



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

M&CC Regular Meeting
City Hall Council Chambers
57 N. Liberty Street
Cumberland, MD 21502

DATE: November 04, 2020

CLOSED SESSION

1. **5:30 PM** - Before adjournment of the November 4, 2020, open work session scheduled to begin at 4:15 PM, motion will be made to close the work session for a closed meeting to discuss the City Solicitor's position, as provided for by the General Provisions Article of the Annotated Code of Maryland, Section 3-305 (b) (1)
2. Convene into closed meeting

OPEN SESSION

6:15 p.m. - Reconvene in Open Session

Roll Call

Statement of Closed Meeting

1. Summary Statements of closed meetings held October 27 and November 4, 2020

Proclamations

1. Proclamation recognizing the month of December as Red Kettle Days Cumberland in support of the Salvation Army's annual charitable fundraising campaign

Director's Reports

(A) Engineering

[Engineering](#) Division monthly report for September, 2020

Approval of Minutes

- [1.](#) Approval of the Work and Regular Session Minutes of October 6, and the Work Session Minutes of October 13, 2020

Unfinished Business

(A) Ordinances

- [1.](#) Ordinance 3877 (*2nd and 3rd readings*) - accepting bids for the purchase of nine (9) parcels of real property and authorizing conveyance of those properties to the successful bidders, subject to certain terms for conveyance

New Business

(A) Ordinances

[Ordinance](#) 3878 (*1st reading*) - an ordinance to amend the official zoning map of the City of Cumberland to correct the map by removing thirty (30) parcels of record located between Alley No. 224 and Canal Parkway from the Canal Place Historic Preservation District

(B) Orders (Consent Agenda)

[Order](#) 26,727 - accepting the bid from S&S Electric, Inc. for the Blower Building Switchgear Replacement Project (36-19-WWTP) in the lump sum amount not-to-exceed \$399,500

[Order](#) 26,728 - accepting the sole source proposal obtained through CoStars purchasing consortium from Keystone Ford and Stephenson Equipment to provide two (2) new Ford F-250 Service Body Trucks and uplift equipment in the amount not-to-exceed \$43,570.00 for each truck, for a total not-to-exceed amount of \$87,140

[Order](#) 26,729 - authorizing execution of a second Amendment to Purchase Agreement with Allegany Junction Limited Partnership regarding the sale of land located a 100 Reynolds Street, to allow for two (2) additional 30-day Closing Extensions

[Order](#) 26,730 - appointing Charles W. Taylor, Jr. to the Zoning Board of Appeals for a term effective November 4, 2020, through November 4, 2023

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

File Attachments for Item:

Proclamation recognizing the month of December as Red Kettle Days Cumberland in support of the Salvation Army's annual charitable fundraising campaign



City of Cumberland
~ MARYLAND ~

Proclamation

- WHEREAS,** *the Red Kettle Campaign, the oldest annual fundraiser of its kind in the United States, helps raise money for those who need it in most communities nationwide, providing toys for kids, coats for the homeless, and food for the hungry; and*
- WHEREAS,** *from its humble beginnings as a fundraiser started by a Salvation Army captain in San Francisco in 1891, the Red Kettle Campaign has grown into one of the most recognizable and important charitable outreach efforts in the United States; and*
- WHEREAS,** *Volunteer Bell Ringers staff their “Red Kettles” at retail store fronts and shopping malls at approximately 25,000 locations nationwide, with 83 cents of every dollar donated supporting organizations and many missions throughout the world; and*
- WHEREAS,** *in recent years, the Salvation Army has become more high tech, utilizing various computer and internet platforms, social media, an online virtual “Red Kettle”, and even an iPad app, complete with a ringing bell; and*
- WHEREAS,** *the Salvation Army and their army of Red Kettle volunteers are important reminders that even in the hustle and bustle of the holidays, this is the perfect time to be charitable.*

Now, Therefore, the Mayor and City Council of Cumberland,
do hereby proclaim the month of December, 2020 to be

“Red Kettle Days”

in the City of Cumberland, and reminds its citizens the next time you hear that familiar bell-ringing, count your blessings and drop a little spare change in the kettle – your donation will have a significant impact on someone less fortunate.

Given under our Hands and Seals this 4th Day of November, in the Year 2020,
with the Corporate Seal of the City of Cumberland hereto attached,
duly Attested by the City Clerk.

ATTEST:

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

Marjorie A. Woodring
City Clerk

Raymond M. Morriss
Mayor

File Attachments for Item:

Engineering Division monthly report for September, 2020

City of Cumberland, Maryland
Engineering Division - Monthly Report

Capital Projects						September 30, 2020	
Order	Project No.	Project Name	Description	Phase	Comments	Updated By	Date of Update
2008	05-08-S	Evitts Creek CSO Upgrades Phase III (gravity sewer under railroad)	Replacement of CSO line connecting Evitts Creek Pump Station effluent with gravity line that parallels the Canal Towpath. Said gravity line is being replaced under project 17-03-S(1).	Design	UPDATE - WRA has developed a preliminary schedule for the project and is working with CSX to obtain ROE permit	MDI	10/16/2020
2010	01-10-WWTP	CSO Storage Facility At WWTP	CSO storage and handling facility in accordance with LTCP	Construction	UPDATE The contractor has mobilized equipment to renovate the Bowers Field and is working on final completion items	RLS	9/21/2020
2013	1-13-FPM	Flood Control System Concrete Repairs	Repairs to various points of FCS system per USACOE inspection	Design	UPDATE - Dam Safety Permit Application submitted to MDE on 10/8. Once approved, P&S packet will be ready for final review prior to advertisement for bid. Due date for final review is 12/1.	MDI	9/22/2020
2014	04-14-WWTP	Sludge Screening Study/Design	Study to select the best alternative to keep rags out of the recently cleaned and modified digester because the modifications will make it impossible to revive rags in the future.	Design	NO CHANGE Need/Benefit of the project is being reevaluated, and for now the project is on hold. Design is complete and the project will remain on this report for the time being.	RLS	4/2/2018
2014	13-14-M	Mechanic Street Access Road Improvement Project	Repaving and ADA ramp improvements to the section Mechanic Street from I-68 to Bedford Street. Includes improvements to the block of Bedford Street from N. Centre to N. Mechanic Street and Baltimore Street to the Bridge.	Construction	NO CHANGE - Project is complete. Waiting for checks from final invoices to clear, so that the final reimbursement to SHA can be submitted.	JRD	10/8/2020
2014	19-14-M	Greene Street Complete Street Plan	Planning Study for Greene Street	Planning	NO CHANGE - The Design Report from Alta Planning + Design was submitted and presented to the Mayor and City Council. The plan to start work on Construction Funding Applications has been delayed because of the Baltimore Street Project, which would have been competing for the same funds. This project still needs to be done and should be a priority in the future.	RLS	6/1/2017
2015	9-15-M	Potomac River Walk	The Study Phase of this project is being done through the Cumberland MPO and consists of a Walk / Trail for pedestrians and bikes along the Potomac River between Wills Creek and the YMCA	Study	NO CHANGE -This project has been turned over to Canal Place. Engineering Services for Design were received. Recommendation from the committee was to award to CEC.	RLS	8/9/2019
2015	18-15-S	CSO Water Quality Analysis	Base line data collection for analysis of future CSO needs after CSO Storage is on line.	Planning	No CHANGE Project continues. Health Department Lab is back up to full hours and coverage, so we are taking regular scheduled stream samples for analysis at this time. Rainy days are the target for sampling at this time.	RJK	10/9/2020
2015	19-15-M	WWTP & Collection System Asset Management Plan	Development of an Asset Management Plan	Planning	NO CHANGE Asset Management Program/Capital Improvement implementation. Working on Survey 123 and Collector with Sewer & Water Staff. Work is ongoing.	RJK	10/9/2020

City of Cumberland, Maryland
Engineering Division - Monthly Report

Capital Projects						September 30, 2020	
Order	Project No.	Project Name	Description	Phase	Comments	Updated By	Date of Update
2015	23-15-M	Flood Insurance Rate Map (FIRM) Modernization and Implementation	Update FIRMs and the Floodplain Ordinance, and conduct an outreach to the community to apprise landowners of the impact of those changes.	Planning	NO CHANGE - The Letter of Final Determination date is now October, 2018, with a projected effective date of April, 2019.	PJD	1/3/2019
2016	12-16-M	Baltimore Street Access Improvement - Final Design	The purpose of the New Baltimore Street Town Center project is to reopen and improve Baltimore Street, which is currently configured as a pedestrian mall, to vehicular traffic while maintaining elements of the mall.	Design	UPDATED - The 90% review comments have been recieved from MDOT SHA, and those comments along with the City of Cumberland comments and the Cochran Studio Comments have been forwarded to EADS. Weekly meetings are being held to continue the project design to completion. The Engineering Department continues to research alternatives to proprietary (name brand items). There are currently over 20 proprietary items listed in project specifications. Proprietary Items can not be paid for with Federal or State funding, and additionally Local funding used for these items can not count as a match towards Federal and State funding. Some of the proprietary items will need to remain in the project because they are part of the City's utility sychronization.	JRD	10/8/2020
2016	17-16-M	Stage Renovations at Liberty Street Stage	Replace wood stage with Concrete	Design	NO CHANGE - This project would be unnecessary if the Baltimore Street Access project is executed. The project will remain on this list until the Baltimore Street project moves to construction.	RLS	5/15/2019
2016	18-16-BR	John J. McMullen, Bridge No. A-C-01 Repairs	Bridge Repair	Planning	NO CHANGE - This project is expected to move forward in FY21 with State Aid Funds.	RLS	1/28/2020
2016	19-16-S	78" Parallel Pipeline from Mill Race to CSO	78" Pipeline to CSO tank in accordance with Consent Decree	Design	NO CHANGE - Design work continues, as City staff works on property acquisition. The USACE and NPS have authorized permits for additional field work to continue.	RLS	5/31/2020
2017	2-17-FPM	Flood Control Encroachment removal Project	The City as the Local Sponsor of the Flood Control Project is expected to maintain the easements along the Flood Control Project, however the area along Wills Creek and other areas were never given any comments until the Corps of Engineers standards changed. Completion of this project is necessary to allow the City to get a Satisfactory rating on its annual Flood Control Inspections.	Planning	NO CHANGE - This project has been delayed because of other work, but must be done. A tree removal project has been bid out and a contractor selected to do the work of removing trees in the encroachment area.	RLS	7/11/2018
2017	3-17-M	Route 51 Bridge 12" Waterline Replacement	Replace water line on bridge as part of SHA Bridge Deck Project	Construction	NO CHANGE - The contract for the bridge replacement has been awarded but the water line is not expected to be replaced until FY21 due to construction phasing.	RLS	5/15/2019
2017	18-17-M	Maryland Avenue Development	This is not and Engineering Project, but included here to cover future department work with the development.	Design	NO CHANGE - The department is supporting Cumberland Gateway LLC with historical records and will review stormwater design in the future.	RLS	5/15/2019
2017	29-17-UTIL	VOID See 19-15-M	VOID				

