



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael Scott Cohen
City Clerk Allison K. Layton

AGENDA

M&CC Regular Public Meeting
57 N. Liberty St.

DATE: January 16, 2024

OPEN SESSION – 6:15 PM

Pledge of Allegiance

Roll Call

Statement of Closed Meeting

Presentations

1. Mayor Raymond Morriss to administer the Oath of Office to Patrol Officers Zachery Dicken, Richard Jenkins, Matthew Arnone, Levi Roberts and Brycen Rounds

Director's Reports

(A) Administrative Services

1. Administrative Services Monthly Report for December 2023

(B) Fire

1. Fire Department Monthly Report for December 2023

(C) Police

1. Police Department Monthly Report for December 2023

(D) Utilities - Flood, Water, Sewer

1. Utilities Division Flood/Water/Sewer Monthly Report for December 2023

Approval of Minutes

1. Approval of the Work Session and Regular Session minutes of January 2, 2024

Public Comments – FOR AGENDA ITEMS ONLY

All public comments are limited to 5 minutes per person

New Business

(A) Ordinances

1. Ordinance 3970 (*1st reading*) - authorizing the transfer of 301 Columbia Street and 303 Columbia Street to Theresa E.S. Wyatt for the purchase price of \$100
2. Ordinance 3971 (*1st reading*) - authorizing the transfer of 606 Hill Street to Eliana Bennett for the purchase price of \$150

(B) Orders (Consent Agenda)

1. Order 27,388 - accepting the equipment and installation estimates from G-Technologies, Inc. to upfit three (3) 2023 Ford Police Interceptor Vehicles at a total cost not to exceed \$41,107.47
2. Order 27,389 - authorizing the execution of a reimbursement and release agreement with Columbia Gas for the restoration work on portions of Baltimore Street and Altamont Terrace for a lump sum payment to the City of \$37,389.20
3. Order 27,390 - accepting the bid from Walter N. Yoder & Sons for the City Hall HVAC Improvements project (City Project 2022-11-PBLD) for the replacement of the HVAC system in the City Hall Building in the amount not to exceed \$2,189,500

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

File Attachments for Item:

1. Mayor Raymond Morriss to administer the Oath of Office to Patrol Officers Zachery Dicken, Richard Jenkins, Matthew Arnone, Levi Roberts and Brycen Rounds

Council Agenda Summary

Meeting Date: January 16, 2024

Key Staff Contact: Captain James Burt

Item Title: Oath of Office

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

Mayor Raymond Morriss to administer the Oath of Office to Patrol Officers Zachery Dicken, Richard Jenkins, Matthew Arnone, Levi Roberts and Brycen Rounds

Amount of Award:

Budget number:

Grant, bond, etc. reference:

File Attachments for Item:

. Administrative Services Monthly Report for December 2023

Administrative Services Monthly Report for December 2023

January 16, 2024

Honorable Mayor and City Council
City Hall
Cumberland, Maryland 21502

Dear Mayor and City Council Members:

The following report is submitted by the Department of Administrative Services for the month of December, 2023.

Information Technology Department

December 2023

Johnna Byers, Director

Statistics

195 new help desk requests
193 help desk requests resolved

Activities

Major department initiatives in the past month include:

- Assist with police mobile data terminal issues
- Continue to assist police with body cam project including fulfilling requests from State Attorney's Office
- Assist with Time and Attendance HR Project
- Resolve AMAG card reader issues
- Went live on MuniLink service orders

Parks and Recreation

December 2023

Ryan Mackey, Director

Field Usage - Regular Season Sports Leagues have concluded

Travel youth league football teams' practice on Saturday and Sunday at Mason Sports Complex

Letters from Santa – Letter to Santa were mailed by area children using the mailbox on Canal Place. Letters with Return Address had a letter and sticker sent back to them from Santa.

News Years Eve Celebration - Organized Fireworks for the News Years Eve Downtown celebrations.

After School Program – The Afterschool program visited Mayor and City Council as well as the bookstore and Coney Island. All paid for by the city.

Meetings: Parks and Rec Board Meeting December 4th

Other items: Request for Quotes for 2024 July 4th Fireworks
Began work on upcoming 2024 season
Seasonal Applications for Pool and Day Camp summer employees available to prospective returning employees from 2023

Upcoming: Bower Trust annual letter for funding
Put together a presentation for Mayor and City Council and presented at their work session. Presentation was on completed Parks Projects for 2023.
Continue to receive seasonal applications for Park Pool employees, Constitution Park Day Camp Counselors and Park Watchman/Security
Work related to 2024 Annual Budget

Community Development Report

December 2023

Kevin Thacker, Code Compliance Manager

CODE COMPLIANCE

Noted Activity:

- Work has begun for \$16,000,000.00 in renovations, ADA accommodations, waterlines and electrical services to 135 N. Mechanic St. to include 100 apartments.
- 15 N. Chase St - \$27,000.00 in improvements to include 11 solar panels
- 420 Pine Ave. – Completed \$84,051.00 in Home Improvements with ARPA grant of \$25,000.

