

**TOWN OF WILLIAMSPORT  
MAYOR AND COUNCIL MEETING MINUTES  
January 12, 2015**

A regular meeting of the Williamsport Mayor and Council was held on January 12, 2015, 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 Alan Redding  
Councilwoman Maya Haines  
Councilman Jim Kalbfleisch  
Town Attorney Ed Kuczynski

Also present was Town Clerk Donnie Stotemyer

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 Scott Bragunier to accept the Regular Council Meeting held on December 8, 2014, Executive Session Minutes from December 8, 2014, and Workshop Meeting Minutes from January 5, 2015. This motion was seconded by Assistant Mayor Joan Knode. With all voting in favor, motion carried.

**Financial Report**

Town Clerk Donnie Stotemyer gave the financial report for December 2014. Councilwoman Maya Haines made a motion to accept the financial report as presented. This motion was seconded by Assistant Mayor Joan Knode. With all voting in favor, motion carried.

**Guests**

Mayor McCleaf called on Councilman Scott Bragunier to introduce his guests. Councilman Bragunier called up representatives from 4 local non-profit organizations: Boy Scout Troup 17, Boys and Girls Club of Washington County, the Williamsport Wrestling Club and the Williamsport Junior Bass Masters. The park collected over \$17,000 dollars during the Christmas season this year. Councilman Scott Bragunier presented each representative with a check to thank them for their service collecting donations during the Christmas Holiday.

Mayor McCleaf introduced Mr. Craig Osborne from Osborne Funeral Home. Mr. Osborne was present to express a couple concerns he wanted to review with the Mayor and Council. The first concern he brought up was with the new Sheetz store and the alley adjacent to it. The alley has

been signed to only be a one way road going away from St. Augustine's Catholic Church. He believes this has been mis-marked and is disappointed this alleyway has been marked in this manner. It affects his business because they host about 6 funerals at St. Augustine's Church a year and this new traffic pattern at this alley disrupts traffic flow for funerals. Mr. Osborne asked if the town could put up some sort of sign allowing funeral traffic to flow in the opposite direction on this alleyway for funerals only. The Mayor responded that they would have to question Fire and Police about manning the traffic at this alleyway for funerals and perhaps we need to set up some sort of permitting process to accommodate these funeral arrangements. Assistant Mayor asked Mr. Osborne why they couldn't direct funeral traffic up the alley off of N. Conococheague Street which provides direct access to St. Augustine's parking lot. Mr. Osborne just brought up if the alley way was blocked due to deliveries or anything; he just wanted to make sure this didn't come up when they have funerals. Town Attorney, Ed Kuczynski talked about getting an exemption for funeral homes through the Fire and Police or the Sherriff's Department for that alleyway. The Town needs to have advance notice if they are going to be going in the wrong direction through that alleyway. It shouldn't be a problem, them going in the wrong direction. Mr. Osborne next brought up a concern with the Riverview Cemetery inmate crews. He understands we had two inmate crews, one for the town and one for the cemetery and that he had heard the crews were suspended, but he was never informed of this suspension. He feels he should have been notified because it potentially effects the maintenance of the Riverview Cemetery. Mr. Osborne said he contacted Mr. Pat Smith, the acting facility administrator at Maryland Correctional Training Center (MCTC), who informed Mr. Osborne the town had lost the crews due to the inmates drinking alcohol and not being properly supervised. Mr. Osborne says to the Council that he thought we had a good understanding that the Riverview Cemetery inmate crew is funded by the Riverview Association. He said the memorandum of understanding that was signed by Osborne Funeral Home and the Town of Williamsport isn't worth the paper it is written on since the town did not abide by agreements made in the memorandum. Mayor McCleaf said he thinks it is time the town lets Riverview Association take full responsibility for the inmate crews to maintain and mow Riverview Cemetery. The Mayor also said there was a problem with the inmates with the inmates drinking, but that did not happen at the cemetery. It happened at town hall between when the inmates were dropped off by town employees and when they were picked up by the MCTC staff. Two of the inmates indulged in alcohol provided by an outside source. Mr. Osborne said he doesn't want to put the maintenance on Osborne Funeral Home. Councilwoman Maya Haines asked if the town has anything in writing that states that the town is responsible for the maintenance of the Riverview Cemetery. Town Attorney, Ed Kuczynski said there is no document that the town has that states the town is responsible for maintaining that cemetery. Riverview Association is fully responsible for the maintenance for that cemetery because it is not owned by the town. Town Attorney, Ed Kuczynski said there is no easy solution to this problem. He says it has been something the town has done for many years. There is no legal agreement that states the town is responsible for Riverview Cemetery that the town has been providing a service to the Cemetery. Town Attorney, Ed Kuczynski said no one's feelings need to be hurt here tonight. He said Riverview Cemetery owns the cemetery. Councilman Scott Bragunier asked Mr. Osborne if they would be willing to work this disagreement out with the town. Mr. Osborne said all he is requesting is open communication between the town and the Riverview Association. Having the inmate crews to help with the maintenance of the cemetery has been the best thing. Councilman

Scott Bragunier asked if we could readdress this issue in the spring. All were in agreement with this suggestion.