City of Cumberland, Maryland
Engineering Division - Monthly Report

Capital Projects						September 30, 2020	
Order	Project No.	Project Name	Description	Phase	Comments	Updated By	Date of Update
2017	30-17-WWTP	40 CFR 441 Compliance - Dental Dischargers	Collection of 1-time compliance reports from dental offices that remove amalgam.	Planning	UPDATE Twenty nine (29) dental offices have returned their 1-time compliance report to date. Dental offices had until July 14, 2020 to comply with this new Federal regulation. EPA meeting to be held Sept 24 (revealed certifications had until October 2020 to be received). All All Co dental offices in compliance at this time.	RJK	10/9/2020
2017	31-17-W	Decatur Street 24" Crosstown Water Main Replacement	Prior to designing the water main replacement a more detailed Water Model analysis of the City's system will be done to make sure the issues are being properly addressed. Design will follow.	Design	UPDATE The project has a contingent award for ARC funds and a recent award of additional MDE SRF loan funds to completely fund the project. Engineering is working to finalize the contract documents in light of the new ARC funds.	RLS	9/21/2020
2018	08-18-BR	Cumberland Street Bridge Replacement	This project will replace the bridge structure.	Design	NO CHANGE - EBA continues to work on the preliminary engineering on this project, with on site activities ramping up. Work will continue throughout FY20/21	RLS	10/9/2019
2018	09-18-BR	Baltimore Street Bridge Replacement	This project will replace the bridge structure.	Design	NO CHANGE - Project has been approved to begin Final Engineering. Expecting the project to be bid in March 2021.	RLS	4/29/2020
2018	19-18-M	ADA Improvements at 218 Washington Street	Construct an ADA complinat parking space in the 200 block of Washington Street, and reset the brick sidewalk adjacent to parking area.	Construction Bidding	UPDATE - Construction is complete and a final inspection is being scheduled	JRD	10/8/2020
2018	22-18-M	Solid Waste and Recycling Collection	Contract documents for the FY20 garbage and recycling collection bid process	Planning	UPDATE New schedule in effect! Burgmeier's sent out annual recycling info flyer to all City residents in Aug/September. Generating calls and new recyclers.	RJK	9/21/2020
2018	23-18-WWTP	FY 2019 MDE Energy Grant Optimization of the Aeration System at the WRF	Application through MDE for energy grants for WWTP or WFPs	Construction	NO CHANGE Project is complete. As-builts were developed by GD&F on 8/6/20. Still need to send all pay apps to WQFA for final reimbursement.	MDI	10/9/2020
2018	25-18-BR	SHA Project: Replacement of MD 51 Bridge Deck	Replace the water line under the industrial blvd bridge under a MDOT bridge rehabilitation project	Construction	Refer to project 3-17-W	RLS	10/11/2018
2018	26-18-M	Ridgeley Levee System Certification					
2018	29-18-W	Smouses Mill Pumping Station Upgrades	Replace existing pumps and VFD's, install a back-up generator, remove hydro-pneumatic tanks	Construction	NO CHANGE - All upgrades are complete and system is operational. Final invoice submitted/approved on 6/23. Sub-contractors are still working on flow meter communication issue (does not have affect on functionality of pumping station).	MDI	6/25/2020
2018	30-18-SWM	WMHS Crisis Resource Center	Project involving SWM review Replaces an existing building with a new facility.	Design	COMPLETE - Received SWM As-builts from Specs on 7/1/2020. Project is complete.	MDI	10/16/2020
2018	31-18-WFP	Pine Ridge Water & PUC Rate Issues	Project involves determining a path forward regarding the supplying of PA residents with water	N/A	NO CHANGE - City staff continues to work through issues with PA regulators about water issues	RLS	1/28/2020
2018	32-18-FPM	Rehabilitation Assistance for Flood Damages to Flood Risk Management Projects	Request USACE to make repairs or provide funding to address flood control issues	Planning	NO CHANGE - The USACE has denied financial support due to the flood control being in an unacceptable condition. The City is looking to enter the SWIF program to receive aid to get financial support for construction.	RLS	10/12/2018

City of Cumberland, Maryland
Engineering Division - Monthly Report

Capital Projects						September 30, 2020	
Order	Project No.	Project Name	Description	Phase	Comments	Updated By	Date of Update
2018	33-18-RE	Constitution Park Marble Courts	Installation of marble courts, adjoining pavilion, and upgrades to nearby comfort station in Constitution Park	Construction	UPDATE - The project is substantially complete, and the contractor and sub-contractors are completing work on the "Punch List".	JRD	9/22/2020
2018	37-18-SWM	Columbia Gas Line - Walnut Street					
2018	43-18-BR	Fayette Street Bridge Replacement	This project will replace the bridge structure.	Planning	NO CHANGE - The bridge has been opened for one lane of traffic. The bridge will be replaced in the future.	RLS	2/26/2020
2018	44-18-BR	Washington Street Bridge Replacement	This project will replace the bridge structure.	Planning	NO CHANGE - Studies have been returned and subject to CSX negotiations.	RLS	8/5/2019
2019	5-19-M	Virginia Ave Lot Demolition	Remove two structures and retaining walls at 6, 8 and 10 Virginia Ave.	Construction Bidding	NO CHANGE - The grading plan has been approved by ASCD and the project has been turned over to Code Enforcement for demolition	RLS	8/5/2019
2019	7-19-WFP	Filter Building Pilot Study	Perform a study to evaluate the potential to replace current filter building with a new membrane/GAC building in the future. The City is required to perform a pilot study to validate the technology we are proposing to use.	Study	UPDATE - The pilot study is underway and will occur over the next 4 months.	RLS	9/21/2020
2019	8-19-WFP	New Inlet Screens for Gate House		Construction	UPDATE - Maverick Construction has begun demolition/prep work inside of gate house. Divers will arrive on site Monday (10/19) and begin underwater core drilling on 10/20.	MDI	10/16/2020
2019	10-19-M	Residential Grass Mowing	Contract for mowing the residential properties within the City Limits which include blighted properties and recent demos.	Construction	NO CHANGE - Contract underway	DTG	10/16/2020
2019	11-19-M	Non Residential Grass Mowing	Contract for mowing the Commercial and Public Owned Properties within the City Limits. To include water tanks, City Hall, Public Safety and several others.	Construction	NO CHANGE -Contract Underway	DTG	10/16/2020
2019	13-19-M	Center City Parking Garage Improvements	Various improvements to the Center City Parking Garage including ADA improvements, wayfinding and signage upgrades, and painting	Construction	NO CHANGE -Kiosks and Gate system are installed and functioning. New system will not be put into service until new cameras are installed. Artwork has been installed.	JAT	3/19/2020
2019	14-19-M	WWTP RMP Compliance Services	RMP Compliance for OSHA 29 CFR 1910	Planning	NO CHANGE RMP program updated to comply with OSHA 29 CFR 1910 for chlorine and sulfur dioxide storage on site. Annual RMP review took place August 12, 2020	RJK	10/9/2020
2019	26-19-FPM	Repointing Viaduct, Ridgeley and Mill Race Pump Stations	Project to repair mortar joints in the Flood Control Pump Stations	Construction Bidding	NO CHANGE - Construction is nearly complete except for work at the Ridgeley Pump Station. Work is expected to be completed in September	RLS	8/12/2020
2019	32-19-M	Brownfields Application 2019	Information Regarding Brownfields and potential projects within the city.	Study	UPDATE -Staff attended Brownfields Boot-Camp held by MDP 9/24	MEA	9/30/2019
2019	36-19-WWTP	Blower Building Switchgear Replacement	This project replaced the existing Blower Building Switchgear to reduce the 4160V down to 480V to improve the safety of the building and to adequately protect our equipment.	Design	UPDATE - Bid opening was on 10/14/2020, with two acceptable bids. Low bidder was S&S Electric. Working on getting award request onto M&CC agenda.	MDI	10/16/2020

City of Cumberland, Maryland
Engineering Division - Monthly Report

Capital Projects						September 30, 2020	
Order	Project No.	Project Name	Description	Phase	Comments	Updated By	Date of Update
2020	2-20-M	Frederick St Parking Garage Repairs	Repairing a spalled section of slab on grade in Frederick St parking garage, as well as looking into sealing all concrete driving surfaces	Planning	NO CHANGE - Researching proper repair systems for spalled concrete in parking garages. Working with Street Dept. to determine if city forces can make repairs.	MDI	1/24/2020
2020	5-20-M	Installation of Traffic Pole Intersection of Mechanic & Harrison Street	Repair traffic pole that was hit by tractor trailer on 12/31/19.	Construction	UPDATE - The traffic pole foundation has been replaced, awaiting the pole to be delivered. The traffic pole is a custom order so the pole will not ship until November.	RLS	9/21/2020
2020	6-20-S	Sanitary Sewer Lining Assessment	Performing a cost assessment on relining (CIPP) all sanitary sewer lines within city.	Planning	NO CHANGE - Based on list of "high risk" lines provided by sewer dept, have developed a preliminary cost estimate. Awaiting updated list from most recent cleaning and cameraing prior to moving forward with project.	MDI	3/30/2020
2020	9-20-M	Constitution Park Fill Disposal	Assessing potential clean fill dump sites for Public Works	Planning	UPDATE - Grading plan has been finalized and approved by Allegany SCD, and stakes have been placed to delineate approximate locations of fill slopes and control devices. Next step will be to get control devices in place and develop plan for clearing and grubbing of site.	MDI	10/16/2020
2020	10-20-M	2020 ECWC Watershed Timber Sale	This project will hold a timber sale at the EC watershed as part of our watershed management plan	Planning	NO CHANGE - The contract was awarded to Cessna Brothers and work will begin in a few months.	RLS	8/12/2020
2020	11-20-WFP	Koon Dam Repairs	Concrete repairs to the dam structure (spillway and downstream face) per the annual dam inspection recommendations.	Planning	NO CHANGE - Project is budgeted for FY21. Currently developing bid specs and repair "map."	MDI	9/23/2020
2020	12-20-RE	Long Field Upgrades - Phase 1	Improvements to Long Field Concession and Restroom area. Upgrades include electrical improvements.	Planning	NO CHANGE - Received POS funding for upgrades to Long Field on 5/20. Received quote for electrical upgrades for S&S Electric on 6/9. Developed a list of other needed improvements with help from Dapper Dan rep. Awaiting SourceWell quote (Belt) for these upgrades.	MDI	9/23/2020
2020	13-20-WWTP	CSO Nine Minimum Controls Annual Review	A requirement of our LTCP and NPDES Report to look at these controls annually		NO CHANGE - The next NMC report due spring 2021.	RJK	10/9/2020
2020	14-20-M	Carver Building Repairs	Project to repair damage to the Carver Building				
2020	15-20-P	South Street Pavement Repairs	Paving the length of South Street while also making ADA and sidewalk improvements	Design	UPDATE - Progress continues on the installation of the new water main, and it is anticipated the Water Department will complete their work in November. Documents are being prepared for the installation of ADA Curb ramps, and it is anticipated that the trench patching and paving will be completed under SHA competitively bid contract prices.	JRD	9/22/2020
2020	16-20-M	Queen City Drive ADA Improvements	Project will include upgrading sidewalk for ADA compliance along Queen City Drive at corners of Bedford and Frederick Streets, below McMullen Bridge.	Design	NO CHANGE - Part of CDBG 5-year plan. Developing a set of bid specifications to put to bid around March 2021. Nearing completion of spec and plan development.	MDI	9/23/2020
2020	17-20-WWTP	CSO Long-Term Control Plan Projects/Schedule Review	Correspondences with MDE regarding the LTCP Projects and the Consent Decree end date: October 1, 2023.	N/A	NO CHANGE - Letter mailed to MDE as notification that the current CSO projects may be completed after the Oct 1, 2023 date. Call to update MDE on City projects and next steps took place Sept 1. Further meeting dates under consideration.	RJK	10/9/2020

City of Cumberland, Maryland
Engineering Division - Monthly Report

Capital Projects						September 30, 2020	
Order	Project No.	Project Name	Description	Phase	Comments	Updated By	Date of Update
2020	18-20-WWTP	Potomac Farms Dairy Prohibited Discharge Violation	The discharge is a violation of the City of Cumberland Code Article III, Sewers and Sewage Disposal, Division 4 General Discharge Regulations, section 24-171 Prohibited discharges generally (a)(8) and (b)(4)(b)(c) and section 24-172 Excessive BOD, suspended solids.	Inspection	NO CHANGE - Enforcement letter and \$200 fine issued. Further action was to follow-up to confirm the valve/overflow alarm installation. Site visit confirming valve alarm took place Sept 4, 2020. Alarm tested during visit.	RJK	10/9/2020
2020	20-20-W	General Permit 17HT Discharges from Tanks Pipes Other	Potable water system general permit for chlorinated discharge regulations regarding streams.	Planning	UPDATE Permit application due by Feb 2021. Working with Water Plant and Distribution to complete a Pollution Prevention Plan. Goal to apply (send NOI) is November 16, 2020.	RJK	10/9/2020
2020	22-20-M	Fall Tree Removal Project	Project to remove various hazardous street trees throughout the City.	Construction	UPDATE - Kiddy's Contracting won the bid for this contract. Once the contract is signed, will issue a NTP.	DTG	10/16/2020
2020	27-20-M	106 Luteman Sidewalk Repairs	Project to remove tree stump and replace damaged sidewalk and driveway on Luteman St.	Construction	UPDATE - Shaffer completed this work on 10/15/2020. Sidewalk is still curing. Will do final inspection of work next week.	MDI	10/16/2020
2020	28-20-M	Fall Tree Pruning Project	Project to prune various hazardous street trees throughout the City.	Construction	UPDATE - No bids on this project. Reaching out to potential vendors to perform the work and get quotes.	DTG	10/16/2020
	29-20-S	Locust Grove Force Main & LaVale Water Main Replacement	Joint project between Allegany County Public Works & LaVale Sanitary Commission to replace the force main from the new Locust Grove Pump Station and replace water main to LaVale.		NEW -		
	30-20-SWM	Grow West Facility Expansion	SWM Review for proposed expansion of Grow West MD Facility @ the industrial park.		NEW - Thrasher has submitted Conceptual and Site Development plans for SWM Review. I have approved both and am awaiting final plan set for review and signing. Met with Thrasher and Belt reps on 10/16 to review site plans, small changes have been made to site and will be incorporated in next set to be reviewed.	MDI	10/16/2020
	31-20-SWM	Mary Street Gas Line SWM Review	SWM Review and Waiver Approval for Columbia Gas Mary Street Gas Line Replacement		NEW - CS Davidson Inc. submitted first set of plans for SWM review on 10/6/2020. Project will receive SWM Waiver from City.	MDI	10/16/2020
	32-20-WFP	Lake Koon and Gordon Annual Dam Inspection & EAP Update	Project to perform the annual Dam Inspection. The project will also update the EAP for the dams which is required every 5 years. The work was performed by the EADS Group.		NEW -		

File Attachments for Item:

Approval of the Work and Regular Session Minutes of October 6, and the Work Session Minutes of October 13, 2020

Mayor and City Council of Cumberland

WORK SESSION

City Hall Council Chambers
57 N. Liberty Street
Cumberland, MD 21502

Tuesday, October 6, 2020
5:15 p.m.