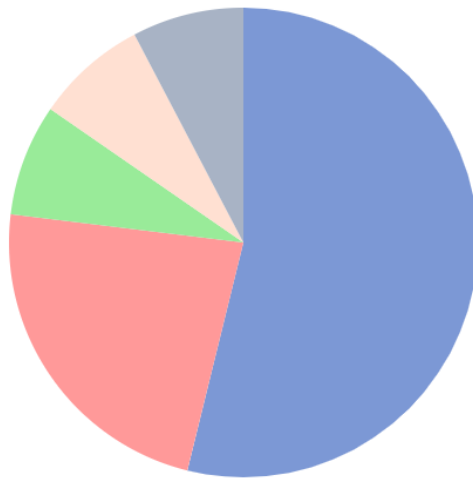
Code Enforcement Activity:

26 new cases received – 12 of those are still open

11 violations were found

13 cases have been resolved

Open Date From: 12/01/2023
Open Date To: 12/31/2023



Violations by Violation Type			
■	Dwellings, yards and lots to be kept clean	7	53.8%
■	Cutting of weeds	3	23.1%
■	Duties of owner and operator	1	7.7%
■	Order to vacate	1	7.7%
■	Registration of agents	1	7.7%

Permits/Reviews & Rental Licenses:

42 Total Permits/Reviews were issued

40 Rental Inspections were completed

Building

Residential..... 4
Commercial..... 1

Miscellaneous

Residential2
Commercial2

Occupancy

Residential1
Commercial0

Signage

Commercial 3

Electrical

Residential..... 0
Commercial..... 3

Plumbing

Residential0
Commercial1

Utility

Residential1
Commercial1

Demolition

Residential 6
Commercial 0

Public ROW

..... 1

Rental Licenses

Residential86

Rental Inspections

Passed40
Failed0

Plans, Reviews, Amendments and Appeals

(ZA, RPR, SR, ZMA, ZTA, SRA)

(Zoning Board Appeal) Issued0

Certificates of Appropriateness

Issued.....2

Request for Change/Amendment

Issued.....0

Revenue from 'Issued' Permits/Reviews:

Building Permits..... \$174.00
Miscellaneous Permits..... 61.00
Occupancy Permits 166.00
Sign Permits 45.00
Utility Permits..... 24,031.54
Plan reviews, Amendments & appeals 0.00
Zoning Classification Détermination (info request)..... 0.00
Municipal Infractions (citations)..... .00

Certificates of Appropriateness	30.00
Rental Licenses (new & renewals)	14,500.00
Paid Rental Inspection Requests	0.00
TOTAL	\$39,007.54

Demolition Bonds Collected..... \$1,500.00

Community Development Programs

December 2023

Lee Borrer, Senior Community Development Specialist

CDBG CV-CARES ACT CDBG 77% expended and on track for expending by HUD's deadline

CARES ACT CDBG Monthly Report	Amount Funded	Expended	Funds Remain
CV Broadband & Technology Accessibility	\$109,155.60	\$102,137.60	\$7,018.00
CV Family Crisis Resource Center COVID hotline/Hepa	\$84,544.00	\$68,074.25	\$16,469.75
CV3 AYEP Youth Center Rehabilitation SEE FUNDS ADDED	\$190,050.73	\$184,709.23	\$5,341.50
CV Constitution Park Improvements/Trails	\$14,153.74	\$0.00	\$14,153.74
CV Constitution Park Improvements/Playground	\$63,300.40	\$0.00	\$63,300.40
TOTAL CDBG CV BALANCE		\$354,921.08	\$106,283.39
B20MW24001 Award (1st rd)	\$476,251.00		
B20MW24001 Award (3rd rd)	\$119,910.00		

Updated Post Nov 2023 CDBG draw 12/19/2023 \$596,161.00 \$106,283.39

Regular CDBG - 2022 Consolidated Annual Performance Evaluation Report approved by HUD in December 2023. All 2023 Annual Action Plan activities are underway or pending final stage of Environmental Review.

