



# Mayor and City Council of Cumberland

*Mayor* Raymond M. Morriss  
*Councilman* Seth D. Bernard  
*Councilman* Richard J. "Rock" Cioni  
*Councilman* Eugene T. Frazier  
*Councilwoman* Laurie P. Marchini

City Administrator Jeffrey D. Rhodes  
City Solicitor Michael S. Cohen  
City Clerk Marjorie A. Woodring

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## AGENDA

M&CC Regular Meeting  
Video Conference

DATE: May 19, 2020

### OPEN SESSION

#### Pledge of Allegiance

#### Roll Call

#### Statement of Closed Meeting

1. Summary Statement of the closed meeting of May 12, 2020

#### Director's Reports

##### (A) Administrative Services

Administrative Services monthly report for March, 2020

##### (B) Public Works

Maintenance Division monthly reports for March & April, 2020

##### (C) Fire

Fire Department monthly report for April, 2020

##### (D) Utilities - Flood, Water, Sewer

Utilities Division F/W/S monthly report for April 2020

#### Approval of Minutes

1. Approval of the Work and Regular Session Minutes of April 21, 2020

#### Public Hearings

1. Constant Yield Public Hearing - to receive comment on the City's intent to not reduce real property tax rates enough to fully offset increasing assessments. The City proposes to keep its current real property tax rate of \$1.0595 per \$100 of assessment.

To provide public comment during the Constant Yield Public Hearing via video conference: <https://us02web.zoom.us/j/85672002454?pwd=R3dRMGRXNEIvNUc3L3VMO DNScHZKdz09> and use Meeting ID (856 7200 2454) Password (804210). To join by phone: (+1 301 715 8592) US; Meeting ID: (856 7200 2454) Password: (804210)

Public Comment may also be made by emailing the City Clerk at [margie.woodring@cumberlandmd.gov](mailto:margie.woodring@cumberlandmd.gov). All electronic comments must be submitted by 2 PM on May 19, 2020. Comments received will be read by City staff during the public comment portion of the meeting.

## **Unfinished Business**

### **(A) Ordinances**

1. Ordinance 3861 (*2nd and 3rd readings*) - to enact Article V of Chapter 15 of the City Code (sections 15-80 to 15-90, inclusive) pertaining to parades and special events. This Ordinance was tabled upon its second reading on November 19, 2019, to allow for further modification to the provisions.

## **New Business**

### **(A) Charter Amendment Resolutions**

Charter Amendment Resolution 148 (*1st reading*) - amending Section 73A of the City Charter to empower the City Administrator to declare emergencies in certain events and pass temporary administrative orders necessary for the preservation of the public health, safety and/or welfare, and to empower the Mayor and City Council to pass executive orders in emergencies

### **(B) Ordinances**

Ordinance 3865 (*1st reading*)- providing for the closure of two (2) portions of a street known as Park Alley, in the vicinity of Williams Street and Cecelia Street, as requested by Cumberland Gateway Real Estate LLC, and authorizing conveyance of the closed portions to Cumberland Real Estate LLC, as adjoining property owner, with certain easements, reservations and restrictions incorporated into the deed

### **(C) Orders (Consent Agenda)**

Order 26,641 - authorizing the execution of Change Order 1 to City Project 9-18-BR, "Replacement of Bridge No. A-C-06 - Balt. St. Over Wills Creek" to authorize payment to AC Government for Final Design Services with the County paying MDOT directly and seeking reimbursement from the City for its cost-share portion of 20% of the estimated total Final Design cost of \$427,391.05 which will be a total estimated amount of \$85,478.21

Order 26,642 authorizing the execution of C.O. No. 1 to the current contract with Excavating Assoc., City project 27-19-M, "Bellevue St. Sidewalk Upgrades" in the increased lump sum price of \$22,125.95, bringing the new contract sum to \$103,375.95, to be fully funded through the CDBG program

Order 26,643 - approved the submission of a Draft Citizen Participation Plan and Draft 2020 Consolidated Five Year Plan for the City's Community Development Block Grant (CDBG) Program to HUD and approving program funding recommendations for the 2020 program year in the total amount of \$809,542

Order 26,644 - authorizing execution of an Easement Agreement with MC Broadband Cooperative, Inc., regarding a MOU effective February 13, 2019, to allow MD Broadband the right to use the City's rights-of-ways and easements to install, operate and maintain fiber, subject to certain conditions defined in the agreement

Order 26,645 - authorizing execution of a Subordination Agreement with CG Enterprises, LLC to subordinate the lien position of the Upper Story Redevelopment Five Year Forgivable Loan pertaining to 66-72 Pershing Street, recorded on June 1, 2018 (Liber 2386, folio 221), for the purpose of refinancing a loan to assist with the purchase of additional real estate

Order 26,646 - authorizing execution of a Settlement Agreement and Consent Order (WMA Case No. CO-20-2652) with the MD Department of the Environment, to define interim performance standards for the John J. DiFonzo Water Reclamation Facility (Waste Water Treatment Plant) through October 1, 2020, during the installation and start-up of the Aeration Blower Replacement Project (23-18-WWTP)

### **Public Comments**

All public comments are limited to 5 minutes per person

To provide public comment during the Public Comments section of the agenda via video conference: <https://us02web.zoom.us/j/85672002454?pwd=R3dRMGRXNEIvNUc3L3VMOENScHZKdz09> and use Meeting ID (856 7200 2454) Password (804210). To join by phone: (+1 301 715 8592) US; Meeting ID: (856 7200 2454) Password: (804210)

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### **Adjournment**