

**TOWN OF WILLIAMSPORT
MAYOR AND COUNCIL MEETING MINUTES
February 9, 2015**

A regular meeting of the Williamsport Mayor and Council was held on February 9, 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 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 Council Meeting held on January 12, 2015. This motion was seconded by Councilwoman Maya Haines. With all voting in favor, motion carried.

Financial Report

Town Clerk Donnie Stotelmyer gave the financial report for January 2015. Assistant Mayor Joan Knode made a motion to accept the financial report as presented. This motion was seconded by Councilwoman Maya Haines. With all voting in favor, motion carried.

Guests

Mayor McCleaf introduced Mike Nestor from Thrasher Engineering. Mr. Nestor was present to provide updates on the Water Tower Project. He reported on the following topics:

- New valve vault and bypass (parts are now in)
- Schedule for vault tie-in
 - Existing valve that would cut off water to vault tie in does not work
 - A new valve must be installed to make the vault tie in
 - Snyder and town employees will work together to bypass vault tie in and keep town with water service during work on the vault (keep cost down)
- Valve at the tank is stuck shut
 - Will require replacement of the valve with spool piece and new flanges

- Concerns with old equipment at the base of the tank
 - Evaluated equipment. A couple pieces should be replaced but others can be cleaned and painted to save cost.
- Waiting on costs from contractor. Will coordinate with Jim/Donnie when quotes are given.

Councilman Scott Bragunier asked if the additional work that needs to be done to the water tower will be an additional cost to the project. Mr. Nestor said yes there will be additional costs and that is something they are looking into. He said they are seeking additional funding from the Maryland Department of Environment.

Mayor McCleaf introduced Mr. Tim Ailsworth. Mr. Ailsworth was present to present the Town of Williamsport with a check in the amount of \$1,100. This money was awarded as part of a grant process. These funds are to be used to train Town of Williamsport staff in CPR, First Aid and AED use.

Mayor McCleaf introduced Mr. Dave Campbell, committee member of Boy Scout Troop 300 from Rehoboth United Methodist Church. Mr. Campbell was present to ask permission from the Mayor and Council to host a luminary event in Byron Memorial Park. They would like to host this event on April 11, 2015. They propose to set up a minimum of 500 luminaries along Park Road. They want to do this event as a fundraiser for their troop to memorialize community members or to give thanks. Councilman Scott Bragunier brought up about the Conococheague Little League would be open that weekend and there will be an excessive amount of traffic. He was concerned about the safety of the kids. Did the Boy Scout Troop consider hosting their event on a Sunday? The Council, in general, was in agreement to allow the Boy Scout Troop to host this event, but there was some discussion about possibly changing the date.

Mayor McCleaf introduced Mr. Jerry Stumbaugh, with the Planning and Zoning Commission. Mr. Stumbaugh was present to discuss the old Sheetz property at 100 E Potomac Street. He presented the following:

To: Mayor and Council of Williamsport
From: Planning Commission

Subject: Request Opinion for usage of the Property at 100 E. Potomac Street

Per your request, we have reviewed potential usage for the property at 100 E. Potomac Street which is slated to be bequeathed from Sheets, Inc. to the Town of Williamsport per Transfer Agreement draft dated March, 2012.

We believe it is in the best interest of the Town, to offer this property for sale within the restrictions outlined in the Transfer agreement. It is our opinion that the Town would be best served to sell the property and use the proceeds to

support repair of infrastructures (streets, Town Clock, Water Tower debt, etc.). We believe that keeping the property on the tax rolls would provide continuing financial support to the Town.

Attached is a prepared fact sheet that might better provide insight as to some of the points entering into this decision.

Respectfully submitted,

Charles L. Stumbaugh
Chairman, Planning and Zoning Commission
Williamsport, Maryland

Mr. Stumbaugh recommends the town sell this property and he reviewed the following general information:

1. Tax assessment records as of 7/1/2014 show assessed value of the property at \$517,200.00.
2. Current annual taxes realized \$2,800.00.
3. Land area is 20,790 SF, some exception probably necessary due to land encroachment of Springfield drainage ('The Run').
4. Transfer agreement restricts minor types of usage for a period of time and requires several parking slots reserved for new Sheetz employees.
5. Repaving of property will probably be necessary at an estimated cost of \$17,000.
6. Permit approval will require that the property be properly curbed and sidewalks added before any new application can be applied. Estimated cost \$20,000.
7. Estimating update of building and contents between \$20,000 and \$80,000.
8. Potential buyers have contacted Planning Committee.
9. Land utilization has greater potential than current usage.
10. If property is not sold, Town would probably require a private company to manage leasing.

