

TOWN OF WILLIAMSPORT
MAYOR AND COUNCIL MEETING MINUTES
April 13, 2015

A regular meeting of the Williamsport Mayor and Council was held on April 13, 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
Councilman Dustin Byers
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 March 9, 2015, Swearing in Meeting Minutes and Special Meeting Minutes on March 16, 2015, and the Workshop Meeting on April 6, 2015. This motion was seconded by Councilman Bill Green. With all voting in favor, motion carried.

Financial Report

Town Clerk Donnie Stotemyer gave the financial report for March 2015. Councilman Jim Kalbfleisch made a motion to accept the financial report as presented. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried.

Guests

Mayor McCleaf introduced Mr. Rob Green, president of the Conococheague Little League. Mr. Green was present to discuss parking issues on W. Sunset Street by Billy Doub Field. He first thanked the Mayor and Council for the new parking lot and all the work that has been done at Billy Doub Field. Mr. Green said on Opening Day this year, a town resident on Sunset Street raised concerns over one car being parked on North side of W. Sunset Street in front a resident's house. The car was parked in front of a sign that said town resident parking only. Mr. Green said the Little League is the cause of the parking issues on W. Sunset Street. Mr. Green said Opening Day was like the perfect storm. He said what they have done up at the field is chained off the old parking areas by the concession stands and press box to make people use the new parking lot, but there was one vehicle that did not use this parking lot and parked on the street. Mr. Green suggested the town erect a concrete barrier in the center of the road where a sign could be attached to utilize the new parking area. He said anything beyond that sign is residential parking

only. Mr. Green said if the Mayor and Council pursued this suggestion, he doesn't think parking will be an issue any more. Councilman Bill Green said the only problem with parking on W. Sunset Street is with the Wathen residence. Councilman Bill Green said the Little League did a great job during the Opening Day festivities at announcing that there should not be any parking in the area and that they did a good job advising and directing people to the new parking lot. Councilman Bill Green suggested removing the sign that states resident parking only and purchasing a sandwich board type sign to place in the center of the road to park in the new parking lot area and not in the residential area. Councilman Scott Bragunier asked if there was enough room in the center of the road for this kind of sign. Mr. Rob Green said baseball is up at that field 6 nights a week and they are making a good faith effort to respect the residents who live there and to direct cars to park in the new parking lot. Councilman Bill Green suggested putting a "dead end" sign on W. Sunset Street to hopefully deter people from going up that street to look for parking. Town Attorney, Ed Kuczynski suggested putting the sandwich board up with a sign indicating "event parking" with a directional arrow any time an event is going on at the ball field. Town resident, Walter Williams said the town did not place the residential sign up on W. Sunset Street. He believes the residents put that sign up. Town Attorney, Ed Kuczynski said it is up to the Little League to police putting this sign out and putting it away. It would not be the town's responsible. Councilman Bill Green made a motion to take down the existing residential parking sign on W. Sunset Street. This motion was seconded by Assistant Mayor Joan Knode. With all voting in favor, motion carried.

Mayor McCleaf introduced Mr. Timothy Thompson who was present to discuss the Hometown Heroes Military Banner Program. The program would honor local resident veterans. A banner will be erected for each resident who applies from Memorial Day through Veteran's Day. Then the banner will be given to the individual. Mr. Thompson asked where the town would like to hang these banners. Mayor McCleaf asked Mr. Thompson how this program works. He said he has a website and he has left packets at town hall for people to pick up to apply for a banner. Mr. Thompson said he would buy the brackets for the poles for the town to hang these. Mr. Thompson said he already reached out to First Energy to get permission to hang the banners from their electric poles. Mayor McCleaf said we would have to get in touch with Verizon to get permission to use their poles because most of the poles are owned by Verizon. Councilman Dustin Byers asked how we are notifying the public about this program. Mayor McCleaf said we are mostly using social media and it was included in the town newsletter. Assistant Mayor Joan Knode asked when the banners would be hung. Mr. Thompson would like to see them hung around the Memorial Day and July 4th holidays. Mayor McCleaf asked town clerk, Donnie Stotelmyer and Councilman Bill Green to start identifying which poles could be used to hang these banners.