Community Development Block Grant (CDBG) Monthly Activity	Dec 2023 Report	Original Budget	Lifetime Funds Exp	Remaining Balance
Baltimore Street Redesign	2020	\$402,700.00	\$1,710.00	\$400,990.00
AYEPS Youth Center Facil Rehab	2020	\$4,753.75	\$814.59	\$3,939.16
2020 Grant Totals		\$407,453.75	\$2,524.59	\$404,929.16
(May 2 amend) incr. Long Term Prescript	2021	\$2,068.98		\$2,068.98
(May 2 amend) YMCA Trans Shelter 3 floor	2021	\$56,642.48		\$56,642.48
2021 Grant Totals		\$58,711.46	\$0.00	\$58,711.46
Balt Street Redesign	2022	\$188,384.50	\$0.00	\$188,384.50

AYEP Youth Center Rehab	2022	\$10,000.00	\$9,337.93	\$662.07
Admin	2022	\$101,000.00	\$98,452.85	\$2,547.15
Ind Cost	2022	\$16,000.00	\$11,184.60	\$4,815.40
FH	2022	\$13,000.00	\$11,115.66	\$1,884.34
Gilchrist Security for Transi Housing	2022	\$30,820.00	\$22,479.00	\$8,341.00
2022 Grant Totals	2022	\$359,204.50	\$152,570.04	\$206,634.46
JFV Pavilion Basketball Ct. Install	2023	\$44,000.00		\$44,000.00
AYEPS Youth Center Facil Rehab	2023	\$20,000.00		\$20,000.00
Admin	2023	\$117,000.00	\$47.76	\$116,952.24
Ind Cost	2023	\$12,000.00		\$12,000.00
FH	2023	\$11,000.00		\$11,000.00
YMCA Gil Trans Shelter Ext Elect/Safe/Cam	2023	\$124,935.00		\$124,935.00
FAI ALU Roof	2023	\$18,026.00		\$18,026.00
FAI Water Tank Imps	2023	\$60,000.00		\$60,000.00
FAI Gen Installation LEC	2023	\$18,000.00		\$18,000.00
Assoc. Char Short Term	2023	\$11,435.00		\$11,435.00
PHA JFV Sidewalk Imps	2023	\$27,126.00		\$27,126.00
FCRC Domestic Violence IPV classes	2023	\$20,500.00	\$1,261.33	\$19,238.67
Targ City Foot/Bike Patrols	2023	\$4,960.00	\$1,368.79	\$3,591.21
YMCA Food Trans Shelter	2023	\$8,000.00		\$8,000.00
Constitution Park Trails	2023	\$303,000.00		\$303,000.00
2023 Grant Totals		\$799,982.00		\$797,304.12
			Total All Yrs.	\$1,467,579.20
December CDBG 2023 Report 12/19/23				
Balances:	Year	IDIS grant rpt		
\$404,929.16	2020			
\$58,711.46	2021			
\$206,634.46	2022			
\$55.04	2022 PI			
\$797,304.12	2023			
\$106,283.39	2020 cv	*change each month		
\$463,640.62	OLD 20 21			
\$1,573,917.63	Total All	20,21,22,23, PI, CV		

\$1,467,634.24 Total Reg CDBG
Post Oct draw (12/19/23)

Jane's Place, ARPA grant has been expended as of December 31, 2024 and invoices are being processed.

Historic Planning/Preservation

December 2023

Ruth Davis-Rogers, Historic Planner/Preservation Coordinator

In addition to serving the public and answering daily questions and inquiries, I did the following:

Historic Preservation Commission Meeting (HPC)

- Prepared COA's for HPC Meeting which was held December 13th.
- Reviewed and administered Certificate of Appropriateness permits.
- Consulted with building owners regarding projects requiring COA permits.

Meetings & Events

- Attended DDC Meeting
- Met with AHS Historical Research Methods Class
- Meet with the Lakota Group to finalize Historic Preservation Plan
- Attended various city and dept. meetings
- Assisted with the Winter Festival
- Attended M&CC Meeting for presentation of the final draft of the Historic Preservation Plan
- Met with potential property owners

Grants, Tax Credits and Section 106 reviews

Administered/managed funding/grants for:

- Residential Accessibility Improvement Program
- Roof Replacement Program
- Executed Grant Reports
- Conducted Section 106 Reviews (as needed) for various projects.
- Worked on potential grant projects for 2025
- Answered questions (as needed) regarding tax incentives from both current and potential building owners.

Comptroller's Office

Financial Activity Report

December 2023

Mark Gandolfi, City Comptroller

Cash Flow:

Attached for your review is a Cash Flow Summary for the month of December 2023.

On December 1, 2023, the City had a cash balance of \$12.1 million (\$11.1 million invested in a value money market program and \$1.0 million participating in a sweep program at First United Bank. Disbursements

exceeded receipts by \$2.4 million resulting in a cash balance of \$9.7 million at December 31, 2023 (\$8.7 million invested in a value money market program and \$1.0 million participating in a sweep program at First United Bank).