Councilman Scott Bragunier asked if there were issues with the value of the structure. Mr. Stumbaugh said there are issues. The most recent FEMA flood maps do show this property in the 100 year flood plan. Town attorney, Ed Kuczynski said we are getting a little ahead of ourselves seeing as the property has not yet been transferred to the Town and no agreements have been signed. They just recently removed all the tanks to make the property environmentally safe. Mr. Kuczynski held discussion about the 5 parking spaces the town agreed to relinquish for employee parking. He is currently negotiating with the attorneys for Sheetz about which spots will be reserved for their employees. Mr. Kuczynski said there will be certain restrictions placed on the property that will be conveyed to the town. He said once we receive the property, then we can make a decision on how we want to proceed. Mr. Kuczynski said we need to have the agreement in hand, before we can move forward on this property. He was recently contacted by Sheetz to

see if we were still interested in the property. Mr. Stumbaugh said all the issues Mr. Kuczynski brought up can be addressed. Mr. Kuczynski said we have been sitting on this property until the tanks were removed. Now that they have been removed, we'll work to nail down all of these issues.

Mr. Stumbaugh wanted to inform the Mayor and Council that he was contacted by Intelos/Lumos Cable Company about installing a fiber cable to 30 of our utility poles in the Town of Williamsport from the Route 11 bridge to the end of W Potomac Street. He created a license agreement with this company and submitted it to Mr. Kuczynski for review. Mr. Kuczynski said there weren't any problems with the agreement. The company has agreed to pay \$4 per pole per year. So the Town is renting the poles to them for \$120 on an annual basis. Mr. Kuczynski said we are consistent in our pricing for these types of endeavours. Councilman Bill Green made a motion to accept the license agreement resolution as presented. This motion was seconded by Councilman Alan Redding. With all voting in favor, motion carried.

Mayor McCleaf introduced April Rouzer, manager of the Prevention Services program for the state of Maryland. Ms. Rouzer was present to discuss the Town of Williamsport's interest in making Byron Memorial Park smoke free. Councilwoman Maya Haines and Ms. Rouzer discussed how they have worked with Rodney Tissue as a part of the Smoke Free Coalition in Washington County, which has been in existence for 15 years. Ms. Rouzer was present to discuss how the City of Hagerstown has been able to make their parks smoke free. The City of Hagerstown wrote an ordinance in 2013 to City Park in Hagerstown smoke free and Ms. Rouzer helped in writing that Ordinance. She is employed by the Washington County Health Department and she is willing to help the Town of Williamsport with whatever they need to help make our park smoke free. Ms. Rouzer said that since the City Park went smoke free there have been no citations and no issues with smoking in the park even during special events. Ms. Rouzer said the Washington County parks are looking into implementing a tobacco free policy instead of making them smoke free. Councilwoman Maya Haines asked if the City of Hagerstown utilizes auxiliary police to enforce the policy at City Park. Ms. Rouzer responded, yes they have auxiliary police to help with enforcement as well as part time staff. Councilwoman Maya Haines said she discussed with Mr. Rodney Tissue that the Town of Williamsport does not have auxiliary police who could help with the enforcement of a new policy in our park. Mr. Tissue therefore recommended we have volunteers who were educated on how to enforce such a policy. Ms. Rouzer said if the town is moving in the direction of a smoke free or tobacco free policy in the parks, than the town would need to enact an ordinance that has the a method for enforcement. She said the town should also offer support with signage in the park to give the community the opportunity to embrace the change. Councilwoman Maya Haines asked why the City of Hagerstown decided to go smoke free. Ms. Rouzer provided a little history saying the idea started with the University of Maryland in Hagerstown, then they worked towards making the City park smoke free. Based on their experience, she recommended they start such a new policy in the fall, after the summer, so you have the whole off season to try and educate the community and ease them into the change. Councilman Alan Redding asked why people are allowed to smoke on the Hagerstown golf courses. Ms. Rouzer said it was because people pay to play on the golf courses. Councilman Alan Redding asked if the town sees a problem going smoke free at the Springfield Farm Barn because we rent that building for weddings and events. Assistant Mayor Joan Knode replied there have been no problems with smoking at the barn since they first started renting it out. Ms. Rouzer said the City of Hagerstown has had no problems with enforcement at the park.