Correspondence

Mayor James G. McCleaf announced the Town of Williamsport has earned the recognition as a 2014 Tree City USA. We are hosting an Arbor Day Celebration on Friday, April 24th, 2015 and planting trees in Byron Memorial Park and throughout the town.

Mayor James G. McCleaf shared an invitation to attend the Boonsboro Green Fest on Saturday, May 9th, 2015 from 10:00am-5:00pm.

Mayor McCleaf shared a thank you note from the Board of Elections thanking the Mayor and Council for their support during the most recent election.

Reports:

Board of Elections Supervisor

No report.

Board of Zoning and Appeals

No report.

History and Museum Board

Jerry Knode reported the museum is open. Mr. Knode said they are looking for new board members if anyone is interested in serving.

Planning Commission

March 28, 2015

To: Williamsport Mayor and Council

Subject: Planning and Zoning Activities Report for February, 2015

- There were **(4) permit submitted** in March, and a total of **(4) approved**. There are eleven **(11) permits with issues unresolved**.
- **Sidewalk Usage Standards: Final document has not been received** from attorney; Letter to Commercial establishments recommended be sent to commercial establishments. **(No Change to status)**

Permits Approved:

2015-01	Commerce & Potomac	Fiber cable Mounting	Awaiting Contract Signatures
2015-12	6 Springfield Lane	Upgrade frame, replace roof, paint	Approved
2015-15	300 S Artiza Street	ADA ramp and bathroom	Approved
2015-16	125 E Potomac Street	Parameter fence	Approved

Permits Being Reviewed:

2012-36	15940 Lockwood Rd	Business Change	Meeting scheduled 4/1
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
2014-44	104 E Potomac Street	Bus Shelter	Appropriation underway

2014-45 5 N. Commerce Street Construct Visitor Center (exception) Awaiting Zoning Administrator
2015-06 22/24 N Conococheague St Change 2 store fronts to 2 apartments Pending more documentation
2015-17 425 S Conococheague St Construct Pole Storage Garage Variance Required (Set back)

Respectfully Submitted,
Charles Stumbaugh
Planning and Zoning Commission

Legal Council
No report.

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

Council report
Asst. Mayor Joan Knode reported the Hitching Post event was successful and a lot of people participated. Assistant Mayor Knode said they had Betty Harsh at the museum and the Little League Opening Day, the park was really busy and crowded. Assistant Mayor Joan Knode would like to see the town with the upcoming budget install a video surveillance/security system around the tenant house and barn grounds. Assistant Mayor Joan Knode reported there are already 75 people registered for the new 10,000 step program the town is hosting in partnership with HEAL of Washington County. Assistant Mayor Knode reported Pavilion #3 has been demolished and we are working to get the plans and specs drawn up to rebuild at this site.

Councilman Jim Kalbfleisch reported the Maryland Department of Environment gave the town approval to replace the valves in the bottom of the water tower. The parts have been ordered. Once those valves are in that will finish up the water tower project. Councilman Kalbfleisch said he has heard many town residents' voice concerns over the truck traffic and motorcyclists issues leaving the downtown area and being disruptive. Councilman Kalbfleisch suggested notifying the Sherriff's Department about these concerns. Councilman Kalbfleisch said he is also getting complaints about his neighbor's dogs barking incessantly and the residents not cleaning up after their dog. Town Attorney, Ed Kuczynski said he wasn't sure if there was anything the town could do to help with the situation. They need to contact animal control.

Councilman Scott Bragunier congratulated Councilman Dustin Byers on his election; he looks forward to working with him. Councilman Scott Bragunier reported on the playground at Billy Doub Field; it has been installed and the kids really enjoy it. Councilman Bragunier would like to have a contest to let the elementary school students name the playground and plan a ribbon

cutting ceremony. Councilman Bragunier said the Conococheague Little League wanted to thank the town for getting everything ready for Opening Day. Councilman Bragunier said he is working on getting all the broken playground equipment in Byron Memorial Park repaired and/or replaced.

Councilman Dustin Byers reported the town might want to follow up and have a meeting with Washington County Sherriff's Office about all of the recent criminal activity.

