

**TOWN OF WILLIAMSPORT
MAYOR AND COUNCIL MEETING MINUTES
March 14, 2016**

A regular meeting of the Williamsport Mayor and Council was held on March 14, 2016, 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 Dustin Byers
Councilman Alan Redding
Councilman Jim Kalbfleisch
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 Dustin Byers to accept the Regular Council Meeting Minutes from February 8th, 2016 and Workshop Meeting Minutes from March 7th, 2016. This motion was seconded by Assistant Mayor Joan Knode. With all voting in favor, motion carried.

Financial Report

There was no financial report.

Guests

No guests.

Correspondence

Mayor James G. McCleaf shared a letter thanking the Town of Williamsport for a donation of \$1,000 to the Boys and Girls Club of Washington County from this year's Christmas in the Park program.

Mayor James McCleaf shared a letter from the Authentic Community Theatre asking for permission to use Pavilion #1 in Byron Memorial Park on Wednesday, July 20th, 2016 at no cost. This is for the "Storytelling in the Park" program they do each year in community parks throughout Washington County. Councilman Bill Green made a motion to allow the Authentic Community Theatre permission to use Pavilion #1 on July 20th, 2016 at no charge. This motion was seconded by Assistant Mayor Joan Knode.

Mayor McCleaf shared an invitation for the next Washington County Chapter of the MML meeting on Monday, March 28th, 2016 at the Park-n-Dine Restaurant in Hancock, MD. Social hour will begin at 6:00pm and the meal will be served at 6:45pm.

Mayor McCleaf shared a letter from the Nick Adenhardt 5K Run coordinators. The Nick Adenhardt 5K Run will take place on June 11, 2016 at 8:30am.

Reports:

Board of Elections Supervisor

No report.

Board of Zoning and Appeals

No report.

History and Museum Board

Mr. Jerry Knode reported they are just waiting for the repairs to be completed so they can open for the season.

Planning Commission

February 24, 2016

To: Williamsport Mayor and Council

Subject: Planning and Zoning Activities Update for February, 2016

There were (3) **permits submitted** in January, and a total of (3) **approved**. There are twelve (10) **permits unresolved**.

Permits Approved:

2016-01 154 S Artizan Street Structure integration and additional Rooms
Approved 02/20/2016

Permits Being Reviewed:

2012-36	15940 Lockwood Rd	Business Usage (Road Chg. Required)	Awaiting Attorney Update
2014-20	124 E. Potomac Street	Sidewalk and ADA replacement (County)	Priority 1 – Sched Spring 2016
2014-21/26	14-26 E Salisbury Street	Remove & replace front sidewalks (Town)	Mr. Green to contact residents
2014-44	104 E Potomac Street	Bus Shelter (County)	Awaiting Fed Approval
2014-45	5 N. Commerce Street	Construct Visitor Center (Town)	Project on Hold – Town Council
2015-032	44-46 W.Salisbury Street	Construct Duplex	Mr. Grimm to schd meeting

Planning Follow-up

9/15/2014	Town Clock Reclamation Contract – Town Attorney	Town Council Approved	Draft
1/18/2015	Sidewalk Usage Standards: Document from Attorney	Town Council Approved	Formal

Zoning Review for Proposed Business:
No New Applications

Respectfully Submitted,
Charles Stumbaugh
Chairman
Planning and Zoning Commission

Legal Council
No report.

Sheriff's Report
Mayor McCleaf gave the February Sheriff's Report.

Council report
Asst. Mayor Joan Knode reported they are getting the barn ready for weddings. The Hitching Post Sale is scheduled for April 2, 2016 from 10am-1pm. The Williamsport Community Band will begin practicing in the Barn again starting in April.

Councilman Jim Kalbfleisch gave no report.

Councilman Scott Bragunier was not present. No report.

Councilman Dustin Byers made a motion to introduce an ordinance allowing the Town of Williamsport to utilize the Zion parking lot to be used for public use. Mr. Ed Kuczynski, town attorney, said the church has offered the town to utilize this parking lot for a one year term at no charge in exchange the Town will agree to clear the snow and mow and weed-whack this area surrounding the lot. This motion was seconded by Councilman Bill Green. With all voting in favor, motion carried. Councilman Byers said the EDC is currently working on a façade grant we could offer to our local business owners. Councilman Byers said the EDC is also working on an annexation plan to annex some areas outside of town limits which will expand the town's tax base.

Councilman Alan Redding reported the pool is being prepared to open for this season. They are preparing for the swim lesson sign ups on May 21st, 2016.

Councilman Bill Green reported the street sweeper will start running this week. The first week we put the sweeper out they will not ticket, but they will start ticketing next week.

Mayor's Report

Mayor McCleaf reported he and Donnie have been very busy traveling around the state with projects related to the canal. He reported the town is putting together their budget for the next fiscal year. He asked council members to please submit any budget requests to Donnie. Mayor McCleaf asked members of the Council not to spend any unnecessary funds because the cash flow is extremely low due to the high cost of snow removal for this past year.

