



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

AGENDA

Regular Meeting
City Hall Council Chambers

DATE: May 21, 2019

6:15 P.M. - Convene in Open Session

Pledge of Allegiance

Roll Call

Statement of Closed Meeting

1. Summary Statement of Closed Meeting held May 14, 2019

Presentations

1. Comments to be received from Burgmeier's Hauling on the City's trash and recycling program

Director's Reports

(A) Administrative Services

1. Administrative Services monthly report for April, 2019

(B) Engineering

1. Engineering Division monthly report for April, 2019

(C) Fire

1. Fire Department monthly report for April, 2019

(D) Utilities - Flood, Water, Sewer

1. Utilities Division (water / flood / sewer) monthly report for April, 2019

Approval of Minutes

1. Approval of the Regular Session Minutes of March 5, April 2, and April 16, 2019

Public Hearings

1. Public Hearing to receive comment regarding the City's intent to not adopt the State's recommended Constant Yield Tax Rate and instead hold to the City's current real property tax rate of \$1.0595 per \$100 of assessed value
2. Public Hearing to receive comment on the proposed Zoning Map Amendment (ZMA #12-04) requested by First Peoples Community FCU to rezone six (6) parcels of land at the intersection of Elm Street and Spring Street from Urban Residential (R-U) to Business Commercial (B-C) to allow for the construction of a free-standing, single story credit union building with drive through

New Business

(A) Resolutions

1. **Resolution No. R2019-02** - approving the application and receipt of financing for 2019 Community Legacy Projects

(B) Ordinances

1. **Ordinance No. 3848** (*1st reading*) - providing for the City Tax Levy for FY20 (Real Estate 1.0595 per \$100 of assessed value / Personal Property 2.648 per \$100 of assessed value)
2. **Ordinance No. 3849** (*1st reading*) - providing for the annual appropriation for the General Fund for FY20
3. **Ordinance No. 3850** (*1st reading*) - providing for the annual appropriation for the Water Fund for FY20
4. **Ordinance No. 3851** (*1st reading*) - providing for the annual appropriation for the FY20 Sewer Fund
5. **Ordinance No. 3852** (*1st reading*) - providing for the annual appropriation for the Special Purpose Funds for FY20
6. **Ordinance No. 3853** (*1st reading*) - to repeal and reenact, with amendments, Section 24-86 of the City Code to provide for a water rate increase, effective July 1, 2019
7. **Ordinance No. 3854** (*1st reading*) - to repeal and reenact Section 21-8.1(a) of the City Code to provide new rates for refuse collection effective July 1, 2019
8. **Ordinance No. 3855** (*1st reading*) - to repeal and reenact with amendments Section 17-26 and 17-27 of the City Code regarding establishment of the Planning and Zoning Commission to correct references to the Annotated Code, clarify the role of the members, provide for an alternate member, include a residency requirement, and incorporate statutory provisions regarding removal of members

(C) Orders (Consent Agenda)

1. **Order No. 26,450** - accepting the sole source proposal from Gwin Dobson & Foreman to provide construction phase engineering services associated with the Water Reclamation

Facility Aeration Blower Replacement Project (23-18-WWTP) for the estimated lump sum fee of \$38,950

2. **Order No. 26,451** - authorizing execution of a Cellular Tower Ground Lease Agreement with Shenandoah Mobile, LLC regarding their use of a parcel of land in Constitution Park and granting certain easements for the installation of a communications tower for an initial term of five (5) years, subject to four (4) renewal periods of five (5) years each; yearly rent of \$12,000 subject to annual adjustments; and being contingent upon approval of the Board of Zoning Appeals and obtaining necessary building permits and other government approvals
3. **Order No. 26,452** - authorizing execution of a Donation Agreement with Millard D. Robertson (Donor) regarding property at 101 North Cedar Street (Tax Acct. No. 04-006852 / Allegany County Land Records Book 548, page 539), authorizing acceptance of the deed, allowing for the extension of the closing date if necessary, and authorizing the City Administrator and City Solicitor to sign documents necessary for the transfer
4. **Order No. 26,453** - reappointing Thomas Farrell to the Zoning Board of Appeals for a three-year term that will be effective retroactive to January 15, 2019 and continuing through January 15, 2022
5. **Order No. 26,454** - authorizing the Chief of Police to accept a State Aid for Police Protection (SAPP) Fund Grant for FY20 in the amount of \$493,136 for the period 7/1/19 – 6/30/20 to be used to provide adequate police protection in the city of Cumberland
6. **Order No. 26,455** - lifting the provisions of Section 11-113 of the City Code, entitled “Open Containers of Alcohol,” in Constitution Park from 5 PM until 10PM on Wednesday, May 22, 2019 to accommodate the Pre DelFest event in the park; notwithstanding that open glass containers shall not be permitted

Letters / Petitions

1. Letter from the City Clerk advising that the petition period for Charter Amendment Resolution Nos. 145, 146, and 147 have passed and no petitions for referendum were filed, therefore each Charter Amendment became effective the 24th day of April, 2019
2. Letter from the South Cumberland Library requesting permission to close a portion of First Street in front of the Library's main entrance and parking lot from 4 PM - 8 PM on June 20, 2019 for a community block party. The Police, Fire, and Public Works Departments have reviewed this request and have expressed no concerns with regard to the event.

Public Comments

All public comments are limited to 5 minutes per person

Adjournment