Mayor McCleaf introduced town resident, Mr. William Knicely. Mr. Knicely was present to talk to the Mayor about his comments in the Herald Mail regarding the recent announcement by the C&O Canal to implement a user fee at the C&O Canal. Mr. Knicely expressed his concern over this new proposal. The C&O Canal has unlimited access points and he doesn't understand how the National Park Service plans to enforce this new fee proposal. Mayor McCleaf responded the federal budget for the National Parks is being cut and that is why they propose this new fee schedule to help offset these severe budget cuts. Mr. Knicely said the National Park Service picks projects that don't seem relevant and they are wasting money. Mr. Knicely was hoping the Mayor and Council would draft a letter to the National Park Service opposing this proposed fee. Mayor McCleaf said it is the Department of Interior that is initiating this policy. Mayor McCleaf said if you do not put money back into your Parks you won't be able to maintain it at the proper level. Councilman Scott Bragunier said he shares Mr. Knicely's passion over this issue, but it is a National Park. He reminded everyone this is just a proposal and we don't know what will happen. Town resident, Ken Lafferty said he has reviewed fees on other National Parks and he feels like the National Park has not been a good neighbor to Williamsport. He is upset they want to charge the local people. Councilman Alan Redding talked about the Desert Rose Café and his customers. He has informed his customers that it's too early to form an opinion on this matter and they should attend the hearing on January 27<sup>th</sup> to hear what the National Park Service has to say. Mayor McCleaf agreed with Councilman Redding saying that if we want all the amenities offered at the C&O Canal, then you will have to pay into. Councilwoman Maya Haines asked if we could make a motion to draft a letter to the National Park Service opposing this fee proposal. However, no motion was made. Mayor McCleaf said no motion was needed, they would only need a general consensus from the Council.

### **Correspondence**

Mayor James G. McCleaf shared a thank you letter from the Heart of the Civil War Heritage Area for our donation of \$150.

### **Reports:**

#### **Board of Elections Supervisor**

No report.

#### **Board of Zoning and Appeals**

Town Attorney, Ed Kuczynski reported he is working on the Board of Zoning and Appeals on Harry Knode's property. That hearing will be coming up in the near future.

#### **History and Museum Board**

Jerry Knode reported on the time capsule opening on Friday, January 16, 2015. The time capsule was recovered from the old Wolfe's Building during the demolition.

**Planning Commission**

**January 4, 2015**

**To: Williamsport Mayor and Council**

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

- There was **(1) permit submitted** in December, and a total of one **approved**. There are twelve **(12) permits with issues unresolved**.
- **Sidewalk Usage Standards: Final document has not been received** from attorney; Letter to Commercial establishments should be composed and issued to commercial establishments. (No Change to status)

**Permits Approved:**

2014-055 154 N. Artizan Street Remodel of four rooms w/showers Permit Approved

**Permits Being Reviewed:**

2012-36	15940 Lockwood Rd	Business Change	Reviewed with stats w/Attorney
2014-20	124 E. Potomac Street	Sidewalk and ADA replacement	Awaiting County design
2014-21/26	14-26 E Salisbury Street	Remove and replace front sidewalks	Requires Town Authorization
2014-30	Byron Memorial Park	Sidewalks and Trail	Town drawings (No Chg)
2014-44	104 E Potomac Street	Bus Shelter	County drawings (No Change)
2014-45	5 N. Commerce Street	Construct Visitor Center	Zoning Exception Required

Fees for Fibre-optic Cable mounting on poles along Commerce and Potomac schedule for discussion in Jan., 2015

**Code Administration:** No information available

**Planning Group Activities:**

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

Structure mission and size unresolved: USDA paperwork incomplete:  
Potomac St d  
Drainage Culver and Electrical Poles relocation unresolved.

East Potomac GC District Development (South) – Request for Annexation submitted for Parcel 1034, awaiting

Town response 11/3

EDU – Survey completed, drafting final documents

**Respectfully Submitted,**  
*Charles Stumbaugh*  
**Planning and Zoning Commission**

### **Legal Council**

No report.

### **Sheriff's Report**

Mayor McCleaf gave the December Sheriff's Report.