This meeting was held via Video-Conference

PRESENT: Raymond M. Morriss, President; Council Members: Seth Bernard, Richard Cioni, and Eugene Frazier. Councilwoman Laurie Marchini was absent.

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk

I. PUBLIC MEETING AGENDA REVIEW

Mr. Rhodes advised on the two Resolutions on the Agenda. Resolution R2020-05 will approve the application and receipt of financing for 2020 Community Legacy projects and Mr. Rhodes briefly reviewed the projects submitted:

1. Cumberland Main Street Fiber Installation
2. Cumberland Roof Replacement Program
3. Upper Story Redevelopment
4. Accessible Scattered Site Rental Housing – Cumberland Housing Group
5. ACM Gateway Center Community Space Enhancement
6. ACM College Center Loft Enhancement for Community & Workforce Development

Resolution R2020-06 will approve the receipt and financing for a 2020 Strategic Demolition project entitled “Cumberland Main Street Sprinkler Tap Installation – Phase I”, which will coincide with the Baltimore Street Redevelopment project and will provide 45 buildings downtown with access to sprinkler/fire suppression systems.

Mr. Rhodes reviewed Ordinance 3876 up for its First Reading, which will repeal and re-enact part of the City Code pertaining to service pipes supplying two or more premises with water. Mr. Cohen provided more information, saying that water service provided through service lines to residents has on/off valves, and residents should have their own. He stated that many don't, due to the age of the structure, and said that this ordinance will address those issues where one service line supplies two properties.

Mr. Rhodes reviewed the Consent Agenda's eight Orders:

- **Order 26,716** - authorizing the Chief of Police to accept an MHSO FY21 Maryland Highway Safety Office Traffic Safety Grant in the amount of \$3,000.00 for police overtime support concentrating on DUI enforcement and occupant protection for the project period 10/1/20 through 9/30/21
- **Order 26,717** - authorizing the Sole Source purchase of Engineering Programming and three (3) Ammonium Analyzers for the John D. DiFonzo Water Reclamation Facility's Bio-Reactors from Aerzen USA Corporation in the amount not to exceed \$30,187.00
- **Order 26,718** - authorizing execution of a contract with Cumberland Housing Alliance, Inc. (CHA), regarding the use of \$149,000 in MD Community Parks and Playground grant funding for upgrades to the playground located at 635 East First Street and owned by CHA
- **Order 26,719** - appointing individuals to vacant or expired seats on the Downtown Development Commission, Administrative Appeals Board, and Historic Preservation Commission
- **Order 26,720** - authorizing the Mayor to sign a letter of support for the City's application to the MD Heritage Areas Emergency Capital Fund for critically needed work at the George Washington's Headquarters Cabin

Mr. Rhodes stated that there are some roof shake and chinking issues at the cabin, and stated that the grant will be \$5,000, with a City match of \$5,000.

- **Order 26,721** - authorizing execution of an Easement Agreement with Cumberland Manor Associates LP whereby Cumberland Manor grants a permanent easement to the City for the purpose of laying, constructing, replacing, etc., the water line running through Cumberland Manor's property

Mr. Rhodes stated that this pertains to the 24" water main replacement on Decatur Street that has caused a number of problems over the last couple of decades.

- **Order 26,722** - declaring a 2005 Caterpillar 924G Loader to be surplus and authorizing it for trade-in
- **Order 26,723** - authorizing execution of an Amendment to Collective Bargaining Agreement with the UFCW Local 1994, pertaining to the current agreement effective July 1, 2018 - June 30, 2021, to provide for an amended pay schedule to be effective retroactive to July 1, 2020, and to provide for a one-time \$1,000 stipend payable for the year commencing July 1, 2020

Mr. Rhodes stated that the amendment will provide a 2% COLA through June 30, 2021, and a \$1,000 stipend to be able to retain officers and compete with other organizations.

II. DISCUSSION

Councilman Bernard had questions regarding the work on Washington's Headquarters Cabin, and who is supplying the grant monies. Mr. Rhodes advised that the grant is a Maryland Heritage Areas grant, and mentioned that there probably will be some type of easement, and said that they will check with Ms. McKenney for more information. Councilman Bernard stated that his main concern was if the work planned for would preclude the cabin from having future modifications, or even from possibly moving it. Mr. Cohen stated that the Mayor could sign the authorization for application for the grant tomorrow, but it would be better to wait until a final decision is made.

There was more discussion on whether or not to sign the authorization, with Mr. Cohen saying the Mayor could just refuse to accept the grant when it arrives. He added that as an alternative, they could put wording in to say it that the grant is preliminarily supported. It was decided that Ms. Woodring will speak with Ms. McKenney before the next meeting.

III. ADJOURNMENT

With no further business at hand, the meeting adjourned at 5:35 p.m.

Respectfully submitted,

Marjorie A. Woodring
City Clerk

Minutes approved _____



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

MINUTES

M&CC Regular Meeting

Cumberland City Hall, Council Chambers, 57 N. Liberty Street, Cumberland

DATE: October 06, 2020

I. CLOSED SESSION

5:45 PM - Convene in open session for the purpose of closing the meeting for an executive session pursuant to Section 3-305 (b) (9) of the Annotated Code of Maryland to discuss negotiations issues pertaining to the AFSCME collective bargaining agreement.

To view the open portion of this meeting live, go to the City's website at www.ci.cumberland.md.us and access the public meetings link under the Government tab or go to Facebook and access the page Cumberland City Hall Livestream.

II. OPEN SESSION

1. 6:15 PM - Reconvene in Open Session

To view the meeting live, go to the City's website at www.ci.cumberland.md.us and access the public meetings link under the Government tab or go to Facebook and access the page Cumberland City Hall Livestream.

To provide public comment during this video conference, go to <https://zoom.us> and enter the following:

Use Meeting ID (872 6849 4894) Password (800566)

To join by phone dial: (+1 301 715 8592); Meeting ID (872 6849 4894) Password (800566)

Citizens wishing to speak will be placed in a waiting room and will be called upon at the appropriate time.

Written public comment may also be made by emailing the City Clerk at margie.woording@cumberlandmd.gov. All electronic comments must be submitted by 2 PM on October 6, 2020. Comments received will be acknowledged during the public comment portions of the meeting.

III. Roll Call

PRESENT:

Councilman Seth Bernard
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
President Raymond M. Morriss

Councilwoman Laurie P. Marchini was absent

Also Present: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie A. Woodring, City Clerk

IV. Statement of Closed Meeting

1. Summary Statements of closed meetings held September 22 and October 6, 2020

Mayor Morriss announced that Closed Sessions had been held on September 22, 2020 at 2:00 p.m. and on October 6, 2020 at 5:45 p.m. and read into the record summaries of those sessions which are attached hereto and made a part of these minutes as required under Section 3-306 (c) (2) of the General Provisions Article of the Annotated Code of Maryland.

V. Proclamations

1. Proclaiming October 15, 2020 in the City of Cumberland as "White Cane Awareness Day"

Mayor Morriss read the Proclamation and stated that we all need to be cognizant of our blind citizens and those using a white cane at our street crossings. He presented the proclamation to Chris Myers who sits on the Historic Preservation Commission.

VI. Director's Reports

Motion to approve the reports was made by Councilman Frazier, seconded by Councilman Cioni, and was passed on a vote of 4-0.

(A) Engineering

Engineering Division monthly report for August, 2020

(B) Police

Police Department monthly reports for June and July, 2020

VII. Approval of Minutes

Motion to approve the minutes was made by Councilman Bernard, seconded by Councilman Cioni, and was passed on a vote of 4-0.

1. Approval of the Work Session and Regular Session Minutes of August 4 and August 18, 2020, and the Regular Session Minutes of September 1, 2020

VIII. New Business

(A) Resolutions

Mr. Rhodes provided background on the Resolution and reviewed each project being submitted for funding.

The Resolution was submitted in title only. Motion to approve the Resolution was made by Councilman Bernard, seconded by Councilman Cioni, and was passed on a vote of 4-0

Resolution No. R2020-05 approving the application and receipt of financing for six 2020 Community Legacy Projects, developed by the Cumberland Sustainable Communities work group, in the total amount of \$863,514

Mr. Rhodes provided background on the Resolution and reviewed the project being submitted for funding.

The Resolution was submitted in title only. Motion to approve the Resolution was made by Councilman Frazier, seconded by Councilman Cioni, and was passed on a vote of 4-0.

Resolution No. R2020-06 approving the application and receipt of financing for a 2020 Strategic Demolition project, "Cumberland Main Street Sprinkler Tap Installation Project - Phase I", identified by the Cumberland Sustainable Communities work group, in the amount of \$450K

(B) Ordinances

Mr. Rhodes provided background on the Ordinance and advised that it will clarify the language in the City Code for dealing with these situations.

The Ordinance was submitted in title only for its First Reading. Motion to approve the reading and table until next meeting was made by Councilman Bernard, seconded by Councilman Frazier, and was passed on a vote of 4-0.

Ordinance 3876 (*1st reading*) - to repeal and reenact Section 24-49 of the Code pertaining to service pipes supplying two or more premises with water, for the purpose of clarifying its terms

(B) Orders (Consent Agenda)

Mr. Rhodes reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. Motion to *REMOVE* Consent Agenda item Order 26,720 was made by Councilman Frazier, seconded by Councilman Bernard, and was passed on a vote of 4-0. Motion to approve Consent Agenda items Orders 26,716 – 26,723, *EXCLUDING* Order 26,720 was made by Councilman Bernard, seconded by Councilman Frazier, and was passed on a vote of 4-0

Order 26,716 - authorizing the Chief of Police to accept an MHSO FY21 Maryland Highway Safety Office Traffic Safety Grant in the amount of \$3,000.00 for police overtime support concentrating on DUI enforcement and occupant protection for the project period 10/1/20 through 9/30/21

Order 26,717 - authorizing the Sole Source purchase of Engineering Programming and three (3) Ammonium Analyzers for the John D. DiFonzo Water Reclamation Facility's Bio-Reactors from Aerzen USA Corporation in the amount not to exceed \$30,187.00

Order 26,718 - authorizing execution of a contract with Cumberland Housing Alliance, Inc. (CHA), regarding the use of \$149,000 in MD Community Parks and Playground grant funding for upgrades to the playground located at 635 East First Street and owned by CHA

Order 26,719 - appointing individuals to vacant or expired seats on the Downtown Development Commission, Administrative Appeals Board, and Historic Preservation Commission

Order 26,720 - authorizing the Mayor to sign a letter of support for the City's application to the MD Heritage Areas Emergency Capital Fund for critically needed work at the George Washington's Headquarters Cabin

Mr. Rhodes advised that Order No. 26,720 was being set aside for the time being to make sure the application is not in any way binding.

Order 26,721 - authorizing execution of an Easement Agreement with Cumberland Manor Associates LP whereby Cumberland Manor grants a permanent easement to the City for the purpose of laying, constructing, replacing, etc., the water line running through Cumberland Manor's property

Order 26,722 - declaring a 2005 Caterpillar 924G Loader to be surplus and authorizing it for trade-in

Order 26,723 - authorizing execution of an Amendment to Collective Bargaining Agreement with the UFCW Local 1994, pertaining to the current agreement effective July 1, 2018 - June 30, 2021, to provide for an amended pay schedule to be effective retroactive to July 1, 2020, and to provide for a one-time \$1,000 stipend payable for the year commencing July 1, 2020

IX. Public Comments

Mr. Jerry Gerstein asked to speak regarding the permit application for a 195-foot communications tower to be located at Knox Street and Henderson Avenue. He advised that he is owner and resident at 301 Henderson Avenue which is directly across from the proposed location of the tower, and voiced his concerns about the location and the setbacks, which he said had originally caused the project to be denied. He stated that the City should explore other sites for the structure.

Mayor Morriss thanked Mr. Gerstein for his comments, and advised that the issue has gone back to Planning and Zoning. He stated that he will make sure Mr. Gerstein knows the date of the next Planning and Zoning Committee meeting so he can attend and make his statements, and added that it's critical that the City take in comments from residents in the area. Mr. Gerstein advised

that he was very concerned that there didn't seem to be a mechanism for considering alternatives for such a large structure. Mayor Morriss stated that the City will review that process as well.