Councilwoman Maya Haines asked if e-cigarettes are considered a tobacco product. Ms. Rouzer said they are not very clear on that question. Some are and some are not. Mayor McCleaf asked if the Health Department has any funding to help us put up signs in the park. Ms. Rouzer said they may, but we would have to talk with her director about any such opportunities. Councilman Alan Redding said up outside of the Williamsport Nursing Home where they have instituted a smoke free policy, when you drive past, there are always people out on the street smoking. He's afraid if we implement this policy, there will be a bunch of people right outside of the park smoking and he doesn't think that will look very good to people driving by or coming into the park. Councilwoman Maya Haines asked what if we had signage indicating no smoking within 20 feet from where children play. Ms. Rouzer said whatever we decide to implement its just very important we establish a level of enforcement and have the resources in place for enforcement. Councilman Alan Redding asked if the Williamsport Library is part of the park. Town Attorney Ed Kuczynski said yes the library is a part of the park. Deputy Sherriff Brian Glines asked how he could help with the enforcement of these policies. Ms. Rouzer said that would have to be outlined in the ordinance. Mayor McCleaf asked Town Attorney, Ed Kuczynski to start drafting up an ordinance to make the park tobacco free. The rest of the council was all in agreement with this direction.

Correspondence

Mayor James G. McCleaf shared a thank you letter from the Boys and Girls Club of Washington County thanking the Mayor and Council for their recent donation of \$500 from money raised during the collection for Christmas in the Park light show.

Reports:

Board of Elections Supervisor

Mayor McCleaf called on Town Clerk, Donnie Stotelmyer to discuss how the town stands with the upcoming elections for 3 council seats. Mr. Stotelmyer informed the Mayor and Council he has been working with the Washington County Board of Elections and the Williamsport Board of Elections Supervisors to take the necessary steps to ensure a proper election on March 2nd, 2015.

Board of Zoning and Appeals

Town Attorney, Ed Kuczynski reported we have one request from Knode Enterprises for a variance in dimensional requirements located at 2 W Salisbury. The hearing is scheduled for February 19th, 2015 at 5:30pm.

History and Museum Board

Jerry Knode reported the museum would be opening in the Spring.

Planning Commission

February 5, 2015

To: Williamsport Mayor and Council

Subject: Planning and Zoning Activities Report for January, 2015

- There were **(3) permit submitted** in January, and a total of two **approved**. There are twelve **(13) permits with issues unresolved**.
- **Sidewalk Usage Standards: Final document has not been received** from attorney; Letter to Commercial establishments should be sent 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	To Be Reviewed 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	Await Bids
2014-44	104 E Potomac Street	Bus Shelter	Appropriation underway
2014-45	5 N. Commerce Street	Construct Visitor Center	Zoning Exception Required
2015-01	Commerce & Potomac	Fiber cable Mounting	Awaiting Council Review

Code Administration: One Code Violation initiated 1/30/2015

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
Drainage Culver and Electrical Poles relocation unresolved. - **No Change**

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

Town response 11/3 – **No Information from M & C**

EDU – Survey completed, Committee has met with Ignite Trl 2/3 – **Schedule review with Council**

Respectfully Submitted,
Charles Stumbaugh
Planning and Zoning Commission

Legal Council

Town Attorney, Ed Kuczynski reported on the Knode Enterprise resolution to rezone one of their properties from general commercial to residential. At the last council meeting, the Mayor and Council approved this resolution. Mayor McCleaf and Town Clerk, Donnie Stotelmyer would need to sign this resolution.

Mr. Ed Kuczynski said Mr. Todd Snook had contacted Mayor McCleaf requesting the Town of Williamsport help the YMCA to acquire bond assistance for projects at the Hagerstown YMCA. The City of Hagerstown regularly borrows money from banks through bonds to help local organizations. However, they have reached the cap of how much money they can borrow in the form of these bonds. That is why Mr. Snook asked the Mayor for his help. The Hagerstown YMCA currently hosts a daycare at the Williamsport Elementary School. Mr. Kuczynski informed the Council there is no risk or obligations to the town in doing this. All of the expenses would be paid by the Hagerstown YMCA. Mayor McCleaf said we have done this a few times in the past. Once for the local nursing home and once for the Williamsport Fire & EMS. Mr. Kuczynski asked if they were in agreement with doing this for the YMCA. The council was all in agreement to do this.

Councilman Scott Bragunier asked Town Attorney, Ed Kuczynski asked if there has been any progress on the annexation of what the parcel ground adjacent to 81 South. Mr. Kuczynski said he needs to contact an attorney Jason Devilbliss to continue working on this arrangement.

Sheriff's Report

Mayor McCleaf gave the January Sheriff's Report.