As of December 31, the significant tax receivable balances are reflected in the table below.

Taxes receivable (General Fund)						\$ 3,241,879
	Beg Balance	New Billings	Adjustments/ Abatements	Collections	Bad Debt	Ending Balance
FY 2024	\$ 3,363,586	\$ 1,555	\$ (44,841)	1,132,474	\$ -	\$ 2,187,826
FY 2023	623,241	1,571	(1,567)	26,830	-	596,415
FY 2022	261,451	-	(419)	13,089	-	247,943
FY 2021	41,430	-	-	397	-	41,033
FY 2020	55,288	-	-	-	-	55,288
FY 2019	24,420	-	-	-	-	24,420
FY 2018	34,600	-	-	-	-	34,600
FY 2017	13,959	-	-	-	-	13,959
FY 2016	11,236	-	-	-	-	11,236
FY 2015	10,844	-	-	-	-	10,844
FY 2014	7,132	-	-	-	-	7,132
FY 2013	2,980	-	-	-	-	2,980
FY 2012	2,538	-	-	-	-	2,538
Prior FY's	5,665	-	-	-	-	5,665
	<u>\$ 2,149,431</u>	<u>\$ 3,126</u>	<u>\$ (46,827)</u>	<u>\$ 1,172,790</u>	<u>\$ -</u>	<u>\$ 3,241,879</u>

The current year tax receivable balance is comprised of the following:

Real property (non-owner occupied)	\$1,055,832
Personal Property	276,544
Real Property (semiannual payments)	855,450
Real Property (Half Year)	-
	<u>\$2,187,826</u>

The City's liquidity position continues to be strong as illustrated in the following cash and investments table. Restricted cash and investments are comprised primarily of invested American Rescue Plan Act (ARPA) funds received in advance and bond proceeds restricted to associated capital projects and expenditures.

**Cash and Investment Summary
December 31, 2023**

	Cash	Investments
Beginning Balance	\$ 12,094,490	\$ 29,733,291
Add:		
Cash Receipts	10,559,131	3,305,187
Investment Transfer	-	-
Less:		
Disbursements	12,951,364	-
Investment Transfer	-	-
Ending Balance	\$ 9,702,257	\$ 29,866,403
Restricted	\$ 1,966,595	\$ 7,225,016

The table below illustrates cash restrictions and restricted investments associated with specific expenditures and/or capital projects.

Restricted Cash				
	12/1/2023	Increase	Utilization	12/31/2023
Police Seizures	\$ 79,590	\$ -	\$ 4,200	\$ 75,390
Bowers Trust	81,325	380	25,694	56,011
National Opioid Settlement	44,739	-	-	44,739
GOB 21	324,573	1,518	29,752	296,339
ARPA	134,095	627	134,722	-
Capital Projects	1,381,413	6,450	-	1,387,863
Demolition & Fiscal Agent Bonds	106,253	-	-	106,253
	\$ 2,151,988	\$ 8,975	\$ 194,368	\$ 1,966,595
Restricted Investments				
	12/1/2023	Increase	Utilization	12/31/2023
DDC	\$ 4,566	\$ 20	\$ -	\$ 4,586
GOB 21	3,691	17	-	3,708
ARPA	10,342,475	46,302	3,172,055	7,216,722
	\$ 10,350,732	\$ 46,339	\$ 3,172,055	\$ 7,225,016

Increases to GOB21, ARPA, Capital Projects, Bowers Trust and DDC are interest earnings.

Capital Projects are CSX funding for Fayette St. and Cumberland St. bridge replacements.

DDC restricted investment was funded through donations and is restricted for the purpose of maintenance of the Wes Han Fountain.

GOB21 is the FY21 general obligation bond issuance restricted for scheduled capital projects and equipment.

National Opioid Settlement is for opioid intervention in Cumberland.

Capital Projects and Associated Debt:

The tables below illustrate undrawn Maryland CDA bond proceeds and unused general obligation bond proceeds (GOB21) as well as the accumulated debt and grant proceeds for the Decatur Street waterline and the Combined Sewer Overflow (CSO) projects.