### **Council report**

Asst. Mayor Joan Knode reported this past holiday season was very successful. Christmas in the Park was lovely. Assistant Mayor Joan Knode reported on some upgrades to the Council chambers she has been overseeing. The walls were recently patched in some areas and repainted. She next plans on putting in a new floor and better window treatments.

Councilman Jim Kalbfleisch talked about how nice the color on the water tower looks. He has received a lot of positive feedback on the water tower. This project is going very well.

Councilman Scott Bragunier reported we received 3 bids for the Playground project at Billy Doub Park. We received bids from Cunningham Recreation, Playground Specialist, and Green Sites. Councilman Bragunier reviewed each of these bids and he recommends we bid the project to Playground Specialist. Their bid committed the most pieces of playground equipment at a price of \$39,600. Councilman Scott Bragunier made a motion to award the Billy Doub Playground project to Playground Specialist. This motion was seconded by Councilman Bill Green. With all voting, motion carried.

Councilwoman Maya Haines reported on the parks going smoke free. Mayor McCleaf stated how Town Clerk, Donnie Stotemyer recently gave a presentation in front of the Washington County Parks Board. At that meeting they questioned him about whether our parks were smoke free. They recommended we consider making the parks tobacco free versus smoke free, because that is the trend they are moving towards in all of Washington County Parks. Councilwoman Maya Haines said she would like to meet with Donnie to discuss this further. Councilwoman Maya Haines said she is trying to get Mr. Rodney Tissue from the City of Hagerstown to attend one of our council meetings to further advise the council on what the City of Hagerstown is doing to make their parks smoke free. Councilwoman Maya Haines said she would like to turn this project over to Councilman Scott Bragunier who is in charge of the parks in hopes that he will continue to pursue this initiative.

Councilman Alan Redding reported the pool is closed.

Councilman Bill Green reported it was a good holiday season. He said the Mayor had told him there was an issue with people turning left out of the Sheetz property onto Potomac Street. Mayor McCleaf said the cars that are parked along the north side of the street are having an issue of near collisions when cars are exiting the Sheetz property. Mayor McCleaf had asked Councilman Green if we could put a sign at that exit stating people cannot turn left there. This would force traffic turning left to turn at the traffic light, which is a safer option. Town Attorney, Ed Kuczynski said this issue will have to be reviewed by the Town of Williamsport Planning and Zoning Commission because this would have been addressed during their review of the original site plan and traffic study.

### **Mayor's Report**

Mayor McCleaf reported it was a great Christmas and holiday season. The park lights were great and so was the barn decorations for Charlie Brown Christmas. Mayor McCleaf discussed Governor-Elect Hogan's recent visit to Williamsport. He, Assistant Mayor Joan Knode and Councilman Bill Green went to see him at his thank you tour stop at the Williamsport Fire Hall. Mayor McCleaf recently participated in a Leadership forum at the ARC of Washington County. The Mayors of Sharpsburg and Hancock were also in attendance. Mayor McCleaf discussed the upcoming public hearing regarding their recent announcement of a proposal for park wide entrance fees into the C&O Canal. This meeting will be held at the National Park Service headquarters on the dual highway in Hagerstown Tuesday, January 27<sup>th</sup>, 2015 at 8:00pm. Councilman Scott Bragunier asked if Williamsport could host one of these public meetings. Mayor McCleaf said that would be something we would have to discuss with the National Park Service representatives.

### **Unfinished Business**

Mayor McCleaf presented a request to reduce a water bill (the leak occurred over two bill cycles) by \$100.55 at 12 N Artizan Street due to a water leak. Councilman Scott Bragunier made a motion to reduce the water bill as presented. This motion was seconded by Councilman Bill Green. With all voting in favor, motion carried.

Mayor McCleaf asked for approval to move forward with preparations for 2015 C&O Canal Days. Councilman Bill Green made a motion to approve the preparations. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried.

Mayor McCleaf explained there was an advertisement placed in the Trail Book in 2014. However, the Council voted not to put the advertisement in the book. An ad was still published in the book and the town has been invoiced for this ad. If the town chooses to put an ad in the 2015 edition of the Trail Book, the town will be responsible for paying for this year's ad and \$1,400 for last year's ad. Mayor McCleaf opened the floor for discussion of the Trail Book for 2015. Town Attorney, Ed Kuczynski said the administrators put the town ad in the 2014 Trail Book without our authorization. Therefore, there is no legal basis for them to try to retrieve the advertisement fee for that ad. Councilman Alan Redding said these Trail Books are like bicyclists bibles. He sees people buying and referring to these books at the Desert Rose Café all the time. Councilman Scott Bragunier contacted Bill Atkinson, from Maryland Department of