There was more discussion with Council and the City Solicitor regarding the setback and fall-zone allowances needed, with Mayor Morriss saying they would discuss this with Planning and Zoning before their next meeting.

All public comments are limited to 5 minutes per person

X. Adjournment

Mayor and City Council of Cumberland

WORK SESSION

City Hall Council Chambers
57 N. Liberty Street
Cumberland, MD 21502

Tuesday, October 13, 2020
4:30 p.m.

This meeting was held via Video-Conference

PRESENT: Raymond M. Morriss, President; Council Members: Seth Bernard, Richard Cioni, and Eugene Frazier, and Councilwoman Laurie Marchini

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk, CEDC Executive Director Matt Miller; Lisa Sturtevant and Manual Ochoa from LSA

I. FINAL PRESENTATION OF HOUSING ANALYSIS BY LSA

Mr. Miller advised that the Comprehensive Housing Analysis has been finalized, and introduced Lisa Sturtevant and Manuel Ochoa from LSA, who are in attendance to discuss their findings which include implementation strategies, housing issues, data, etc.

Ms. Sturtevant provided a PowerPoint presentation, and noted that she worked with Lee Borrer, Community Development Specialist, to complete the CDBG Plan, and stated they also worked on the Analysis of Impediments, which are both required by HUD, and said these are the baseline set of analyses for more comprehensive study. She stated that at the request of the CEDC, they looked at a broader range of housing needs, and housing as a part of economic development strategy, with questions being “where are the unmet needs?” and “how can a housing strategy help retain a more diverse base of residents?”. Ms. Sturtevant stated that the goal was to develop a comprehensive local strategy to help attract middle and higher income working individuals and families, which is important for diversifying and supporting local businesses.

Ms. Sturtevant advised that they have recommendations for Phases I and II, and stated that they developed the bulk of these prior to Covid-19. She said, however, that some of the recommendations still stand at this time in recovery.

Ms. Sturtevant advised on the takeaways from the study:

- While there is a strong desire to take immediate actions, the plan for expanding housing opportunities is a long-term strategy.
- There are housing options not available in the City, but they are being developed in other parts of the region.

- On-going and private-sector investments must continue to improve City amenities.
- There is an opportunity for Cumberland to attract new residents from the region as well as from higher-cost markets.
- Near-term development will need to include housing supported by Federal, state, and local incentives.
- Two key publicly-owned sites in the City provide the best opportunities for new housing development in the near-term.

Ms. Sturtevant advised on the analysis, going over population demographics which show a smaller share of working residents and a higher share of lower income residents. She also discussed the distribution of household makeup, which showed the City having fewer families with older school-age children. She stated that about half of the households are non-family, meaning two or more people living together who are not related, single people who are disabled, or older adults. She added that they found that the City's residents tend to include more single person households, and they also found that the share of disabled residents is high in Cumberland relative to the rest of the region. She stated, however, that these findings are pretty consistent with other urban areas, but said it suggests that there are significant housing needs among the disabled. She added that a shrinking part of Allegany County's population has become a larger part of Cumberland's population.

Ms. Sturtevant noted that although housing costs in Cumberland are low relative to some other parts of Maryland, there are a significant amount of renters having a hard time managing housing costs. She stated that housing stock is significantly older than in the rest of the region, due to in large part to the City's history, and the fact that there has been little new construction over the last several years. She added that the lack of new residential construction suggests there is a lack of homeownership opportunities in the \$100K - \$200K price range, while the stock of lower-valued homes is relatively high. Ms. Sturtevant stated that on the rental side, the biggest needs are for rents in the \$500 - \$900 per month.

Ms. Sturtevant advised that they did a survey this past spring asking human resource directors what types of housing in the Cumberland region their recruits were looking for. She stated that two-thirds of the respondents stated single-family homes, with the highest demand being \$100K or less. She added that more than half of the respondents said apartments, in the monthly range of \$500 - \$900, were in demand as well.

Ms. Sturtevant reviewed market segments identified: Near-retirees and retirees - age 55+ who are looking to move and have more money to spend on leisure, and young adults and millennials that feel big cities are losing their shine, and have a desire to move to vibrant downtowns in suburban settings. Ms. Sturtevant said findings say affordable homeownership is important to young workers (but not necessarily a fixer-upper), as well as high-quality schools and daycare.

Ms. Sturtevant moved on to Recommendations for Phase I and Phase II, and noted that there are some things the City is doing right now that are moving in the direction of implementing these recommendations:

Phase I (12 – 18 months)

- Implement Blight Action Plan
- Continue Downtown revitalization
- Fund projects in CDBG priority areas
- Develop a “dollar home” program
- Inventory public land
- Educate about aging in place
- Establish a down payment program
- Review historic preservation program

Phase II (post 18 months)

- Make public land available for development
- Develop housing with federal subsidies
- Increase density on key sites
- Fast track development processes

Ms. Sturtevant discussed Site-Specific Recommendations:

Scattered Sites – bring public and private sector resources to targeted sites near downtown, with the goal to improve the housing stock and make downtown getaways more appealing to potential new residents.

Memorial Hospital Site – bring public and private sector resources to a shovel-ready site in a relatively well-maintained residential neighborhood, with the goal of creating new housing options not currently available in Cumberland on a prime site close to downtown with great views.

County High School Site – bring public and private sector resources to develop a mix of housing types at a range of price and rent levels, with the goal of creating unique housing options for a range of ages and family types.

Mr. Ochoa advised that this is not an economic development plan, and stated that the perception of downtown will color people’s perception of the quality of life in Cumberland. He stated that staff members that are hired is key to what the City and CEDC is trying to do to bring life to downtown again, along with having a good main street organization, upper level housing, and contact with residents. He also wanted to point out that the connection between the historic preservation process and the fast tracking development process can sometimes be viewed as barrier, so he recommends looking at those processes in place. He added that related to that issue is the connection between affordable housing and historic

preservation, and discussed published guidelines by the Federal Advisory Council on Historic Preservation regarding using federal funds.

Questions and Comments

Mr. Miller asked them to speak on the public input (Steering Committee) portion of this study. Mr. Ochoa advised that they did a number of interviews from various groups that were included, and were able to take advantage of focus groups in interviews for the Consolidated Plan. He also mentioned that they convened through the 20-member CEDC Advisory Board about 4 times. Ms. Sturtevant added that they administered a citizen and business survey in February and received close to 600 responses. In response to a question from Council, Ms. Sturtevant advised that they had 44 human resource directors respond to a survey they sent out in May. Mr. Miller stated that the survey encompassed everything from small businesses to larger groups.

Mayor Morriss thanked LSA for the study, saying it was very comprehensive, covering the needs of the City in a lot of different areas, and said it was good to hear that some initiatives the City did in the last year fit into the housing study. He added that he liked that they contacted human resource directors, and said it was critical input. He also mentioned LSA's review of the City's Historic Preservation Commission, and said it's important that they understand and take into consideration that the idea is to streamline and make programs more available and not more difficult for people to renovate their properties.

Mr. Ochoa stated that historic preservation is neutral, it's how it's utilized, so it can be an economic benefit, but in the development process it can also be a barrier. He went on to say that they spoke with community organizations that provide and build housing and also spoke with small property owners, and said almost every group mentioned historic preservation as a barrier. He added that he believes the City understands the need to preserve historical resources, and stated that the focus needs to be on the details. Mayor Morriss invited Mr. Ochoa to watch a Historic Preservation Commission meeting.

Councilwoman Marchini stated that this housing study fits well with the existing economic development plan and repeats a lot of points from the Choose Cumberland website, from a housing perspective, from removing blight to the types of businesses and people the City wants to recruit. Ms. Sturtevant said it's testament to what Mayor Morriss said about how much good work was already being done. Mayor Morriss added that with the Baltimore Street redevelopment, and with using the old Allegany High School and Memorial Hospital sites for potential housing, it could turn the downtown around very quickly in the next few years, but stated that there needs to be a sense of urgency to get some of these projects completed as soon as possible.

Councilman Frazier asked about double taxation in the study, and if it creates a problem for potential housing. Ms. Sturtevant said they did take a look at property taxes in the City versus in the County, and talked about the pros and cons of building outside as opposed to

inside the City. She stated that there are unique things about the City that are to its advantage, and the value of those need to be marketed and demonstrated. She advised that double taxation was not the financial obstacle to building new housing, and stated that they need to get the word out that amenities are here in the City. Ms. Sturtevant discussed more people working from home now because of the pandemic, and stated that a greater share of the population are finding that they don't need to live near a big city as long as there is reliable high-speed internet access. The easy access of Police, Fire and Rescue was also discussed as something that should be marketed more. Ms. Sturtevant also discussed the importance of schools and child care, as millennials are getting older and have kids now. She also stated that with retirees, where there can be safe living is going to be a much bigger issue moving forward.

Ms. Sturtevant discussed disabled City residents, and said the study used mostly public data sources and the Census Bureau, which includes both physical and cognitive disabilities. She stated that 1 out of 4 residents in the City reports having a disability, and said that as the population gets older, the rate of disability increases. She added that this has increased in the City, but has declined in the County. She explained how the percentages get skewed with population decline, and said the City needs to broaden the population base so that those shares move back to where they were before.

Mr. Ochoa spoke about incentive programs, and he encouraged Mayor and Council to use them as a way of partnering with employers for down payment assistance programs. Ms. Sturtevant added now that the City and CEDC have engaged with the employer community, she feels that this could be the beginning of even more community partnerships. Mayor Morriss commented on the incentives to build on public-owned land that was in the study, and said to give developers the land at a nominal cost would be critical, as well as the down payment incentives. Ms. Sturtevant stated that it's really common to make the land available as a 99-year ground lease, and when you provide a public incentive it allows you to guide the development a little bit, which allows the City to have a say in what goes where.

Mr. Miller urged Mayor and City Council to take a thorough look at the study, and asked them to formally adopt this study as the City's housing approach, to give the CEDC and staff direction and guidance on these issues. The Mayor said that from his perspective this study is without a doubt something the City will be using as a guideline for a long time going forward, and said he will look into having it formalized. He said he would also encourage local business people to review the study, and said it was great work.

II. UPDATE ON EASTSIDE SCHOOL SITE DEVELOPMENT

Mr. Rhodes advised that the City was in communication with the developer regarding the PILOT, seeing if they can get that wrapped up. Mr. Cohen stated that there are ways they are trying to approach it, but would rather not talk about it in this setting. He added that the developer has pretty much everything they need at this juncture, and the only thing left to discuss is the PILOT.

III. UPDATE ON BALTIMORE STREET ACCESS PROJECT

Mr. Miller reviewed the two applications for funding being submitted to the Department of Housing and Community Development and advised on the funding amounts of \$125K of Community Legacy funds for installation of fiber, and \$450K of strategic demolition funds to be used for the sprinkler tap installations. He added that there were a couple other things he will be presenting in the near future, and advised that the Baltimore Street Work Group is meeting weekly now, and will continue to do so as the project nears completion.

IV. CUMBERLAND GATEWAY PROJECT

Mayor Morriss advised that he had spoken with the developer, Ed Scott, who said he was planning to come to Cumberland, and asked Mr. Miller if he had heard anything. Mr. Miller advised that he had not heard from him lately, but had spoken to him via text message. He stated that he thinks Mr. Scott's plan is to come into town in the next week or two.

V. UPDATE ON FORMER MEMORIAL HOSPITAL SITE

Mr. Miller stated that he spoke with the CEDC Board directors today and said he would like to outline the process how the CEDC acquires the land from the City. He said he has pitched a very rough draft to the board, where they would enter into a separate MOU with the City naming the CEDC as the sole marketing and promotion agent of the site, which would give them the sole ability to negotiate any dealings and vetting each proposal. Then the proposal would be presented to the Mayor and City Council for their approval or disapproval, and mentioned the proposals would have to meet certain criteria. He added that if the proposal is accepted, then the property would be acquired by the CEDC, and he provided additional information on the series of events that would occur. Mr. Miller stated that he will put something more formal on paper to be reviewed.

Mayor Morriss stated they can work their way through the MOU with the CEDC, but advised that the key is getting the RFP out there for what the City's overall desire is for that property going forward. Mr. Miller advised that he has been consulting with a firm that could do some potential renderings in terms of usage of what the City allows, with input from the CEDC. He stated that the housing study encourages incentivizing residential development through local, state, and federal programs, and said that the CEDC's incentive would be that they control the property. He said the property is valuable, and eventually will be an asset to the neighborhood. He added that he wants to lay out what the expectations are for the CEDC with respect to this, and once again said he will put together something more formal for Mayor and City Council.