Council report

Asst. Mayor Joan Knode reported on River Rat Day. River Rat Day was on February 7th, 2015. The Herald Mail was present to report on the event. The carpet was recently cleaned in the Council chamber and she is ordering new blinds for the windows in the room. Assistant Mayor Joan Knode reported a quilt is being made by Mrs. Crilly as a fundraiser for the tenant house. Dependable Roofing will be making roof repairs on the roof of the Tenant House. Assistant Mayor Joan Knode also reported she is planning another fundraiser to raise money for the Tenant House called Crazy about Patsy Cline. Assistant Mayor Joan Knode reported she is assisting the Eagle Scout who is building the raised garden beds for a Community Garden beside the Tenant House. As a part of this project, she hopes to level off some of the yard next to the Tenant House.

Councilman Jim Kalbfleisch reviewed what our previous guest, Mike Nestor reported on with regard to the water tower project and that it is coming along.

Councilman Scott Bragunier reported on the Billy Doub Playground project. The equipment has been ordered and we are getting the site ready. He reported on the new Conococheague softball league for girls. He stated they currently have enough members to field 2 major league teams and two minor league teams. Councilman Bragunier also reported the town employees have done a great job with the snow removal.

Councilwoman Maya Haines remembered she had asked Councilman Bragunier to continue pursuing making Byron Memorial Park smoke free after her term on Council expires in March. However, she wishes to volunteer her time to continue working towards a smoke free park. She will do everything she can to help with this. Her goal is start the smoke free initiative in October 2015.

Councilman Alan Redding reported the pool is closed. He reported he recently went to Ocean City to compete in the Moose Lodge idol singing competition as a regional finalist. When he was down there, he spoke to a lot of people about Williamsport. He didn't win the competition, but he had a great time and did his best to spread the word about the Town of Williamsport.

Councilman Bill Green reported the town employees are doing a great job with the snow removal. Councilman Green is looking into the alleys with one way directional and how we can best manage these alleys. Specifically, he is looking into the alley next to the new Sheetz building. Councilwoman Maya Haines brought up some concerns regarding parking on S. Vermont Street. She wanted to know if they were going to install a curb. Councilman Green said they do not plan on installing a curb on that street because if they do he fears the parking issues would be even worse.

Mayor's Report

Mayor McCleaf reported along with himself, Councilman Bragunier, Town Clerk, Donnie Stotelmyer and Cyndi Powell went to Annapolis on February 4th for Washington County's Day in Annapolis. We attended several meetings and were present to spread the word about our project to restore the Conococheague Aqueduct.

Unfinished Business

New Business

Mayor McCleaf presented a request for a reduction in a water bill at 233 E Potomac Street due to a water lead. Assistant Mayor Joan Knode made a motion to approve a reduction to the water bill. This motion was seconded by Jim Kalbfleisch. With all voting in favor, motion carried.

Mayor McCleaf asked the Council to approve the renewal of a CD at M&T Bank. Councilman Scott Bragunier made a motion to renew the CD at M&T Bank. This motion was seconded by Councilman Bill Green. With all voting in favor, motion carried.

Mayor McCleaf asked the Council to accept the training grant from LGIT in the amount of \$1,100 to train staff in CPR, AED and First Aid. Councilman Scott Bragunier made a motion to accept the training grant from LGIT in the amount of \$1,100. This motion was seconded by Councilman Bill Green. With all voting in favor, motion carried.

Mayor McCleaf asked the Council to approve a training date for the above mentioned training. We suggested the training day be scheduled on Friday, March 13th, 2015. We would be closing Town Hall on this day. Town employees would report at 8am and the training would last all day and lunch will be provided. Councilman Scott Bragunier made a motion to approve the scheduling of a training day on Friday, March 13th for town employees. This motion was seconded by Assistant Mayor Joan Knode. With all voting in favor, motion carried.

Mayor McCleaf reviewed with the Council a new application/policy for ordering no parking signs to be hung for various events. Since this is the first time the Council is having the opportunity to review this new form, Mayor McCleaf suggested everyone review it and we will place it on the agenda for next month's meeting.

Mayor McCleaf reviewed an updated reservation for Pool Parties at L. Beard Miller Memorial Pool. Mayor McCleaf explained there will no longer be two separate rates for in-town and out-of-town residents. Councilman Alan Redding made a motion to accept the new form as presented. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried.