Planning. Councilman Bragunier suggested to Bill Atkinson that the town pays \$700 for the 2014 ad and \$1,400 for the 2015. Mr. Atkinson said he would have to seek approval through the Board of Directors for the Trail Book. Councilman Scott Bragunier made a motion to offer to pay \$700 for the 2014 ad and \$1,400 for the 2015 ad in the Trail Book. Motion was defeated. Councilman Scott Bragunier said we as a town benefit from the advertisements in the Trail Book. He said we could use Hotel Motel money to pay for this ad. Councilman Alan Redding said he feels the Trail Books are advantageous for small businesses. The people who purchase these books may be using it only one time. As a representative of the town, he does not feel it is advantageous for the town to include an ad in this book with a list of events. Again these people only use them maybe one time, as they are passing through, and their visit may not coincide with our events. Councilman Scott Bragunier said he has read the Trail Book each year. He and his family have used it when they travel. He thinks that other people along the canal who read this book and turn to the Williamsport page and reads about our significant history. He thinks that may draw people to our town. He said he didn't know what the \$1,400 was getting us, maybe we could opt for a smaller, less expensive ad. Mayor McCleaf confirmed \$1,400 was for a 2 page ad. Councilman Scott Bragunier thought that when Mr. Atkinson visited the Mayor and Council he seemed apologetic for their error. Councilman Bragunier does not feel comfortable paying full price for someone else's error, but he does think we should offer them something in good faith. Councilwoman Maya Haines made a motion to not pay anything for last year's ad. Motion was defeated for lack of a second. Councilman Scott Bragunier once again made a motion to offer to pay \$700 for last year's ad and if the Board of Directors for the Trail Book are in agreement with that offer, then we will pay \$1,400 for an ad in this year's book and this money comes from Hotel Motel revenue. Assistant Mayor Joan Knode asked for clarification that the total amount paid to the Trail Book would then be \$2,100. This motion was seconded by Maya Haines. Councilwoman Maya Haines stated her bottom line is the money for these advertisements does not belong to the town, it is tax payer's money. Councilman Scott Bragunier said the money would come from Hotel Motel money, which is generated by visitor revenue. Councilwoman Maya Haines asked if we put this ad in the Trail Book, what content would we include in this ad. Councilman Alan Redding asked how we as a council went from not thinking this book is a worthwhile venture last year, to this year wanting to get into the book this year and pay them for their mistake last year. Mayor McCleaf asked for a vote on the motion on the floor. Councilman Scott Bragunier voted in favor, all other Council members voted against. Motion defeated. Town Attorney suggested the Council make a motion or make a decision if we want to try and get into the Trail Book this year, and pay nothing for last year. To see if they would allow us in this year without paying last year.

### **New Business**

Mayor McCleaf discussed the upcoming elections for 3 council seats. The town elections will be on March 2, 2015. Deadline to file is on February 13, 2015. This is also the deadline to request an absentee ballot. We will hold voter registration on February 13, 2015 in Town Hall.

### **Citizen Participation**

Mayor McCleaf recognized Mr. Jimmy Black, Canal Days committee member. Mr. Black updated the Mayor and Council on the proposed People Helping People Foundation. Mr. Black

reported the young boy with cancer that they donated \$1,000 towards his care; he was able to come home for Christmas. Mr. Black said he recently met with Town Attorney Ed Kuczynski to finalize the application for People Helping People Foundation for the residents of the Town of Williamsport. Councilwoman Maya Haines suggested when someone applies for help from the Foundation, the final approval of the applicant's request should be approved by a committee. She suggested the committee include one member from the Williamsport Ministerium and one member from the Council. Town Attorney Ed Kuczynski asked Mr. Black where the funds are coming from to help these people. Mr. Black responded the funds are coming from the profits raised at the Canal Days event. Town Attorney Ed Kuczynski asked Mr. Black how he will get the information regarding what the person needs the help for. Mr. Black said he would derive that information from the application. This Foundation is like an emergency fund to help people get back on their feet. Town Attorney Ed Kuczynski advised Mr. Black the committee should set a modest parameter when giving money away. Mr. Black said if the Council approves the guidelines, the committee will need to report back to the Mayor and Council on a regular basis to report where the funds are going. Assistant Mayor Joan Knode made a motion to accept the guidelines for People Helping People as presented. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried. Councilwoman Maya Haines said this is a great thing the Canal Days Committee has put together.

Mayor McCleaf recognized town resident, Ken Lafferty. Mr. Lafferty said someone broke up a picnic table down at Riverbottom Park. It appears part of the table was left up on Bollman Bridge and other parts of it were thrown into the canal.

Councilwoman Maya Haines made a motion to adjourn. This motion was seconded by Councilman Scott Bragunier.

Meeting adjourned.

Respectfully submitted,

Donnie Stotelmyer  
Town Clerk  
Town of Williamsport