VI. DISCUSSION REGARDING RECOMMENDED ACTION – 712 ELM STREET

Mr. Miller provided background on the property 712 Elm Street, which was deeded to the City by accident. He asked to get some direction on whether or not the City wants the property, and added that he had spoken with the CEDC board today. Mayor Morriss stated

that the City may start dealing with First Peoples to give it back to them, which he thinks is the best thing to do from the City's perspective. He said, however, that if First Peoples should demolish the building and it becomes a vacant lot that would change his perspective. The Mayor said, though, to take a piece of property that would be a land-banked piece that the City won't get to for quite a while, it would be too far of a long-term opportunity for his taste.

Mr. Miller advised that the Civic Master plan they adopted names that area as a site for potential commercial use, which could make this a land-banking opportunity for that purpose. Mr. Miller stated additional reasons to accept the property that First Peoples was willing to donate, including having to buy it down the road if needed, and if it goes back to privately owned, the City has no control over what it becomes. He stated that he advocates for First Peoples, saying that they have also invested their money in their own projection of the neighborhood, so they, too, are invested. He said that he understands fiscal problems with the City, but stated that this would fall under the blight action plan and could be used for another purpose. He asked Mayor and Council to take all of this into consideration.

In answer to a question from Council, Mr. Miller stated that although he didn't know of any news with that area, he thinks the developer is readjusting their marketing strategy regarding the pandemic. He added that he thinks all the issues with property from the City's standpoint have been taken care of, and discussed First Peoples being a great community partner

Mr. Rhodes asked Mr. Miller how his board responded when he discussed this with them. Mr. Miller stated that it came down to financial resources and discussed razing and maintenance of the property, and doing an environmental study. He stated that the CEDC may be able to afford the maintenance, and possibly the demolition, but said that financial limitation is their reservation. He added that it's tabled at this point until they can see what they can afford, but said he's willing to maybe partner with the City.

Mr. Rhodes advised that it could cost approximately \$10K to raze the building, and approximately \$15K if there is asbestos. He stated that most of the properties in the area have asbestos. Mr. Miller stated that if it's combined with other demos in the area, the cost could be reduced. Both the Mayor and Mr. Rhodes advised that it would be a while before the City could take that structure down, and Mr. Rhodes stated that there were around 40 properties in between the Gateway project area and where 712 Elm Street sits, so quite a few properties would have to come down before getting to that one, if development occurs.

Mayor Morriss stated that he doesn't think it's the right thing for the City to take at this time. He said if this was a family that didn't have the money to maintain the building so that it deteriorated further, his stance would be different, but this is a financial institution that has the ability to demolish it, with the value of the property increasing in the future. He stated again that if First Peoples does the demolition, his stance can change dramatically.

Sharing cost with the bank was discussed, as well as offering them the City's landfill rate to save them money, but Mayor Morriss stated they would have to check on that. Matt asked if he should present First Peoples with a partnership regarding landfill fees. Mayor Morriss agreed, and Council concurred.

VII REVIEW OF DRAFT AGENDA – OCTOBER 20, 2020 PUBLIC MEETING

Mayor Morriss quickly reviewed the draft agenda, and discussed the tabled Order regarding the Maryland Heritage Area application for a grant to do some renovations at the George Washington Headquarters cabin. Mr. Rhodes advised that Ms. McKenney reviewed it and it appears to be easement free. He suggested moving forward with it and to double-check the paperwork, and stated that similar funding years ago did not require an easement. All agreed to leave this Order on this week's agenda.

Mr. Rhodes reviewed the Orders on the draft agenda:

Order 26725 – authorizing execution of a 3-year salt agreement with the MD State Highway Administration for distribution of salt and/or aggregate during winter storm events for the period 9/1/20 through 8/31/23.

Order 26726 – appointing Betsey H. Schwab to the Administrative Appeals Board for a 3-year term effective 9/30/20 through 9/30/23.

Order 26727 – authorizing the Chief of Police to accept an FY21 Byrne Justice Assistance Drug Enforcement Program Grant in the amount of \$58,820 for overtime and equipment to develop and implement strategies to reduce drug-related crime and overdose deaths in the community.

There were no questions from Council.

Councilwoman Marchini noted that Chris Fraley, former officer for the City, is being honored for his work with the Dare Program in Mineral County tomorrow at the Mineral Board of Education.

VIII. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:20 p.m.

Respectfully submitted,

Marjorie A. Woodring
City Clerk

Minutes approved _____

File Attachments for Item:

Ordinance 3877 (*2nd and 3rd readings*) - accepting bids for the purchase of nine (9) parcels of real property and authorizing conveyance of those properties to the successful bidders, subject to certain terms for conveyance

ORDINANCE NO. 3877

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED "AN ORDINANCE TO ACCEPT BIDS FOR THE PURCHASE OF (9) PARCELS OF REAL PROPERTY IN THE CITY OF CUMBERLAND AND TO AUTHORIZE THE CONVEYANCE OF THOSE PROPERTIES TO THE SUCCESSFUL BIDDERS, SUBJECT TO THE TERMS SET FORTH HEREINAFTER."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of the properties listed in the Exhibit A attached hereto (individually, a "Property" and, collectively, the "Properties");

WHEREAS, the Properties were declared surplus under the terms of Order No. 26,675, passed by the Mayor and City Council on July 21, 2020;

WHEREAS, bids for the purchase of the Properties and other parcels of real property were solicited by means of the 2020 Request for Bids Surplus Properties;

WHEREAS, the City received bids for the Properties, but did not receive bids for any of the other parcels of real property;

WHEREAS, staff is recommending that the Mayor and City Council award the bids for the each of the Properties as provided for in the Exhibit A attached hereto; and

WHEREAS, subject to the hereinafter set forth terms, the Mayor and City Council deem the acceptance of those bids to be in the City's best interests.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council accept the bids set forth in the Exhibit A attached hereto subject to the following terms:

- A. Each purchaser shall pay all recordation and transfer taxes required to record the deed effecting the conveyance of the Property successfully bid upon; although it is expected that no such taxes will be due.
- B. Each purchaser will pay the \$60.00 deed recordation fee charged by the court.
- C. Each purchaser will pay the City and County real estate taxes due from the date of the deed through the remainder of the tax year and will assume responsibility for the payment of those taxes thereafter.
- D. The Properties will be conveyed to the purchasers by means of quitclaim deeds containing no warranties or representations of any kind, the form of which is set forth in the Exhibit B attached hereto;
- E. The City will record the deeds for purchasers who pay the City's \$100.00 deed recordation fee. Purchasers who don't pay that fee shall record their deeds without the City's assistance and provide proof of that recordation to the City no later than ninety (90) following the date of the passage of this Ordinance, unless said deadline is extended by the City Administrator or City Solicitor for good cause shown. Failure to take the aforesaid action will result in the forfeiture of all sums paid and will result in the deed being a nullity and ineffective to convey title to the purchaser.

F. The purchase price and the City's \$100.00 recording fee, if applicable, shall be paid by cashiers check or money order made payable to "City of Cumberland" and shall be hand-delivered or mailed to:

City Clerk
City Hall
57 N. Liberty Street
Cumberland, MD 21502

A purchaser's deed shall be released upon the payment of these sums.

G. For those purchasers who elect to have the City record their deeds, they shall also provide the City Solicitor with a check or money order made payable to "Circuit Court for Allegany County" in the amount of \$60.00 for the court's deed recordation fee, and, as advised by the City Solicitor, they shall provide him with checks made payable to "Allegany County" and "City of Cumberland" for their share of the current year taxes. Checks to be presented to the City Solicitor shall be mailed (but not hand-delivered) to:

Michael Scott Cohen
City of Cumberland City Solicitor
213 Washington Street
Cumberland, MD 215902

H. Failure to remit the aforesaid payments to the City Clerk and City Solicitor, as applicable, within sixty (60) days from the date of the passage of this Ordinance shall result in the rejection of a purchaser's

bid, unless said deadline is extended by the City Administrator or City Solicitor for good cause shown.

SECTION 2: AND BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and they are hereby authorized to execute and deliver deeds effecting the aforesaid conveyances subject to the aforesaid requirements;

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this ____ day of November, 2020.

Raymond M. Morriss, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

EXHIBIT A

<i>Address</i>	<i>Tax ID No.</i>	<i>Deed References – Book/Page</i>	<i>Successful Bidder</i>	<i>Bid Amount</i>
100 Arch Street	04-020049	1522/326	Souders Properties, LLC	\$1,756.55
332 Davidson Street	23-010496	2049/343	C Corp Leasing, Inc.	\$650.00
334 Davidson Street	23-014475	2049/327	C Corp Leasing, Inc.	\$650.00
532 N. Centre Street	05-027594	2237/117	Donald Fischer and Donna Summers	\$3,000.00
730 Bedford Street	05-020352	2036/390	Carolyn L. Briggs	\$4,000.00
1016 Ella Avenue	04-035488	2476/221	Cheryl Weaver	\$251.00
Pine Avenue	22-009672	2167/167	Kevin Zufall	\$1,111.00
Pine Avenue	22-009664	2167/167	Kevin Zufall	\$6,639.00
409 Walnut Street	05-005418	2474 /422	Gary Francis Reeves	\$3,750.00

EXHIBIT B

QUITCLAIM DEED

THIS QUITCLAIM DEED, made this ___ day of November, 2020, by and between **Mayor and City Council of Cumberland** (the “Grantor”), a Maryland municipal corporation, and _____ (the “Grantee”), _____, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the Grantor does hereby grant, bargain and sell, release, confirm and convey unto the Grantee, _____ [personal representatives, administrators, heirs or successors] and assigns, forever in fee simple:

IT BEING the same property which was conveyed from _____ to the Grantor by deed dated _____ and recorded among the Land Records of Allegany County, Maryland in Book _____, Page _____.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above-described property unto the Grantee, _____ [personal representatives, administrators, heirs or successors] and assigns in fee simple forever.

PROVIDED, HOWEVER, that this deed shall be null and void and of no force and effect if it is not recorded within ninety (90) days of its date.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL

OF CUMBERLAND

Marjorie A. Woodring, City Clerk

By: _____ (SEAL)
Raymond M. Morriss, Mayor

**STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:**

I HEREBY CERTIFY, that on this _____ day of November, 2020, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Raymond M. Morriss**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$ _____ and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

MICHAEL SCOTT COHEN

File Attachments for Item:

Ordinance 3878 (*1st reading*) - an ordinance to amend the official zoning map of the City of Cumberland to correct the map by removing thirty (30) parcels of record located between Alley No. 224 and Canal Parkway from the Canal Place Historic Preservation District

ORDINANCE NO. 3878

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, ENTITLED "AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP REFERRED TO IN SECTION 25-1 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION) TO CORRECT THE CITY'S OFFICIAL ZONING MAP BY REMOVING THIRTY (30) PARCELS OF RECORD LOCATED BETWEEN ALLEY NO. 224 AND CANAL PARKWAY FROM THE CANAL PLACE HISTORIC PRESERVATION DISTRICT."

WHEREAS, in the process of reviewing a site plan, City staff discovered an unintentional error in the City's Official Zoning Map which was adopted as an incident to the most recent comprehensive rezoning.

WHEREAS, this error affects thirty (30) parcels of record located between Alley No. 224 and Canal Parkway, said parcels being identified in the Exhibit A attached hereto and referred to hereinafter as the "Affected Properties".

WHEREAS, the Affected Properties were not included within the Canal Place Historic Preservation District (the "District") under the terms of the ordinance which created the District, i.e., Ordinance No. 3217 (passed April 2, 1996).

WHEREAS, the City's current Official Zoning Map was adopted under the terms of Ordinance No. 3857, passed

August 13, 2019 as an incident to the 2008 Comprehensive Rezoning.

WHEREAS, contrary to Ordinance No. 3217, this version of the Official Zoning Map and, preceding versions thereof, erroneously included the Affected Properties within the District.

WHEREAS, upon the discovery of the mapping error, the Zoning Administrator filed an application with the City's Municipal Planning and Zoning Commission (the "Planning Commission"), requesting that it recommend that the Mayor and City Council order that the Official Zoning Map be amended to correct the error described herein.

WHEREAS, in anticipation of the proceedings before the Planning Commission, City staff prepared a Cumberland Planning Commission Staff Report dated August 10, 2020 (the "Staff Report"), a copy of which is attached hereto as Exhibit B, in support of the Zoning Administrator's application.

WHEREAS, the Staff Report includes findings relative to the matters addressed previously herein as well as those required by section 4-204(b) of the Land Use Article and section 25-440 of the City Zoning Ordinance relative to population change, the availability of public utilities, present and future transportation patterns, compatibility

with existing and proposed development for the area, and the relationship of the proposed amendment to the local jurisdiction's plan.

WHEREAS, as required by sections 2-203(b) and 4-204(b)(5) of the Land Use Article 25-439(b) of the City Zoning Ordinance, the Planning Commission held a public hearing on the matter of the Zoning Administrator's application on August 10, 2020.