Available Bond Proceeds				
	12/1/2023	Increase	Utilization	12/31/2023
CDA 2019	\$ 29,651	\$ -	\$ 27,350	\$ 2,300
CDA 2021	3,910,242	-	649,677	3,260,565
CDA 2023	2,117,444	-	87,125	2,030,319
GOB 21	328,265	-	28,218	300,046
	\$ 6,385,601	\$ -	\$ 792,370	\$ 5,593,231

CSO Projects				
	12/1/2023	Increase	Utilization	12/31/2023
Evitts Creek Phase 3 Debt	\$ 2,297,851	\$ -	\$ -	\$ 2,297,851
Evitts Creek Phase 3 Grant	5,418,560	-	-	5,418,560
Evitts Creek Phase 4 Debt	3,550,900	-	-	3,550,900
Grit Removal and UV Disinfection	4,445,000	-	-	4,445,000
78" Pipeline Debt	19,941,232	-	-	19,941,232
78" Pipeline Grant	46,338,060	-	-	46,338,060
	\$ 81,991,603	\$ -	\$ -	\$ 81,991,603

CDA 2019 utilization of \$27K is for the Wastewater Treatment Plant influent screen. CDA 2021 utilization of \$649K includes \$6K toward the McMullen Street bridge design, \$528K toward Baltimore Street redevelopment, \$58K toward City Hall elevator improvements, \$29K toward police vehicles and \$28K toward the Fort Hill Reservoir cover replacement. CDA 2023 utilization of \$87K includes \$7K toward the Fort Hill Reservoir cover replacement, \$60K toward a 1-ton pickup, and \$20K toward police vehicles. GOB21 utilization of \$28K includes \$21K toward the Baltimore Street bridge and \$9K toward a 1-ton pickup; reduced by \$2K interest earned.

Remaining CDA 2019 funds are for the Wastewater Treatment Plant influent screen (\$2K). Remaining CDA 2021 funds are primarily allocated to the Baltimore Street redevelopment (\$1.3M), fuel pump station replacement (\$464K), elevator modifications (\$169K), cross connections/hydrants valves (\$147K), 5-ton dump truck (\$160K), and Decatur Street light improvements (\$140K). Remaining GOB21 funds are primarily allocated to the Baltimore Street bridge replacement (183K), police covert vehicle (\$30K) and the Cole Street Valve equipment (\$50K). Remaining CDA 2023 funds consist primarily of an ambulance (\$385K), 5-ton dump truck (\$190K), water filtration building design (\$500K), influent screen construction (\$31K), concrete repairs for flood control (\$65K), upgrade to the anaerobic digester (\$75K) and wastewater plant roof replacements (\$242K).

The following four projects are major upgrades to the combined sewer collection system. Evitts Creek Phase 3 is in the engineering phase with the necessary funding in place. Phase 3 project cost is estimated at \$7.5 million and is funded with \$5.4 million in grants and \$2.3 million in loan with \$1.1 million of the loan amount being forgivable. Phase 3 is on hold pending site access being granted by CSX. Evitts Creek Phase 4 is in the planning phase and has most of the funding in place. Phase 4 project cost is estimated at \$4 million and is funded with \$3.6 million in loan with \$1.5 million of the loan amount being forgivable. A water reclamation facility grit removal and UV disinfection project is in the planning phase with the necessary funding in place. The grit removal and UV disinfection project is projected to begin during FY25 at an estimated cost of \$4.4 million and is funded with \$4.4 million in loan with \$1.5 million of the loan amount being forgivable. The 78" pipeline project is pending Army Corp of Engineers approval and private property easement or acquisition and anticipated to begin construction during FY25 or FY26. The

total estimated project cost is \$67 million and is substantially funded with \$46.3 million in grants and \$20.0 million in loan with \$3.0 million of the loan amount being forgivable.

COVID-19:

The City received \$19,595,850 from the American Rescue Plan Act (ARPA). The U.S. Treasury guidance provides greater details on the eligible uses and priority of these funds. These are:

- Support public health expenditures
- Address negative economic impacts caused by the public health emergency
- Replace lost public sector revenue
- Provide premium pay for essential workers
- Invest in water, sewer, and broadband infrastructure

As of December 31, 2023, the City utilized \$12.9 million of the \$19.6 million ARPA award and is on track to obligate all funds by December 31, 2024 and fully expend all funds by December 31, 2026. Remaining projects include park improvements, assistance to small businesses, prisoner processing improvements, residential property improvements and demolition, South End and Industrial Boulevard water main replacements, 4" to 6" water line replacements and City Hall HVAC replacement.