Councilman Alan Redding reported we are getting ready for the pool season. Swim lesson sign-ups are on Saturday, May 16th at Pavilion #1. Councilman Redding said there is a large event for Geocaching in May. He mentioned we might want to temporarily disable the Geocache's in this area especially around the Barn because of weddings that are taking place that weekend.

Councilman Bill Green reported the town employees did a good job fixing pot holes around town. Councilman Green has been assisting with resident complaints regarding blocking of their driveway. On May 7th, we will be meeting with State Highway Administration representatives with the Safe Routes program to talk about creating a safe route for kids who walk to school along Clifton Drive and Sunset Avenue.

Mayor's Report

Mayor McCleaf reported if you have a wish list for the upcoming budget please convey that to town clerk, Donnie Stotemyer. He will be working with the town accountant to put together the budget for this next fiscal year.

Unfinished Business

Mayor McCleaf shared with the Council a request from the Heart of the Civil War Heritage Area (HCWHA) to approve an amendment to the HCWHA Management Plan as presented:

**Town of Williamsport Letter Approving the Amendment of the
Heart of the Civil War Heritage Area Management Plan
to Designate the "Heart of the Civil War Heritage Area, Inc." as the
Heritage Area Management Entity**

Send to:

Maryland Heritage Areas Authority
c/o Richard Hughes, Administrator
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032-2023

Maryland Heritage Areas Authority:

The Tourism Council of Frederick County, Inc., the current management entity for the Heart of the Civil War Heritage Area (the "Heritage Area"), along with other Heritage Area partners, has proposed an amendment to the management plan for the Heritage Area dated October 1,

2005, and approved by MHAA in 2006 (the “Management Plan”) to replace the current management entity with the newly formed Maryland 501(c)3 non-profit corporation, Heart of the Civil War Heritage Area, Inc. (the “Amendment”). The Tourism Council of Frederick County, Inc. and the other Heritage Area partners believe that this Amendment will improve the capability of the new management entity to implement and manage the Heritage Area, and most effectively foster the goal of operating as a broad-based collaboration of regional interests.

Pursuant to Financial Institutions Article, Title 13, Subtitle 11, Annotated Code of Maryland, § 13-1111 (e) and (m) (the “Statute”), the Town of Williamsport (the “Local Jurisdiction”) has taken all requisite action to approve the Amendment, and requests MHAA’s approval of the Amendment. Furthermore, the Local Jurisdiction understands that, if approved by MHAA, the Amendment to the Management Plan will become part of the Local Jurisdiction’s local plan, which incorporates the Heritage Area Management Plan, as amended.

The Amendment will modify the section of the Management Plan titled “Organization and Management” by deleting the section in its entirety and replacing it with the new “Organization and Management” section included with this letter as Attachment 1. All references to “Tourism Council of Frederick County, Inc.” will be deleted and replaced with references to “Heart of the Civil War Heritage Area, Inc.” The Local Jurisdiction supports this Amendment to transfer the management of the Heritage Area from the Tourism Council of Frederick County, Inc. to the Heart of the Civil War Heritage Area, Inc., and approves the submission of this Amendment to MHAA for its approval.

We encourage MHAA’s favorable consideration of this request, and are confident that MHAA will find that the Management Plan, as modified by the Amendment, will continue to adequately carry out the purposes of Financial Institutions Article, §§13-1101—13-1124, Annotated Code of Maryland.

James G. McCleaf II
Mayor, Town of Williamsport

Councilman Bill Green made a motion to approve the amendment to the HCWHA Management Plan as presented. This motion was seconded by Councilman Alan Redding. With all voting in favor, motion carried.

Mayor McCleaf discussed there were three bids for the Sidewalk Project in Byron Memorial Park. We have enough funding to complete Phase I, Phase IA and Phase 2 of the project. The following bids were received: Harrell Home Construction at a price of \$30,121; Advantage Landscape and Construction at a price of \$30,607; Callas Contractors at a price of \$37,100. Assistant Mayor Joan Knode made a motion to award this project to Advantage Landscaping because the owner, Tim Ammons does a lot for the town and she trusts his work. She would like to see him awarded the project. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried.

New Business

Mayor McCleaf discussed with the Council he would like to see the Property Tax Rate remain the same at a rate of 48.5 cents per \$100 of assessed property value. Councilman Dustin Byers made a motion to keep the tax rate the same in the coming year. This motion was seconded by Assistant Mayor Joan Knode. With all voting in favor, motion carried.