WHEREAS, at the conclusion of the aforesaid hearing, the Planning Commission voted 4-0 in favor of recommending that the Mayor and City Council grant the relief sought in the Staff Report, specifically, that the Official Zoning Map be corrected to remove the Affected Properties from the District.

WHEREAS, as required by section 25-439(e) of the City Zoning Ordinance and the applicable provisions of the Land Use Article, the Planning Commission forwarded its recommendations relative to the proposed rezoning to the Mayor and City Council for action.

WHEREAS, as required by sections 203(b) and 4-204 and 4.04(b)(5) of the Land Use Article and Section 25-439(f) of the City Zoning Ordinance, the Mayor and City Council of Cumberland published notice of the time and place of the public hearing before it on the matter of the rezoning

which is the subject of this ordinance together with a summary of the proposed rezoning in *The Cumberland Times News*, a newspaper of general circulation in Allegany County and the City of Cumberland, once each week for two successive weeks with the first notice being provided at least fourteen days before the hearing. The notices were published on August 31, 2020 and September 7, 2020.

WHEREAS, as a public hearing on the proposed rezoning was held before the Mayor and City Council on September 15, 2020, at which public hearing all parties in interest and citizens of the City of Cumberland were permitted to be heard concerning the proposed rezoning.

WHEREAS, having considered the evidence presented, the Mayor and City Council adopted the findings set forth in the Staff Report.

WHEREAS, based upon the foregoing, the Mayor and City Council determined that the application for the rezoning of the Subject Properties should be granted for the reasons set forth in the Staff Report.

NOW, THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the Staff Report attached hereto as Exhibit B is adopted in its entirety as their findings in regard to the requested rezoning which is the

subject of this ordinance, and, consistent therewith, they find that there is a mistake in the City's 2019 Official Zoning Map which needs to be corrected; and

SECTION 2. BE IT FURTHER ORDAINED, that the 2019 Official Zoning Map shall be amended to effect the removal of the Affected Properties from the District; and

SECTION 3. BE IT FURTHER ORDAINED, and staff is directed to revise the Official Zoning Map consistent with the preceding sections of this ordinance; and

SECTION 4. BE IT FURTHER ORDAINED, that this ordinance shall take effect on the eleventh day following the date of its passage.

PASSED this ____ day of _____, 2020.

Raymond M. Morriss, Mayor

ATTEST:

Marjorie A. Woodring
City Clerk

1st Reading:

2nd Reading:

3rd Reading:

Effective Date:

EXHIBIT A

Parcel ID #:	OWNER'S NAME:
0104013085	COLUMBIA GAS TRANSMISSIONS CORP
0104046528	BRANDS ELWOOD F
0104046633	BUSSARD DANIEL
0104051149	ASHER DONALD W
0104012704	CUMBERLAND CITY OF
0104012704	CUMBERLAND CITY OF
0104031970	VERBAL CORPORATION
0104021010	OVERNITE TRANSPORTATION CO
0104012704	CUMBERLAND CITY OF
0104008561	QUEEN CITY METALS-RECYCLING LLC
0104051181	ASHER DONALD W
0104033671	OWENS WILLIAM RUSSELL
0104035240	BROCK LARRY J ET UX
0104052498	BROCK LARRY J
0104051572	ASHER DONALD W
0104040546	ASHER DONALD W
0104051556	ASHER DONALD W
0104040473	ASHER DONALD W
0104040546	ASHER DONALD W
0104040465	ASHER DONALD W
0104040457	ASHER DON W
0104006674	BALLOU TAWAIN D
0104045475	CARDIA ENTERPRISES LLC
0104006925	CARDIA ENTERPRISES LLC
0104051459	HANCOCK JOHN W-REBECCA N
0104009126	HANCOCK JOHN W-REBECCA N
0104009118	HANCOCK JOHN W-REBECCA N
0104051459	HANCOCK JOHN W-REBECCA N
0104051459	HANCOCK JOHN W-REBECCA N
0104051173	HANCOCK JOHN W-REBECCA N

EXHIBIT B

CUMBERLAND PLANNING COMMISSION STAFF REPORT

ZMA #20-000001: Canal Place Historic Preservation District Zoning Map Correction

August 10, 2020

Overview:

In the process of reviewing a site plan application, staff identified an unintentional error in the City's Official Zoning Map that was adopted as part Comprehensive Rezoning. This error affects a total of 30 parcels of record between Alley #224 and Canal Parkway, as specified in the list of property identification numbers from the Allegany County Tax Records below:

Parcel ID #:	OWNER'S NAME:
0104013085	COLUMBIA GAS TRANSMISSIONS CORP
0104046528	BRANDS ELWOOD F
0104046633	BUSSARD DANIEL
0104051149	ASHER DONALD W
0104012704	CUMBERLAND CITY OF
0104012704	CUMBERLAND CITY OF
0104031970	VERBAL CORPORATION
0104021010	OVERNITE TRANSPORTATION CO
0104012704	CUMBERLAND CITY OF
0104008561	QUEEN CITY METALS-RECYCLING LLC
0104051181	ASHER DONALD W
0104033671	OWENS WILLIAM RUSSELL
0104035240	BROCK LARRY J ET UX
0104052498	BROCK LARRY J
0104051572	ASHER DONALD W
0104040546	ASHER DONALD W
0104051556	ASHER DONALD W
0104040473	ASHER DONALD W
0104040546	ASHER DONALD W
0104040465	ASHER DONALD W
0104040457	ASHER DON W
0104006674	BALLOU TAWAIN D
0104045475	CARDIA ENTERPRISES LLC
0104006925	CARDIA ENTERPRISES LLC
0104051459	HANCOCK JOHN W-REBECCA N
0104009126	HANCOCK JOHN W-REBECCA N
0104009118	HANCOCK JOHN W-REBECCA N
0104051459	HANCOCK JOHN W-REBECCA N
0104051459	HANCOCK JOHN W-REBECCA N
0104051173	HANCOCK JOHN W-REBECCA N

This area abuts the proper boundaries of the Canal Place Historic Preservation District. A copy of the 2019 Zoning Map identifying the area to be removed from the Canal Place Historic Preservation District is attached to this report. According to the 2019 Zoning Map, this has a hatched overlay designating it as being part of the Historic Preservation District, but according to Ordinance #3217, the boundary of the Canal Place Historic Preservation District actually follows Canal Parkway. Staff has researched the zoning history for this area and determined that the intended boundary for this Overlay Zone lies further northwest than is designated on the current 2019 Official Zoning Map, and is requesting to correct the map error.

Procedural Status:

Staff identified the error on February 10, 2020 and began research to determine the correct boundary for the Canal Place Historic Preservation District. After considerable research and consultation with the City Solicitor, staff filed a petition for a Zoning Map Amendment (ZMA 20-000001) on July 7, 2020. A copy of the Zoning Map Amendment petition is attached to this report. The petition was scheduled for presentation to the Planning Commission as well as a public hearing at its August 10, 2020 meeting.

Staff Review:

City and Planning Commission records show that affected properties were incorporated into the Canal Place Historic Preservation District with the adoption of Ordinance No. 3217, entitled "An Ordinance to Repeal and Reenact with Amendments, Ordinance No. 3041 Entitled "An Ordinance to Designate the Canal Place Preservation District". This legislation created the Canal Place Preservation and Development Authority for the purpose of preserving, developing, maintaining, and using, the Canal Place Historic Preservation District, in the manner suitable to its significance as the western terminus of the historic Chesapeake and Ohio Canal.

The City's latest Official Zoning Map adoption was a part of Ordinance No. 3857. While this mistake has likely been a part of the Official Zoning Map since the adoption of the Canal Preservation Overlay Zone, it was noticed on the most recent map after investigation of a site in the affected area. The City's Official Zoning Map was readopted in 2019 and included a few ZMA's to address corrections.

Staff Recommendation:

Since the Canal Preservation Overlay zoning label for the aforementioned affected properties as depicted on the City's Official Zoning Map is inconsistent with the boundaries defined in Ordinance 3217, staff recommends that this rezoning petition be adopted by the Mayor and City Council and that staff be instructed to remove incorrectly identified parcels on the map and re-map the Canal Preservation Overlay Zone to remove the affected parcels from that Overlay Zone on the City's Official Zoning Map.

Based on the findings and documentation referenced in the Staff Review section of this report, staff formally recommends that the Planning Commission recommend and the Mayor and City Council find that the requested rezoning is necessary to correct a technical “mistake” in the official Zoning Map adopted as part of the March 2008 Comprehensive Rezoning (Ordinance Number 3607) for the aforementioned affected properties and again in the adoption of the latest City’s Official Zoning Map (Ordinance Number 3857). Said “mistake” determination is consistent with the requirements of Article 66b, Section 4.05 (a) (2) (ii) of the Annotated Code of Maryland and is a legal requisite for any adopted change in a base zoning classification.

Additionally, under the provisions of Article 66b of the Maryland Annotated Code, the Mayor and City Council must make a series of specific findings in making its decision regarding the proposed zoning. A recommendation regarding these findings must be made by the Planning Commission. The specific findings are outlined in Section 4.05 (a) (2) (i) of Article 6b. Staff recommends the following findings be determined with respect to these statutory considerations:

1. **Population change:** The proposed Zoning Map Amendment has been deemed necessary to correct a technical error in the original zoning of the properties. No development has occurred in accordance with the incorrect zoning classification that caused the need for this rezoning. Consequently, the correction of this error will result in no net impact on the City’s population or growth rate.
2. **The availability of public facilities:** All subject properties are currently served by all city services. Consequently, the correction of this zoning error will not affect the availability or adequacy of existing public services and facilities.
3. **Present & future transportation patterns:** Since no development has occurred in the area in accordance with the incorrect zoning classification, staff finds that the proposed correction will not affect present or future transportation patterns in the area.
4. **Compatibility with existing and proposed development for the area:** The area in question is currently zoned Business Commercial (B-C). All development within and on the affected properties conforms to the requested B-C Zoning for the area. The removal of these properties from the Canal Place Historic Preservation District Overlay Zone will not affect any current or future development in the region.
5. **Relationship of the proposed amendment to the local jurisdiction’s plan:** At the time of the adoption of the 2019 Official City Zoning Map, this map error had already existed. The removal of the affected properties from the Canal Place Historic Preservation District Overlay Zone will not change or affect any current or future development in the area. Correcting the boundaries of this overlay zone to address the map error was determined to be consistent with the Allegany County Comprehensive Plan, as well as adjoining developed properties in the area and the City’s general zoning patterns. The City has also determined that the need for the rezoning was caused by a technical error in the Official Zoning Map that arose from the 2008 Comprehensive

Rezoning. Consequently, the City has determined that the current B-C Zoning and adjustment of Overlay Zone boundaries is consistent with the City's and County's adopted local plans.

Planning Commission Action:

- [] Recommend removal of affected properties to the Mayor and City Council in accordance with the following findings of fact and recommended conditions:

*To be forward to the Mayor + City Council
for their approval.
Aug 10, 2020 4:40 pm*

- [] Recommend denial of removal of affected properties to the Mayor and City Council, based on the following findings:

Motion by: *Aaron Hendrickson*
Seconded by: *John Jacobs*

Vote:

In favor of motion: *4* Opposed: _____ Abstained: _____

Number of voting members present: *4*

Signed: *Reverend P. West*
Chair, Cumberland Planning Commission

Date: August 10, 2020

Aaron Jacobs
Secretary, Cumberland Planning Commission

Date: August 10, 2020





DEPARTMENT OF COMMUNITY DEVELOPMENT
 575 S. BERRY STREET, CUMBERLAND, MD 21032 • PHONE: 410-277-6443 • FAX: 410-790-6470 • TDD: 410-277-6443
www.cumberlandmd.gov

Permit Number: ZMA20-00024
 Approval Date:

**Zoning Map Amendment Application Permit
 Zoning Map Amendment**

Permit issued as per plans and subject to all applicable codes and regulations.

Project Location: MD Prop. #: 04812386 Owner: Columbia Gas Transmission Corp	W/ Ordinance: 04812386	Date applied: 07/02/2020
Applicant: Address: City/State/Zip: Phone: Email:	City of Cumberland Department of Community Development 87 South Liberty Street Cumberland, MD 21032 (410) 790-6434 kathy.mckenny@cumberlandmd.gov	

In addition to the Project Location listed, the following Property Locations are included with the Zoning Map Amendment.