Available Funding (as of December 31, 2023):

Purpose	Awarded	Allocation				
		Budgeted	Allocated Interest Earned	Utilized Interest Earned	Utilized ARPA Budget	Remaining
American Rescue Plan Act (ARPA)	\$ 19,595,850					
Premium Pay		\$ 833,952			\$ 833,952	\$ -
Revenue Loss		\$ 10,000,000			\$ 10,000,000	\$ -
Respond to the health emergency Community Programs						
Amphitheatre and Pavilion 1&2		\$ 174,350	\$ 1,824	\$ 1,824	\$ 174,350	\$ -
Pool Area		\$ 71,250	\$ 73,228	\$ 73,228	\$ 71,250	\$ -
Union Rescue Mission		\$ 749,000			\$ 749,000	\$ -
YMCA Bus Replacement		\$ 216,000			\$ 216,000	\$ -
Duck Pond Remediation		\$ 16,844	\$ 12,426	\$ 12,426	\$ 16,844	\$ -
City of Cumberland Park Signage		\$ -	\$ 69,676	\$ 69,676	\$ -	\$ -
DDC Assistance to Small Businesses		\$ 183,500			\$ 52,750	\$ 130,750
Promoting the Community		\$ 33,563			\$ 32,386	\$ 1,177
Janes Place for Abused Children		\$ 40,778			\$ 39,777	\$ 1,000
Community Development Property Improvement		\$ 264,960			\$ 120,608	\$ 144,352
Affordable Housing Assistance		\$ 410,516			\$ 172,589	\$ 237,927
Demolition Assistance		\$ -			\$ -	\$ -
Skate Park - Mason Rec Complex		\$ -	\$ 325,000	\$ -	\$ -	\$ 325,000
Constitution Park General Infrastructure		\$ -	\$ 150,000	\$ -	\$ -	\$ 150,000
PPE						
General		\$ 29,269			\$ 29,269	\$ -
Facilities and Equipment		\$ 22,216			\$ 22,216	\$ -
Prisoner Processing Improvements		\$ 176,200			\$ 62,099	\$ 114,101
HVAC Improvement at City Hall		\$ 1,300,000			\$ 4,950	\$ 1,295,050
Infrastructure Investments						
South End & Industrial Blvd Water Mains		\$ 4,000,000			\$ 221,664	\$ 3,778,336
Replace 4" Water Lines with 6" (City-Wide)		\$ 1,073,452			\$ 105,037	\$ 968,415
Unallocated Interest Earned						\$ 70,614
Total:	\$ 19,595,850	\$ 19,595,850	\$ 632,153	\$ 157,153	\$ 12,924,742	\$ 7,216,722

Respectfully submitted,

Jeffrey F. Silka
City Administrator

sln

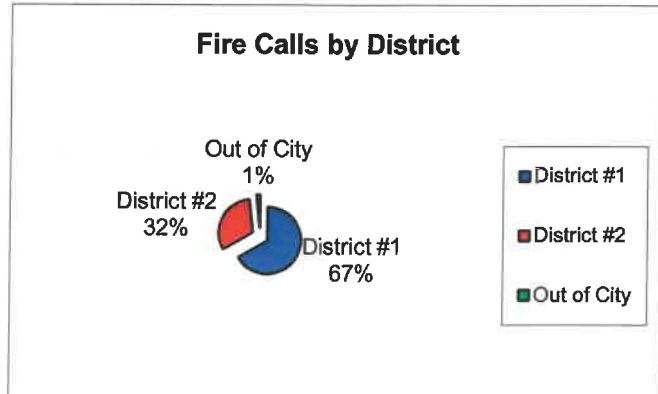
File Attachments for Item:

. Fire Department Monthly Report for December 2023

REPORT OF THE FIRE CHIEF FOR THE MONTH OF DECEMBER, 2023
Prepared for the Honorable Mayor and City Council and City Administrator

Cumberland Fire Department Responded to 126 Fire Alarms:

Responses by District:	
District #1	84
District #2	40
Out of City	<u>2</u>
	126



Number of Alarms:	
First Alarms Answered	126

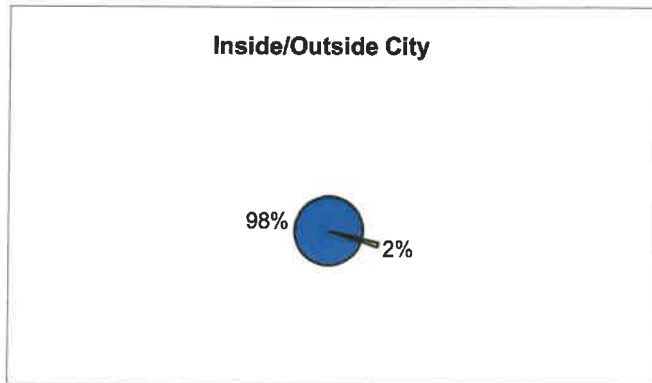
Calls Listed Below:	
Property Use:	
Public Assembly	6
Institutional	9
Educational	2
Residential	70
Stores and Offices	8
Industrial, Utility	2
Manufacturing	0
Storage	0
Special Properties	<u>29</u>
	126