Mayor McCleaf informed the Council the town received a grant from Project Open Space in the amount of \$19,500 to install 8 LED light fixtures along the pedestrian walkway in Byron Memorial Park. Councilman Dustin Byers made a motion to accept this grant. This motion was seconded by Bill Green. With all voting in favor, motion carried.

Mayor McCleaf informed the Council we need a motion and approval to renew the Town CD with M&T Bank. Councilman Bill Green made a motion to renew the CD at M&T Bank. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried.

Mayor McCleaf discussed with the Council a letter he received from a local business owner, Tammy Whitney with Williamsport Barber Shop Downtown. She had an electrical issue on March 12, 2015 and she had called into Town Hall. Diamond Electric came out to the business to try to fix the problem. Ms. Whitney states in her letter the gentleman from Diamond Electric was extremely rude and she was questioning why she was being billed for this service and not the owner of the building. The Council had questions about who Ms. Whitney talked to at Town Hall and wanted to know more about what the process is when someone calls and says they have an issue with their electric. No action was taken at this time.

Mayor McCleaf called on Town Clerk, Donnie Stotelmyer to discuss partial ownership of the First Energy access road to Spirit Services. Mr. Stotelmyer explained we were contacted by Divilbliss and Associates who have contracted with Frederick Seibert & Associates to design an access road utilizing the dedicated right of way by First Energy Corporation. This road would be constructed to divert truck traffic off of Lockwood Road. First Energy has asked if the town would consider partial ownership of the First Energy access road leading to this newly constructed access road leading to Spirit Services. Town Attorney, Ed Kuczynski held discussion. He explained the history behind this. Spirit Services used to be a County owned property and they leased it to Spirit Services for 5-6 years before it was discovered that property wasn't zoned properly for Spirit Services to even be allowed to operate out of that facility and the Town wasn't collecting any taxes from this property. When the town discovered this issue, the town told the County and Spirit Services that before the town would consider rezoning the property to authorize Spirit Services back there, the town asked Spirit Services and the County to construct an access road for truck traffic, because Lockwood Road was never meant for heavy truck traffic. Town Attorney said he has not been a part of any of these conversations, but he needs to be involved with this process to make sure it is handled properly. Town Attorney, Ed Kuczynski said if the road is to be constructed, it needs to be built to the proper standards mandated by the town. He was not aware of this project. Mr. Kuczynski asked why we would accept partial ownership of the First Energy access road without any upgrades done to the road. What would the town get out of this deal? Mayor McCleaf asked Mr. Stotelmyer to contact the Planning and Zoning Commission, Jason Divilbliss, and Frederick & Seibert to bring these

parties to the table and learn more about this whole project before bringing it back before the Mayor and Council.