Parcel Number	Address	Zoning District	Address	Amount	Total Cost
04810026	1017 LEXINGTON AVE	0480446	0 BLANK ET		
04848033	1015 LEXINGTON AVE	0480155	0 BLANK ET		
04801145	0 TRINITY ST	0480073	0 BLANK ET		
04812704	0 CLARK ST	0480082	0 BLANK ET		
04811970	218 BOWEN ST	0480487	0 BLANK-ELIZABETH ET		
04821010	120 KING ST	0480274	207 BLANK ET		
04806001	220 OFFUTT ST	0480675	1100 LEXINGTON AVE		
04811181	0 TRINITY ST	0480025	1107 LEXINGTON AVE		
04833071	0 OFFUTT ST	0481420	0 LEXINGTON AVE		
04802040	0 OFFUTT ST	0480070	0 SPICY ST		
04802485	0 OFFUTT ST	0480010	217 ELIZABETH ST		
04811672	0 BLANK ET	0480173	1315 LEXINGTON AVE		
		04801173	0 OFFUTT ST		
		04812386			

Description:
 Correct an error on the 2016 Official Zoning Map that includes 20 Property Tax Accounts in the area between Virginia Avenue and the Canal Facility incorrectly in the Canal Place Preservation District Overlay Zone.

Notes:

<p>SUBMIT However in revocation by the building official, if the building is not in compliance with the requirements of the City ordinances relating to building privileges and as stated on this application.</p>	<p>APPLICANT: I agree to comply with all regulations which applicable hereto and further agree that the proposed use shall be as described on this application and that this structure shall not be used for any other purpose.</p> <p align="center"><i>Kathleen M. Kenney</i></p>
<p>City Code Compliance Manager or Representative's Signature</p>	<p>Applicant's Signature</p>

ORDINANCE NO. 3217

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND REENACT, WITH AMENDMENTS, ORDINANCE NO. 3041 ENTITLED "AN ORDINANCE TO DESIGNATE THE CANAL PLACE HISTORIC PRESERVATION DISTRICT."

WHEREAS, the Mayor and City Council of Cumberland, by Ordinance No. 2836 created a historic district on Washington Street; and

WHEREAS, the Mayor and City Council of Cumberland, by Ordinance No. 3041, repealed and reenacted the aforementioned Ordinance No. 2836 for the purpose of expanding the Washington Street Historic District; and

WHEREAS, the General Assembly of the State of Maryland has adopted legislation creating the Canal Place Preservation and Development Authority for the purpose of preserving, developing, maintaining, and using, the Canal Place Historic Preservation District, in the manner suitable to its significance as the western terminus of the historic Chesapeake and Ohio Canal, said legislation further creating a Canal Place Preservation and Development Authority investing in said Authority certain enumerated powers including the powers to revise the boundaries of the preservation district with the consent of the Mayor and City Council of the City of Cumberland; and

APR 12 1988

WHEREAS, the Historic Preservation Commission, appointed pursuant to Ordinance No. 2821, has recommended to the Planning and Zoning Commission the adoption of a certain proposed Canal Place Historic Preservation District; and

WHEREAS, the Planning and Zoning Commission of the City of Cumberland has concurred in that recommendation.

NOW, THEREFORE:

SECTION ONE: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND that Ordinance No. 3041 of the Mayor and City Council of Cumberland adopted December 5, 1989, be and the same is hereby repealed.

SECTION TWO: BE IT FURTHER ORDAINED, that there is hereby created within the City of Cumberland the Canal Place Historic Preservation District, which District shall include that District formerly known as the Washington Street Historic District in its entirety so that the entire District shall be bounded as follows:

Beginning at the intersection of the B&O Railroad Viaduct with the southern side of Wills Creek, then running with the Viaduct in a northeastern direction to its intersection with the Chessie System's Main Lines, then with the Main Lines in a southern direction to a point approximately 155 feet west of Virginia Avenue, then in a southern direction to the intersection of Bowen Street and an alley west of Virginia Avenue, then with Bowen Street in a western direction to the right-of-way line of the Canal Parkway, then with the Canal

Parkway right-of-way in a southern direction to its intersection with the northern property line of the Chesapeake & Ohio Canal, near Ford Avenue, then with the Canal property line in an eastern direction to its intersection with the abandoned Western Maryland Railroad (at the southern end of Riverside Recreation Area), then with the abandoned railroad line in a southeastern direction across the Canal and the Potomac River to the southern side of the Potomac River, then running with southern side of the Potomac river (which is also the Maryland/West Virginia State Line) in a western and then northern direction to the Ridgeley flood plain of the City of Cumberland's Flood Control Project, then in a northern direction with the western edge of the flood plain to its intersection with the centerline of West Virginia Route 28, then with West Virginia Route 28 and Maryland Route 28 in a northeastern direction, and across the Potomac River to the intersection of Maryland Route 28 with Greene Street, then with Greene in a northeastern direction to its intersection with Church Alley, then with the limits of the Washington Street Historic District which is bounded as follows:

Containing all of the properties from #1 Washington Street to and including #630 Washington Street; all of the properties on North Prospect Square, East Prospect Square, South Prospect Square, West Prospect Square; and all of the properties included in the site of SS. Peter and Paul Roman Catholic Church, School, Monastery, Chapel, School Hall and Convent. The

boundaries for the Washington Street Historic District will be the property lines of the aforementioned properties.

Then with the rear property line of #1 Baltimore Street to the southern side of Wills Creek, then with the southern side of Wills Creek to the point of beginning.

SECTION THREE: AND BE IT FURTHER ORDAINED that the District created herein shall be governed by the provisions of Ordinance No. 2970.

SECTION FOUR: AND BE IT FURTHER ORDAINED that this Ordinance shall take effect from the date of its passage.

Passed this 2nd day of April, 1996.

Edward C. Athey
Edward C. Athey, Mayor

ATTEST:

Andrew C. Wolford
CITY CLERK

File Attachments for Item:

Order 26,727 - accepting the bid from S&S Electric, Inc. for the Blower Building Switchgear Replacement Project (36-19-WWTP) in the lump sum amount not-to-exceed \$399,500

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 26,727

DATE: November 4, 2020

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the bid from S&S Electric, Inc., 2252 Frankford Highway, Ridgeley, WV 26753, for the Blower Building Switchgear Replacement Project (36-19-WWTP) be and is hereby accepted in the lump sum amount not to exceed Three Hundred Ninety-Nine Thousand, Five Hundred Dollars (\$399,500).

Raymond M. Morriss, Mayor

Order of Bids:

<i>Company</i>	<i>Bid Amount</i>
S&S Electric, Inc.	\$399.500
B&R Construction Services, LLC	\$412.970

Budgeted FY21: 003.339.TP1 63000 (Sewer Funds)

Council Agenda Summary

Meeting Date: 11/3/2020

Key Staff Contact: Matt Idleman, PE

Item Title:

Award Blower Building Electrical Switchgear Replacement Contract

Summary of project/issue/purchase/contract, etc for Council:

Project is to replace the existing non-functioning medium-voltage electrical switchgear located in the Aeration Blower Building at the Wastewater Treatment Plant. Aeration is an essential component of treating wastewater, and in the current configuration a loss of power to the blower building would halt the entire treatment process. A new switchgear would provide a redundant electrical feed to the building, ensuring the blowers remain operational even in a loss of power to the main feed. Project will also include installation of a redundant pad-mounted transformer and replacement of feeders from Substation.

This project was previously designed by an engineering firm (Century Engineering) and the construction services were advertised for bid on 9/21. Bids closed on 10/14, with two qualified bids being received. The low bidder was S&S Electric with an acceptable bid of \$399,500. The other acceptable bid, from B&R Construction, came in at \$412,970.

The project is budgeted for this fiscal year, and utilizes City funds (sewer). Due to long lead times for specialized electrical equipment, construction would not begin until January 2021 at the earliest.

Amount of Award: \$399,500

Budget number: 003.399.TP1 63000

Grant, bond, etc. reference: N/A

PROJECT INFORMATION


Project Title:	Engineering Services: Blower Bldg. Switchgear Replacement
City Project:	36-19-WWTP
Contract Length:	180 Days
BID OPENING	
Date & Time:	October 14, 2020 @ 2:30 PM
Location:	Council Chambers, City Hall Cumberland, MD 21502

CERTIFIED BID TABULATION

BIDDER	
S&S Electric	B&R Construction Services, LLC
2252 Frankfort Hwy Ridgeley, WV 26753	502 McCormick Drive, Suite M Glen Burnie, Maryland 21061

ITEM NO.	DESCRIPTION OF ITEM	UNITS	QTY.	S&S Electric		B&R Construction Services, LLC	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
Contract Items							
1	Demolition	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 17,427.00	\$ 17,427.00
2	5KV Feeder Replacement, 5KV Switches, 5KV Transformer Primary Circuits (Material and Labor)	LS	1	\$ 213,000.00	\$ 213,000.00	\$ 208,922.00	\$ 208,922.00
3	Padmount Transformer and Grounding (Material and Labor)	LS	1	\$ 45,000.00	\$ 45,000.00	\$ 49,266.00	\$ 49,266.00
4	480V Enclosed Circuit Breakers, Automatic Transfer Switch, 480V Wire and Conduit, AlarmWiring (Material and Labor)	LS	1	\$ 89,000.00	\$ 89,000.00	\$ 83,961.00	\$ 83,961.00
5	Power System Analysis	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 7,447.00	\$ 7,447.00
6	Electrical Testing (Material and Labor)	LS	1	\$ 23,000.00	\$ 23,000.00	\$ 30,467.00	\$ 30,467.00
7	Excavation, Backfill, and Concrete (Material and Labor)	LS	1	\$ 9,500.00	\$ 9,500.00	\$ 15,480.00	\$ 15,480.00
				\$ 399,500.00		\$ 412,970.00	

I HEREBY CERTIFY THE ABOVE IS A TRUE AND CORRECT SUMMARY OF THE PROPOSALS RECEIVED:


 Matt Idelman, PE
 Senior Engineer

File Attachments for Item:

. Order 26,728 - accepting the sole source proposal obtained through CoStars purchasing consortium from Keystone Ford and Stephenson Equipment to provide two (2) new Ford F-250 Service Body Trucks and uplift equipment in the amount not-to-exceed \$43,570.00 for each truck, for a total not-to-exceed amount of \$87,140

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 26,728

DATE: November 4, 2020

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, in accordance with City Code Section 2-171 (c) (iv), the sole source proposal obtained through CoStars purchasing consortium from Keystone Ford and Stephenson Equipment to provide two (2) new Ford F-250 Service Body Trucks and uplift equipment be and is hereby accepted in the amount not-to-exceed \$43,570 for each truck, for a total not-to-exceed amount of Eighty-Seven Thousand, One Hundred Forty Dollars (\$87,140).

Raymond M. Morriss, Mayor

Budget:

\$43,570 - 002.220.64000 (Water Distribution)

\$43,570 - 003.320.64000(Sanitary Sewers)

Council Agenda Summary

Meeting Date: November 4, 2020

Key Staff Contact: Brian Broadwater

Item Title:

Order Accepting the Sole Source Purchase Two (2) New Ford F-250 Super Cab Service Body Trucks from Keystone Ford, 301 Walker Road, Chambersburg, Pennsylvania 17201 and Stephenson Equipment, 7201 Paxton Street, Harrisburg, Pennsylvania 17111 for an amount not to exceed \$43,570.00 for each truck.

Summary of project/issue/purchase/contract, etc. for Council:

Requesting an order to accept the sole source purchase of Two (2) New Ford F-250 Super Cab Service Body Trucks from Keystone Ford and Stephenson Equipment for an amount not to exceed \$43,570.00 for each truck, through other agency's purchasing consortiums. Keystone Ford and Stephenson Equipment are offering CoStar pricing (purchasing consortium), which is in accordance with the City Code Sec. 2-171 (c) (iv) – sole source purchase through joint efforts with other agencies. Keystone Ford will provide the truck chassis and Stephenson Equipment will provide the upfit of the service body. These trucks were originally awarded to Weimer Chevrolet in April of 2019. Weimer Chevrolet could not fulfil the bid. One truck was budgeted in fiscal year 2019 from 002.220.64000 (Water Distribution) and one truck was budgeted in fiscal year 2019 from 003.320.64000 (Sanitary Sewer). These two trucks are used in daily operations to transport tools and equipment, to and from the jobsite. The ETA on these two trucks is around 12-16 weeks.

Amount of Award:

\$43,570.00 each / Total \$87,140.00

Budget number:

002.220.64000 (Water Distribution) / 003.320.64000 (Sanitary Sewer)

Grant, bond, etc. reference:

N/A

CITY OF CUMBERLAND MARYLAND

DEPARTMENT OF PUBLIC WORKS

November 4, 2020

Mayor and City Council of
Cumberland, MD
57 N. Liberty St.
Cumberland, MD 21502

Dear Mayor and City Council,

I recommend that we move forward with the sole source purchase of Two (2) New Ford F-250 Super Cab Service Body Trucks from Keystone Ford and Stephenson Equipment through other agency's purchasing consortiums. Both companies are offering us CoStar pricing (purchasing consortium), which is in accordance with Section 2-171 (c) (iv) of the City Code.