Mayor McCleaf called upon Town Clerk, Donnie Stotelmyer to report on issues with the Town backhoe. Mr. Stotelmyer reported the transmission in our current backhoe tractor has malfunctioned and requires repair. It would cost \$17,470 to put in a refurbished transmission to the current tractor. The company that repairs the tractor would purchase the old/malfunctioning transmission for \$3,500. So the net cost would be approximately \$14,000 to repair the backhoe and bring it back to working condition. There is another option to replace what is currently damaged, it would more or less be a patch, and it would cost roughly \$10,000. Originally, this backhoe was purchased as a used vehicle for approximately \$46,000. We estimate we could sell it for approximately \$30,000. Due the high cost of this repair, Mr. Stotelmyer researched alternative options to ensure a properly working backhoe tractor. One of these options would be to arrange a lease agreement with Alban Cat to lease a backhoe tractor. The money we would pay to lease the vehicle would go towards purchasing the vehicle. Mr. Stotelmyer reported Washington County has a similar lease arrangement with Alban Cat and it seems to work out well for them. Town Attorney, Ed Kuczynski said the problem with leasing the vehicle is that it is like borrowing the vehicle or borrowing money, and we cannot do that. The charter does not allow the town to borrow money, so leasing is not an option. Even the cost of the repairs are over the bid limit, which means we would technically have to bid out the repair to other repair shops. Mr. Stotelmyer said he has been talking with two vendors, Groff tractor and Alban Cat, but Mr. Kuczynski said we will probably have to bid out and advertise because there are other vendors

out there. Mr. Kuczynski discussed a couple different options to try and get around the bid process, but it probably won't be possible. Currently the backhoe is being stored at Groff tractor. Councilman Scott Bragunier asked if we are paying by the day or by the week and how much it is costing us for them to store the tractor while we decided how to proceed. Mayor McCleaf responded it is costing us a lot of money to store it there, and if we ended up bidding the repair and awarding it to a different company than we would have to pay even more money to have the tractor picked up from Groff's shop and transferred to the new shop for repairs. Town Attorney, Ed Kuczynski asked if we decide to fix it, could the contract be broken up into phases that are each less than \$10,000 to avoid the bid process. Councilman Alan Redding asked if our goal is to repair the tractor or to purchase a new one, because he was confused. Councilwoman Maya Haines asked how much a new tractor would cost. Mayor McCleaf responded it would be about \$80,000. Discussion was held about whether to buy or repair. Town Attorney, Ed Kuczynski asked if there is anyway the repair work could come down to less than \$10,000. Otherwise we would have to repair it. Councilman Scott Bragunier brought up it is an expense to repair or buy, but this is a vehicle we use every day. Currently, we're renting a tractor from Aldan Cat at \$600 per week. Town Attorney, Ed Kuczynski said we may be able to take a risk and designate this as an emergency repair, which would be an exception and not require a bid process. Mr. Kuczynski asked what kind of warranty we would get for these repairs.

Councilwoman Maya Haines asked about the placement of no parking signs for the snow removal when no snow removal is taking place. She stated there were no places to park, none. Mayor McCleaf stated we have already come up with a solution to this problem. We are looking into installing permanent signs that state there is no parking during a snow event/snow emergency plan is in effect.

Citizen Participation

Assistant Mayor Joan Knode recognized town resident, Donald Munson. Mr. Munson is working on the World War II Memorial sign. Mr. Munson has talked with Jack Byers who will see what names he can get to update the sign. Mr. Byers suggested we include veterans from the Korean and Vietnam War, as well. Mr. Munson also talked to Manny out at the Legion who referred him to another person who might be able to help provide the names of Vietnam and Korean War veterans. As soon as we can gather all the names, they can work on updating the memorial sign. Right now no one is responsible for the sign. The Legion is not claiming responsibility and the Town is not responsible. Mr. Munson asked about putting something in the Around Williamsport column announcing that we are collecting names of veterans. Town resident, Jim Jewells suggested we also think about getting the churches involved in updating the signs and that we can get the school children involved as a learning experience.

Mayor McCleaf recognized town resident, Ken Lafferty. Mr. Lafferty brought up concerns about people driving through the old Sheetz parking lot as a bypass. He asked the Mayor to address this safety concern. Town Clerk, Donnie Stotemyer informed the audience, he had already addressed this concern this previous week. He contacted the Sheetz store and asked that barriers be placed around the parking lot to avoid traffic cutting through the lot, and they agreed to take care of it.

Councilman Jim Kalbfleisch made a motion to adjourn. This motion was seconded by Councilman Bill Green.

Meeting adjourned.

Respectfully submitted,

Donnie Stotelmyer
Town Clerk
Town of Williamsport