Citizen Participation

Mayor McCleaf recognized town resident, Walter Williams who wanted to know if there was a nuisance ordinance. He stated the people who live beside him are in and out of the house all the time throughout the night. On Friday night, they were consuming alcohol outside of the house and there was a girl screaming “help me.” Councilman Dustin Byers asked Mr. Williams if he was concerned with noise and littering. Town Attorney, Ed Kuczynski said there are limited things the town can do to address this. Nuisance ordinances are very vague. Mr. Kuczynski said it’s unfortunate about the screaming girl. In the future, call the police. Councilman Scott Bragunier said call the police because they document every call. Mayor McCleaf asked if we can send a letter to the resident. Town Attorney, Ed Kuczynski did not advise we do that, just in case we were wrong. Mr. Williams wanted to know why we don’t have a second Deputy Sheriff here in town. The Deputy we have does a great job. However, we need a second one. There have been more incidents of crime in the town recently with the fire at Pavilion 3, a stabbing, a shooting, vandalism at the canal, etc. Councilman said the people who were involved with the stabbing came into Williamsport, but were from Hagerstown. Councilman Alan Redding said the shooting that took place was in a Section 8 housing apartment. Councilman Dustin Byers asked if we have ever had our own police force here in town. Town Attorney, Ed Kuczynski said we got out of the police business years ago. It’s not a perfect system. Mr. Kuczynski said we can explore the possibility of a second Deputy but its \$100,000 to employ a second Deputy. Mr. Williams said we have too many lives here in this town to protect. Mayor McCleaf said we have a dedicated police officer on Route 11 between halfway and Williamsport every day. We have more deputies that cross in and out of town every day. Mayor McCleaf said when a call comes in, whichever officer is the closest to the location of the call responds to that call. So even though we have a town Deputy, if there is a call at a location outside of town, and our Deputy is closest, than our Deputy has to respond to that call. If our Deputy is not on duty, but there is a call into the police for a residence in Williamsport, the closest on duty Deputy responds, so we are still covered around the clock. Mr. Williams said there was 158 loads of fill dirt and 30 loads of top soil taken up to the Springfield Farm Barn. He questioned where the money was coming from for these loads. Mayor McCleaf said that money came out of the general fund. Mr. Williams wanted to know where we are with the gateway signs. It has been two years and he wants to know why they have not been installed yet. Mr. Stotelmyer responded the signs have been delivered to town hall and we have the metal, so they will be installed in the near future. Mr. Williams asked the Town Attorney if he has spoken with Sheetz about transferring the property of the old Sheetz store to the town and where they are with that process. Mr. Kuczynski said right now the agreement has boiled down to negotiations for parking spaces on N. Artizan Street. Town Attorney, Ed Kuczynski said this process has taken about 3 years. Sheetz wants two parking places on the hill of N. Artizan Street by the building marked reserved for Sheetz employee and that is what they are working on at the moment.

Mayor McCleaf recognized town resident, Ken Lafferty. Mr. Lafferty discussed the residence at 18 S. Conococheague Street and how it is unsanitary with how they are not cleaning up after their dogs in the back yard. There is a place in the County’s Animal Control Ordinance that

addresses cleaning up after one's pets; it is on page 17, section 32. Mayor McCleaf asked Town Clerk, Donnie Stotelmyer to contact the Animal Control of Washington County about these complaints. Mr. Lafferty said the chains are broken down at the old Sheetz store parking lot to prevent cars from using the parking lot as a throughway. Mr. Lafferty said there was vandalism recently down at the C&O Canal. He also reported some kids broke off a piece of metal from what looks like a railing, and they were standing on top of the post office building and threw it in the direction of his wife. Mr. Lafferty said the pit bulls continue to be a problem in town.

Mayor McCleaf recognized town resident, Doug Gigeous who was present to discuss a wire barrier along the perimeter of the parking area at the Cushwa basin. There is no opening in this wire barrier to provide access to the picnic tables, and he was wondering if that is something they can change.

Mayor McCleaf recognized town resident, Charles Brown. Mr. Brown asked the Mayor and Council if they would consider hire two youth as part of a summer jobs program to help with various tasks. Mayor McCleaf said the Local Government Insurance Trust (LGIT) said the type of program Mr. Brown is suggesting is a liability to the town. The youth have to be properly trained and because of their young age, they are very limited in the types of tasks they can do. Mr. Brown said it gives the kids an opportunity to take pride in their community. He said his daughter works at the Redmen. Town Attorney, Ed Kuczynski said the Redmen is an employer. Mayor McCleaf said there are a lot of issues with this suggestion. Mr. Brown said he wouldn't have the inmate crews working for the town. Councilman Dustin Byers said what happens when you have a child who gets paint in their eyes. This type of program would open the town up to get sued. The parents wouldn't care how it happened or why, they would just sue. Councilman Alan Redding said the town does offer opportunities for the youth to work during the summer at the pool. Mr. Brown asked how many kids who work at the pool actually live in the town. Mayor McCleaf said there are more youth employed at the pool who live in Williamsport than what you would think. Mayor McCleaf asked who would manage the program for the youth. Mayor McCleaf told Mr. Brown, who is a town employee, that he doesn't get done the different projects that are assigned to him now, let alone taking on a new program of this magnitude. Mayor McCleaf said we have to protect the town.

Assistant Mayor Joan Knode made a motion to adjourn. This motion was seconded by Councilman Scott Bragunier.

Meeting adjourned.

Respectfully submitted,

Donnie Stotelmyer
Town Clerk
Town of Williamsport