Type of Situation:	
Fire or Explosion	4
Overpressure, Rupture	4
Rescue Calls	77
Hazardous Conditions	4
Service Calls	10
Good Intent Calls	15
False Calls	<u>12</u>
	126

Total Fire Service Fees for Fire Calls Billed by MCA in December:	\$0.00
Total Fire Service Fees for Fire Calls Billed by MCA Fiscal Year to Date:	\$5,200.00
Fire Service Fees for Fire Calls Paid in December:	\$822.99
Total Fire Service Fees for Fire Calls Paid Fiscal Year to Date:	\$160.00
Total Fire Service Fees Paid in FY2024:	\$1,770.00
Fire Service Fees for Inspections and Permits Billed in December:	\$300.00
Fire Service Fees for Inspections and Permits Paid in December:	\$100.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	\$800.00

Cumberland Fire Department Responded to 564 Emergency Medical Calls:

In City Calls	551
Out of City Calls	<u>13</u>
Total	564



Total Ambulance Fees Billed by Medical Claim-Aid for December:	\$194,283.49
Ambulance Fees Billed Fiscal Year to Date:	\$952,664.76
Ambulance Fees Paid: Revenue Received in December:	\$124,585.27
FY2024 Ambulance Fees Paid in FY2024:	\$497,628.56
Total Ambulance Fees Paid in FY2024: (All Ambulance Fees, current and previous fiscal years, paid in FY2024.)	\$710,235.53

Cumberland Fire Department Provided 1 Paramedic Assist Call:

0 Paramedic Assist Call within Allegany County	
<u>1 Paramedic Assist Calls outside of Allegany County</u>	
1	

Wiley Ford, WV VFD	<u>1</u>
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Cumberland Fire Department Provided 12 Mutual Aid Calls:

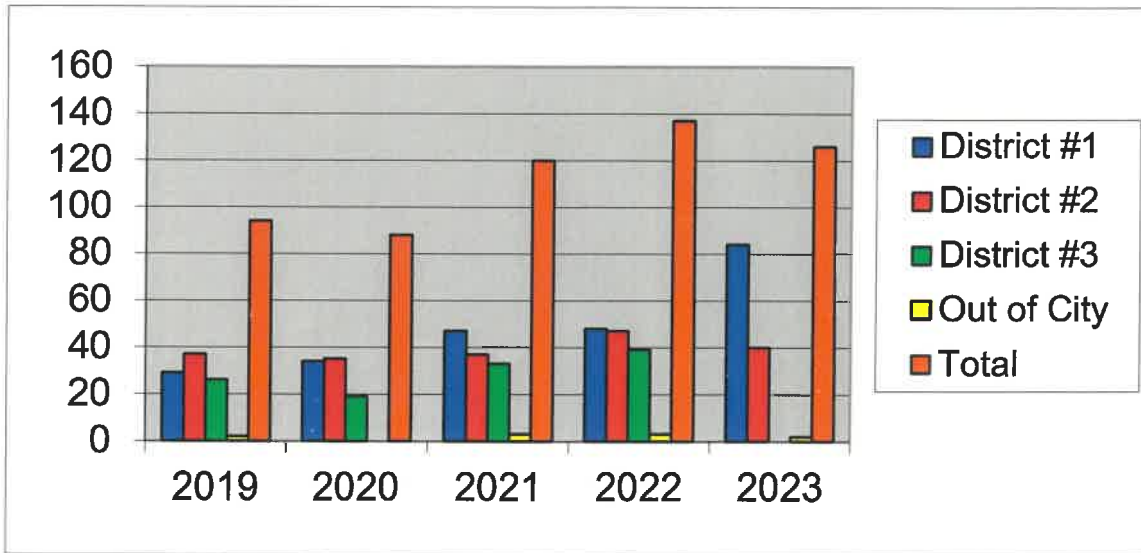
9 Mutual Aid Calls within Allegany County	
<u>3 Mutual Aid Calls outside of Allegany County</u>	
12	

Bowman's Addition VFD	4
Cresaptown VFD	4
Allegany County Dept. of Emergency Services	<u>1</u>
	9

