign on the fence that the Williamsport Rotary Club maintains. Town Clerk, Donnie Stotemyer suggested we also discuss this with Rob Green, president of the Conococheague Little League to see if he has any input or ideas to add to this discussion.

Mayor McCleaf asked the Council to award the architect and design to Thrasher Engineering. Councilman Scott Bragunier asked if we are committed to using Thrasher Engineering. Town Attorney Ed Kuczynski stated Thrasher Engineering is our designated engineering consultant. This was voted on by the Mayor and Council years ago. Councilman Scott Bragunier asked if there was time to change engineering groups. He also wanted to know where we are coming up with the money for this project. Mayor McCleaf said we haven't even determined the size of the building yet. That we are working with USDA, MDE and FEMA to determine how big of a building they will allow us to build in the 100 year flood plan. Councilman Alan Redding talked about how at one point we had discussed not even manning the visitor's center, is this something we really need to do. Town Clerk, Donnie Stotemyer informed the Mayor and Council, we don't know yet how this building will be used or how it will be manned. However, we have talked with the National Park Service and they are interested in collaborating with us on planning and utilizing this building. Town Attorney Ed Kuczynski said once we get a site plan and some preliminary drawings, all of that information will be brought to the Mayor and Council for review. He also stated we will keep the Mayor and Council informed on the progress of this project. Assistant Mayor Joan Knode made a motion to award the architect and design for the Town of Williamsport Visitor's Center to Thrasher Engineering. This motion was seconded by Bill Green. With all voting in favor, motion carried.

### **Citizen Participation**

Mayor McCleaf recognized town resident, Carolyn Spinney. She said she would like to have some input in the discussion of the Visitor's Center project and she other ideas of projects that need done instead of spending \$12,000 on a mural.

Town resident, Dave Kirby said the screen door to his house and some of his neighbor's houses was recently cut. This was reported to the Washington County Sherriff's Department.

Councilman Jim Kalbfleisch made a motion to adjourn. This motion was seconded by Assistant Mayor Joan Knode. With all voting in favor, motion carried.

Respectfully submitted,

Donnie Stotelmyer  
Town Clerk  
Town of Williamsport