These trucks were budgeted by the Water Distribution Department for \$45,000 and by the Sewer Department for \$50,000 in fiscal year 2019. Weimer Chevrolet was originally awarded the bid in April of 2019 and were not able to fulfill the bid recently. Each truck will cost \$43,570. The total cost of these trucks will be \$87,140. The ability to obtain the CoStar cooperative purchasing allows us to save money and to work with dealers that deal with municipalities like ourselves. Since these dealers specialize in heavy-duty trucks/equipment, we can receive them in a timely manner and save money. These trucks will be used in daily operations for transport of material and tools, to and from the jobsite.

Please consider this sole source purchase.

Sincerely,



David B. Broadwater Jr
Fleet Manager

MAYOR
RAYMOND M. MORRISS

COUNCIL
SETH D. BERNARD
RICHARD J. CIONI, JR.
EUGENE T. FRAZIER
LAURIE P. MARCHINI

CITY ADMINISTRATOR
JEFFREY D. RHODES

**PW OPERATIONS
MANAGER**
BROOKE CASSELL



MEMBER MARYLAND
MUNICIPAL LEAGUE (MML)

215 BOWEN STREET, CUMBERLAND, MD 21502 www.cumberlandmd.gov
VOICE (301)759-6620 • FAX (301)759-6632 • TDD (800)735-2258



Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Sole Source Request for Service Body Trucks

4 messages

Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Mon, Oct 19, 2020 at 1:50 PM

To: Jeff Rhodes <jeff.rhodes@cumberlandmd.gov>

Cc: Ken Tressler <ken.tressler@cumberlandmd.gov>, Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>, Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Margie Woodring <margie.woodring@cumberlandmd.gov>

Jeff,

As you are aware, Weimer Chevrolet couldn't fulfill the bids for Two Service Body Trucks from April 2019. I was able to get some quotes from Keystone Ford and Stephenson Equipment. We have dealt with these two companies before and have always received great service!

The Water and Sewer Department both budgeted for these trucks in fiscal year 2019. I recommend that we move forward with the sole source purchase of Two New F-250 Service Body Trucks from Keystone Ford and Stephenson Equipment. Keystone Ford will provide the truck chassis and Stephenson equipment will handle the upfit. The Water Department budgeted \$45,000 and the Sewer Department budgeted \$50,000. Keystone Ford and Stephenson Equipment are quoting these Two New F-250 Service Body Trucks for \$43,570 a piece, for a total of \$87,140. They are offering these trucks through CoStars pricing (purchasing consortium), which is in accordance with Section 2-171 (c) (iv) of the City Code (through joint efforts with other agencies, such as those of the state, county and board of education, the city is able to take advantage of bulk purchase pricing and special sales opportunities). The ETA on these trucks is around 12 weeks.

Also, Weimer Chevrolet's original bid in 2019 was \$41,775 per truck.

Please consider this sole source request.

Thanks,
Brian

--

David Brian Broadwater Jr*Fleet Manager*

City of Cumberland, MD

W: (301) 759-6627 | C: (240) 920-2079

215 Bowen St. | Cumberland, MD 21502

**Cumberland***Maryland*

Ken Tressler <ken.tressler@cumberlandmd.gov>

Mon, Oct 19, 2020 at 2:09 PM

To: Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Cc: Jeff Rhodes <jeff.rhodes@cumberlandmd.gov>, Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>, Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Margie Woodring <margie.woodring@cumberlandmd.gov>

I recommend we move forward with Brian's request. As Brian stated Weimer was awarded the original bid 18 months ago.

[Quoted text hidden]

--

Ken Tressler, CPA

Director of Administrative Services

57 N. Liberty Street

Cumberland, MD 21502

Office (301) 759-6406

Cell (304) 813-6470

10/25/2020

City of Cumberland, MD Mail - Sole Source Request for Service Body Trucks

Jeff Rhodes <jeff.rhodes@cumberlandmd.gov>

Tue, Oct 20, 2020 at 2:10 PM

To: Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Cc: Ken Tressler <ken.tressler@cumberlandmd.gov>, Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>, Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Margie Woodring <margie.woodring@cumberlandmd.gov>

Approved

Jeffrey D. Rhodes
City Administrator
City of Cumberland, Maryland
301-759-6424

On Mon, Oct 19, 2020 at 1:50 PM Brian Broadwater <brian.broadwater@cumberlandmd.gov> wrote:

[Quoted text hidden]

Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Tue, Oct 20, 2020 at 2:50 PM

To: Jeff Rhodes <jeff.rhodes@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Ken Tressler <ken.tressler@cumberlandmd.gov>, Margie Woodring <margie.woodring@cumberlandmd.gov>, Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>

Thank you!

[Quoted text hidden]



Prepared by: Nelson Raines

09/29/2020

Keystone Ford | 301 Walker Road Chambersburg Pennsylvania | 172013507

2021 F-250 4x4 SD Super Cab 8' box 164" WB SRW XL (X2B)

Price Level: 115 | Quote ID: cumb250

Pricing Summary - Single Vehicle

MSRP

Vehicle Pricing

Base Vehicle Price	\$39,565.00
Options & Colors	\$840.00
Upfitting	\$0.00
Destination Charge	\$1,695.00

Subtotal	\$42,100.00
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Pre-Tax Adjustments

Code	Description	
1	CoStars Allowance 025-155/price adjustment	-\$10,200.00

Total	\$31,900.00
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Customer Signature

Acceptance Date

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

SEQ #:	40	STL 78" GG W/PTH.HOOK RECESS	1	63
		16050138 78" UTILITY BODY GALVA GRIP BUMPER WITH PINTLE HOOK RECESS.		
SEQ #:	50	FORD 56" CA 2017-PRESENT	1	0
		20051550 STEEL SERVICE BODY INSTALLATION KIT FOR A 56" CA FORD 2017 TO PRESENT.		
SEQ #:	60	UB96,82,80 SERIES WHITE	1	0
		77008753 FACTORY INSTALLED WHITE PAINT UB96, 82, AND 80 SERIES.		
SEQ #:	70	8' BED,CARGO AREA & COMP.TOPS	1	0
		PROVIDE AND APPLY A SPRAY ON SPEEDLINER 1000 TO THE CARGO AREA, CARGO AREA SIDES, INSIDE OF BULKHEAD AND TAILGATE, AND COMPARTMENT TOPS.		
SEQ #:	80	ECCO BACK-UP ALARM	1	4
		SUPPLY AND INSTALL ECCO 450 BACK-UP ALARM		
SEQ #:	90	MUDFLAPS 12"X18"X1/4" "J&J"	2	4
		PROVIDE AND INSTALL 12" X 18" X 1/4" J&J MUDFLAPS		
SEQ #:	100		1	0
		PROVIDE AND INSTALL THE FOLLOWING LED STROBE LIGHTING:		
		- TWO (2) FLUSH MOUNT INSTALLED TO CHASSIS GRILLE, ONE (1) PER SIDE		
		- TWO (2) INCORPORATED INTO REAR STOP / TAIL / TURN AND BACK-UP		
		- WIRED TO OEM OR J&J SUPPLIED ILLUMINATED SWITCH IN CHASSIS CAB		
SEQ #:	110	TYPE V SERVICE BODY W/PLUG 8T	1	49
		PROVIDE AND INSTALL A BUYERS CLASS V RECEIVER HITCH WITH RV STYLE 7 FLAT RB STYLE TRAILER PLUG, WIRED TO CHASSIS LIGHT CIRCUIT AND OEM BACK-UP CAMERA (IF OEM BACK-UP CAMERA IS IN PLACE)		

-----	Price / Unit:	\$11,670.00	1,237
	Total / Unit:	\$11,670.00	
	Total Due All Units:	\$35,010.00	
	=====		

CO-STAR # 025-021, CO-STAR VENDOR NUMBER 150032

----- (Optional Equipment NOT Included) -----

** Can be included at customer's request **

	Price	Appx
	Per Unit	Weight
		Per Unit

SEQ #:	120	1	ADD \$4,423.00	0
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PROVIDE AND INSTALL TO CURBSIDE REAR OF CARGO AREA, A KNAPHEIDE 4' SPITZLIFT REMOVABLE ELECTRIC CRANE:

- 900LB MAXIMUM LIFTING CAPACITY
- MANUAL ROTATION
- POWER WINCH
- WIRED TO CHASSIS BATTERY

** CRANE TO BE REMOVED AND STOWED FOR AND DURING TRANSPORTATION

SEQ #:	130	1	ADD \$4,878.00	0
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PROVIDE AND INSTALL TO CURBSIDE REAR OF CARGO AREA, AN AUTO CRANE EC-2 5' ELECTRIC CRANE WITH 3'H PEDESTAL:

- 2,000 LB MAXIMUM LIFT CAPACITY
- MANUAL TELESCOPIC EXTENSION TO 5' 2"
- 10' TETHERED REMOTE
- MANUAL ROTATION
- ELECTRIC WINCH
- WIRED TO CHASSIS BATTERY
- CARGO AREA REINFORCED AS REQUIRED
- MANUAL DETACHABLE JACKLEG INSTALLED CURBSIDE REAR OF BODY

File Attachments for Item:

. Order 26,729 - authorizing execution of a second Amendment to Purchase Agreement with Allegany Junction Limited Partnership regarding the sale of land located a 100 Reynolds Street, to allow for two (2) additional 30-day Closing Extensions

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 26,729

DATE: November 4, 2020

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the Mayor be and is hereby authorized to execute a second Amendment to Purchase Agreement by and between the Mayor and City Council of Cumberland and Allegany Junction Limited Partnership, pertaining to the Purchase Agreement dated April 7, 2020, and subsequent first Amendment to Purchase Agreement dated July 7, 2020, regarding the sale of a certain parcel of land located at 100 Reynolds Street, to allow for two (2) additional 30-day Closing Extensions.

Raymond M. Morriss, Mayor

AMENDMENT TO PURCHASE AGREEMENT

THIS AMENDMENT TO THE PURCHASE AGREEMENT (this “**Amendment**”) is made and entered into as of July ___, 2020 by and between **Mayor and City Council of Cumberland** (the “**Seller**”) and **Allegany Junction Limited Partnership** (the “**Buyer**”).

RECITALS:

WHEREAS, Seller and Buyer entered into a Purchase Agreement dated April 7, 2020 (the “**Agreement**”) with respect to the sale of a certain parcel of land located at 100 Reynolds Street, Cumberland, Maryland 21502;

WHEREAS, Buyer exercised three of its four Closing Extension options in accordance with Paragraph 5 of the Agreement, and plans to exercise its last Closing Extension option for the purpose of closing all necessary alleys and streets;

WHEREAS, Buyer and Seller have worked diligently since executing the Agreement to close the pertinent alleys and streets, but require additional time for the City of Cumberland to pass an Ordinance to complete the process;

WHEREAS, Buyer and Seller agree to amend the Agreement to allow for more Closing Extensions; and

NOW THEREFORE, Seller and Buyer to amend the Agreement as follows:

1. Paragraph 5 is amended to add an additional two (2) Closing Extensions. Paragraph 5 hereby reads as follows:

“The Buyer may have six (6) options to extend the date of Closing for thirty (30) days in each instance by notifying the Seller in writing in advance of the then-applicable date for Closing and paying additional earnest money deposits, each in the amount of Seven Thousand Seven Hundred Fifty Dollars (\$7,750.00) the said payment(s) hereinafter being referred to as the (“Subsequent Earnest Deposit(s)”). The Subsequent Earnest Deposit(s) shall be remitted to the Title Company to be held in accordance with the terms of this Agreement. Upon the exercise of the first option to extend, the Initial Earnest Deposit shall become non-refundable.”

The terms and conditions of the Purchase Agreement, as amended, shall remain in full force and effect, except as amended by this Amendment.

[Signatures on the following page]

IN WITNESS WHEREOF, the parties hereto have affixed their signatures hereto as of the date written beneath those signatures.

WITNESS:

**ALLEGANY JUNCTION
LIMITED PARTNERSHIP**

By: Allegany Junction GP, LLC
An Ohio limited liability
company Its General Partner

By: Woda Cooper General Partner,
LLC An Ohio limited liability
company Its Managing
Member

By: Woda Cooper Communities, LLC
An Ohio limited liability
company Its Sole Member

By: _____
Chelsea Arlantino, Authorized Signatory
Vice President & Corporate Counsel

Date

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

By: _____
Raymond M. Morriss, Mayor

Date

File Attachments for Item:

. Order 26,730 - appointing Charles W. Taylor, Jr. to the Zoning Board of Appeals for a term effective November 4, 2020, through November 4, 2023

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 26,730

DATE: November 4, 2020

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, Charles W. Taylor, Jr., be and is hereby reappointed to the Zoning Board of Appeals for a term effective November 4, 2020, through November 4, 2023.

Raymond M. Morriss, Mayor