

**Town of Williamsport
Mayor & Council Minutes
May 11, 2009**

A regular meeting of the Williamsport Mayor and Council was held on May 11, 2009, at 7:00 p.m. at the Williamsport Town Hall.

In attendance were:

Mayor James G. McCleaf II
Assistant Mayor Tony Drury
Council member Tearza Knode
Council member Joan Knode
Council member Timothy Fraker
Council member James Kalbfleisch
Town Attorney Edward Kuczynski

Also Present – Donnie Stotelmyer, Town Clerk

Mayor James 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 Assistant Mayor Drury to accept the minutes of the April 13, 2009 Regular Meeting and the minutes of the May 4, 2009 Workshop, seconded by Councilman Kalbfleisch, with all voting in favor, motion carried.

Financial Reports

Donnie Stotelmyer gave the Treasurers Report. A motion was made by Councilman Kalbfleisch, seconded by Councilwoman T. Knode to accept the Treasurer's Report, with all voting in favor, motion carried.

Guests

Mayor McCleaf introduced to the Council Williamsport Pack #17 Tiger Cub Scouts that met at River Bottom Park on April 27, 2009 to practice the frontcountry guidelines of "Leave no Trace" and also participated in a "Cleanup Treasure Hunt" service project. The following Cub Scouts participated: Joshua Cholewicki, Dalton Fitzsimmons, Riley Jones, Austin Jones, Blake Truax and Liam Von Alt

Mayor McCleaf introduced Evan Hardy of Troop #4 from John Wesley Church in Hagerstown MD. Mr. Hardy explained to the Council that he is requesting permission to build 8 park benches for Byron Memorial Park, for his Eagle Scout Project. The total cost of the project would be \$164.53. A motion was made by Councilwoman T. Knode, seconded by Assistant Mayor Drury, with all voting in favor, motion carried to pay for the materials to build the 8 park benches for Byron Memorial Park.

Correspondence

Mayor McCleaf read a thank you from the Mayor of Smithsburg MD. Mayor Mildred Myers thanked Town Employee Bill Shank for the excellent job he did cleaning the Town of Smithsburg's streets during the month of April 2009. Mayor McCleaf stated that he enjoys the working relationship that the Town of Williamsport has with the Town of Smithsburg.

Mayor McCleaf read a thank you card from Town resident Kimberly Wines of 124 N. Conococheague St. thanking the Town of Williamsport for the recent planting of trees during the Earth Day Event that was held on April 18, 2009.

Mayor McCleaf read a letter from the Washington County Municipal League. The next scheduled meeting of the Washington County Chapter of the Maryland Municipal League will be held on Monday, May 18, 2009 at the Smithsburg Fire Hall located at 22 N. Main St., Smithsburg MD.

Mayor McCleaf read a letter from the Washington County Free Library announcing two panel discussions and the production of a website dedicated to the economic influence of the Chesapeake and Ohio Canal in Washington County and vicinity. Two programs are scheduled on the C&O Canal and its importance to Washington County and Western Maryland. These programs will consist of panel discussions and Canal Tours. The dates scheduled for these events are Saturday, June 13, 2009 (Rain date of June 14) at 1:00 p.m. and Saturday, June 20, 2009 (Rain date of June 21) at 1:00 p.m. at the Ferry Hill Place located in Sharpsburg MD.

Reports

Donnie Stotelmyer, Town Clerk gave the April 2009 Sheriffs Report.

Ed Kuczynski, Town Attorney informed the Mayor and Council that the recent decision from the Zoning Board of Appeals concerning the Ronnie Byers property has been appealed to the Washington County Circuit Court

Jerry Knode gave the History and Museum Report. He informed the Mayor and Council that the Museum Ramble was a great success. He also stated that they were currently working on the upcoming USO Dance.

Ed Kuczynski, Town Attorney informed the Mayor and Council that the Land Use Meeting was cancelled and will be rescheduled in June.

Council Reports

Councilwoman J. Knode reported that she has been working with the contractor's on the Tennant House Project to go over bids to complete the project. She also informed the Mayor and Council that she has been seeking bids for the back porch of the Williamsport Library and that the Boy Scout Building also needs to be painted. She stated that she will be compiling a list of needed repairs for all the Towns Buildings. She also met with the Lutheran Financial Group. On May 2nd, they planted flowers on Doubleday Hill and they will be erecting a sign and bench on Doubleday Hill also. She also informed the Mayor and Council that the Town of Williamsport will be one of the MML Geo-Cache Sites and asked if the old park benches could be refurbished and placed on Conococheague St.

Councilman Fraker reported that the electrician was at the Pool doing re-wiring today, and the pool is ready except for some tiling. He also reported that the Pump Room at the L. Beard Miller Pool is being refurbished.

Councilwoman T. Knode reported that she is currently working on Bike Path Routes thru the Parks. She is looking into Grants that may be available for this project.

Assistant Mayor Drury reported that the Earth Day Event held on April 18, 2009 was a huge success. He also informed the Mayor and Council that April 25, 2009 was the 55th anniversary of Justice Douglas's hike for the saving of C&O Canal which Assistant Mayor Drury attended. The Park Service reported that at this event they were informed that the Federal Monies would be funding the restoration of the section of the canal located at Big Slack Water that had been washed out. The next merchants' meeting is scheduled for May 19, 2009 at 6:00p.m at the Town Hall of Williamsport.