Unfinished Business

Mayor McCleaf held discussion regarding the Town of Williamsport Deputy Sherriff program. Recently we were notified the County will be increasing the resident deputy rate by \$15,000 from last year to help cover the benefit package for the resident deputy. Mayor McCleaf held discussion on whether or not we should keep the program or discontinue the program. Councilman Byers said if we get rid of the program, we won't have any regular patrols in town. Town resident, Walter Williams asked doesn't the Town Charter state that the Town has to provide police protection. Town Attorney, Mr. Kuczynski said the Charter does not stipulate that the town has to provide police protection. Mr. Williams said he feels it would be very foolish of the town to not provide police protection. Councilman Byers said he thought it's valuable to provide police protection to our residents. Mr. Kuczynski said what the town is paying for the resident deputy program-what is the town getting from that investment. Town resident, Don Munson said some of the smaller towns like Clear Spring, Keedysville and Funkstown do not have resident deputy programs. Councilman Redding suggested we hold a public meeting at town hall to hear testimony from town residents about whether we should keep this program. Mayor McCleaf said we should schedule a public meeting next Monday, March 21st at 6:30pm to hear from our residents. Town resident, Mr. Lafferty said we have ordinances that the Sherriff's department could be enforcing, but they are reluctant to enforce the town's ordinances. Deputy Crawford said that the instructions from Sherriff Mullendore are for regular deputies that patrol when the resident deputy is not on duty are not necessarily responsible for enforcing the town ordinances they are mostly patrolling for suspicious activity and obvious offences. However, the resident Deputy can enforce the ordinances especially since this is his assigned area. Mayor McCleaf asked if everyone was in agreement to hold a special meeting to hear public testimony on March 21st, 2016. Everyone was in agreement. Mayor McCleaf asked Councilman Bill Green for his opinion on whether to keep the program. Councilman Green said the cost is a large part of this discussion, but he feels the town should keep the program. Assistant Mayor Joan Knode said the Sherriff's department doesn't enforce the town ordinances now. She asked how the town is going to pay for this \$15,000 increase.

New Business

Mayor McCleaf reviewed this year's Constant Yield Tax Rate that the town is exempt. He reviewed the following:

Section 6-308 of the Tax-Property Article, Annotated Code of Maryland, requires the Department of Assessments and Taxation to certify to all taxing authorities a Constant Yield Tax Rate that will produce the same revenue in the coming taxable year that was produced in the prior taxable year. This does not prevent the reduction of the tax rate.

Section 2-205(d) states that:

“The Director shall exempt a municipal corporation from the constant yield tax rate provisions of 6-308 of this article if a difference of less than \$25,000 exists between:

- (1) The property tax revenue that is provided by applying the municipal corporation real property tax rate for the preceding taxable year to the estimated assessment of all real property in the municipal corporation; and
- (2) The property tax revenue that is provided by applying the constant yield tax rate for the next taxable year to the estimated assessment of all real property in the municipal corporation.”

This is to certify that your jurisdiction has been exempted from the provisions of 6-308 of the Tax-Property Article.

Councilman Bill Green made a motion to accept the Constant Yield Tax Rate exemption for 2016/2017 as presented. This motion was seconded by Councilman Dustin Byers. With all voting in favor, motion carried.

Mayor McCleaf introduced a proposal to keep the tax rate at 48.5. Mayor McCleaf tabled discussion of the current property tax rate until after the special meeting regarding the resident deputy program in Williamsport. If the town decides to continue with the program, we may have to discuss raising the property tax rate to help cover the increased cost.

Mayor McCleaf called on Town Clerk, Donnie Stotelmyer to discuss the bidding of the trash removal services. Mr. Stotelmyer explained to the Mayor and Council that the current contract for trash removal is due to expire in May 2016. Mr. Stotelmyer has discussed this matter with Town Attorney, Ed Kuczynski and the bid process will be the same as in previous years, but a motion to approve the bidding of the trash removal contract is required to move forward. Councilman Bill Green made a motion to bid the contract for trash removal in Williamsport. This motion was seconded by Councilman Alan Redding. With all voting in favor, motion carried.

Mayor McCleaf informed the Council he has a person who would like to donate a 24 passenger school bus to the Town of Williamsport. Town Attorney, Ed Kuczynski explained the town can accept a donation of this kind, but it has to be in the form of an ordinance. Since we do not have an ordinance prepared, the Council could introduce it as an emergency ordinance. Councilman Bill Green made a motion to introduce an emergency ordinance to accept the donation of a 24 passenger school bus. This motion was seconded by Councilman Dustin Byers. With all voting in favor, motion carried.

Mayor McCleaf called on Town Clerk, Donnie Stotelmyer who notified the Council that the City of Hagerstown has yet to make a formal decision regarding water rate increases. Similarly, Washington County has not yet approved a sewer rate increase for this year. However, he reported that he does anticipate these rates going up once again this year and just wanted to alert the Mayor and Council.

Town Clerk, Donnie Stotelmyer also informed the Mayor and Council the bus trip to Sight and Sound Theatre scheduled for April 5th, 2016 has sold out. Town employee, Crystal Danfelt has started a waiting list.

Town Clerk, Donnie Stotelmyer informed the Mayor and Council he will be meeting this week with representatives from MDE permitting and the Corp of Army Engineers to discuss the reconstruction of the Aqueduct project and next steps to ensure that the permitting process will not be delayed, which could jeopardize our funding resources.

Citizen Participation

Mayor McCleaf recognized town resident, Don Munson. Mr. Munson asked the Mayor and Council if they did not renew the Resident Deputy Program have they looked at how they would use the money saved by discontinuing the program. Mayor McCleaf responded that they have not even considered that yet.

Mayor McCleaf introduced Mark Widmyer, the local representative for Governor Hogan's Office. Mayor explained Mr. Widmyer is working with the town to try to facilitate the transfer of ownership of the roads back to SHA.

Mayor McCleaf recognized Jason Crawford, our current Resident Deputy. Deputy Crawford said he is working with a multi-jurisdictional task force on several undercover projects underway in the Town of Williamsport.

Mayor asked for a motion to move into Executive Session.

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

Respectfully submitted,

Donnie Stotelmyer
Town Clerk
Town of Williamsport