Councilman Kalbfleisch reported that Glessner's Alarms has reattached the chlorine detection unit at the L. Beard Miller Pool in the Park

Mayors Report

Mayor McCleaf reported that he attended the 174th Great Sun Council Fire of the Improved Order of Redman in April.

Mayor McCleaf also reported that approximately 125 participated in the Cleanup of the C&O Canal that was held on May 2, 2009.

Mayor McCleaf reported that he, Mr. Stotelmyer and Kim Wagoner had been working on the proposed budget for the Town of Williamsport for FY 2010. He gave a copy to all Council Members for their review.

Unfinished Business

Mayor McCleaf introduced Ed Kuczynski, Town Attorney who reviewed the Resolution that was introduced at the April 2009 meeting for acceptance of offers of dedication for certain streets to be included in the street system of the Town of Williamsport, Maryland. An offer to dedicate certain streets commonly referred to and known as Coneflower Dr. has been made by the owner/developer to the Town of Williamsport. Now, Therefore, be it resolved that the Mayor and Council as the duly constituted legislative body of the Town of Williamsport does hereby accept the offer of the dedication of the described street as shown on the aforementioned legal description. And be it further that said street is and shall be a part of the Street/Highway system of the Town of Williamsport. And be it further resolved that the acceptance of this offer of dedication is conditioned upon the following conditions precedent and shall not be considered a valid acceptance until same are met. A motion was made by Councilman Kalbfleisch, seconded by Councilwoman T. Knode to adopt the resolution for Coneflower Dr., with all voting in favor, motion carried.

Ed Kuczynski, Town Attorney who reviewed the Resolution that was introduced at the April 2009 meeting for acceptance of offers of dedication for certain streets to be included in the street system of the Town of Williamsport, Maryland. An offer to dedicate certain streets commonly referred to and known as Otho Holland Dr. has been made by the owner/developer to the Town of Williamsport. Now, Therefore, be it resolved that the Mayor and Council as the duly constituted legislative body of the Town of Williamsport does hereby accept the offer of the dedication of the described street as shown on the aforementioned legal description. And be it further that said street is and shall be a part of the Street/Highway system of the Town of Williamsport. And be it further resolved that the acceptance of this offer of dedication is conditioned

upon the following conditions precedent and shall not be considered a valid acceptance until same are met. A motion was made by Councilman Kalbfleisch, seconded by Councilwoman T. Knode to adopt the resolution for Otho Holland Dr., with all voting in favor, motion carried.

Mayor McCleaf reviewed with the Council the proposed Boat Ramp Project and Construction Management Services for River Bottom Park. Mayor McCleaf explained that if this management proposal is put out for bid the Department of Natural Resources would cover 100% of those fees associated with the bid process. A motion was made by Councilman Fraker, seconded by Councilwoman T. Knode to put the Construction and Management Services for the Boat Ramp Project out for bid, with all voting in favor, motion carried.

Mayor McCleaf reviewed with the Council the proposed fees for the L. Beard Miller Pool Membership Application. A family of up to (5) living in the same household would cost \$200.00 with each additional person costing \$30.00. Individual pool passes would be \$60.00 and children 2 and under would be free of charge. A motion was made by Assistant Mayor Drury, seconded by Councilwoman J. Knode to adopt the 2009 pool membership fees as presented, with all voting in favor, motion carried.

New Business

Mayor McCleaf held discussion on keeping the tax rate of 0.405 for the Town of Williamsport for Fiscal Year 2010. The Mayor also explained that the Town of Williamsport is exempt from holding a public hearing by the State of Maryland. 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 \$25,000.00 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.” A motion was made by Councilwoman T. Knode, to keep the constant yield tax rate at 0.405 for the Town of Williamsport for the upcoming Fiscal Year 2010, seconded by Councilman Fraker, with all voting in favor, motion carried.

Mayor McCleaf held discussion on the State Highway Administrations recommendation for one-way traffic thru Byron Memorial Park. Councilman Fraker made a motion to have a “Right Only” traffic turn exiting Byron Memorial Park onto Rt. 11 and also that a “Watch for Children” sign and “No Left Turn” sign be placed at the park exit, seconded by Councilwoman T. Knode, with all voting in favor, motion carried.

Citizen Participation

Town resident Walter Williams asked the Mayor and Council if changes could be made to the Zoning Ordinance to prevent storefronts from becoming apartments. Mr. Williams asked if an Impact Fee could be charged for any new apartments in the Town of Williamsport he was informed that the Impact Fee did not apply to new apartments. Ed Kuczynski, Town Attorney stated that trying to limit storefronts from becoming apartments could be done but may meet a great deal of opposition and also could be very difficult to enforce. He suggested that the Mayor and Council should really think this thru as you want to make things better not worse in the Town.

Town resident, Ken Lafferty asked if the Mayor and Council could see to it that a light be placed on pole #23 in the alleyway located behind Town Hall, he was told it would be looked into. He also inquired about a variety of matters, such as Peddler Licensing, bicycles/skateboards on the sidewalks and the Sheriffs Dept.

Town resident, Charles Brown then asked if a meeting could be set-up between the Board of Zoning and the Planning Commission to discuss concerns and issues with the plans for Downtown Development. Mr. Grimm will be asked to set something up.

A motion was made by Councilman Kalbfleisch, seconded by Assistant Mayor Drury, to adjourn the regular meeting and enter into Executive Session, with all voting in favor, motion carried.

Meeting Adjourned.

Respectfully submitted,

Donnie Stotlemyer
Town Clerk
Town of Williamsport