Ridgeley, WV VFD	<u>3</u>
	3

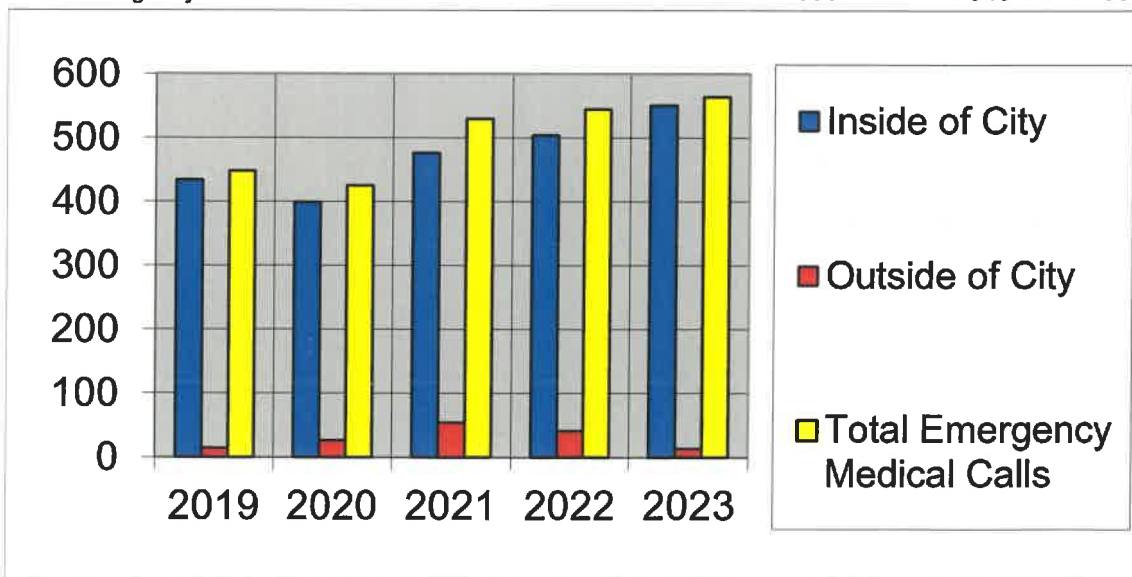
Fire Calls in the Month of December for a Five-Year Period

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
District #1	29	34	47	48	84
District #2	37	35	37	47	40
District #3	26	19	33	39	0
Out of City	<u>2</u>	<u>0</u>	<u>3</u>	<u>3</u>	<u>2</u>
Total	94	88	120	137	126



Ambulance Calls in the Month of December for a Five-Year Period

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Inside of City	434	399	476	504	551
Outside of City	<u>14</u>	<u>26</u>	<u>54</u>	<u>41</u>	<u>13</u>
Total Emergency Medical Calls	448	425	530	545	564



File Attachments for Item:

. Police Department Monthly Report for December 2023



City of Cumberland Department of Police

Monthly Report
December 2023



City of Cumberland Department of Police

Monthly Report

December 2023

Part 1 Crimes for the Month

	2022		2023			2022		2023			2022		2023	
Aggravated Assaults	4	2	B & E (All)	11	12	Murder	0	0	Rape	0	2			
Robbery	0	2	Theft - Felony	3	0	Theft - Vehicle	2	3						

Selected Criminal Complaints for the Month

	2022		2023			2022		2023			2022		2023	
Theft - Misdemeanor	11	32	Theft - Petty	17	24	Domestic Assaults	21	16	CDS	14	35			
Disturbances	143	121	DOP/Vandalism	22	27	Indecent Exposure	0	0	Sex Off - Other	3	3			
Suicide	0	0	Suicide - Attmp.	0	0	Tampering M/V	0	0	Abuse - Child	4	2			
Trespassing	11	27	Assault on Police	5	2	Assault Other	25	36						

Selected Miscellenous Incidents for the Month

	2022		2023			2022		2023			2022		2023	
Alcohol Volations	1	2	Juvenile Compl.	10	9	Missing Persons	4	9	School Resource	145	176			
School Threat	0	1	Sex Off. Regist.	4	0	Truancy	0	0	Death Investigation	8	4			

Selected Traffic Incidents for the Month

	2022		2023			2022		2023			2022		2023	
DWI	4	10	Hit & Run	14	11	M/V Crash	50	43	Traffic Stop	209	441			

Selected Service Calls for the Month

	2022		2023			2022		2023			2022		2023	
Alarms	46	45	Assist Motorist	33	21	Check Well-Being	97	120	Foot Patrol	65	166			
Assist Other Agency	76	70	Bike Patrol	0	0	Special Events	6	7	Suspicious Activity	56	99			

Current Incident Status for the Month

	2022		2023			2022		2023			2022		2023	
Open	9	75	Arrest	181	237	Closed	1670	1950	Suspended	57	51			

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

December 2023

SWORN PERSONNEL: 50 SWON OFFICERS

Administration	6 officers
Squad D1	8 officers
Squad N1	8 officers
Squad D2	8 officers
Squad N2	7 officers
C3I/C3IN	4 officers
School Resource	2 officers
Academy	7 recruits
Medical/Modified Duty	0 officers

CIVILIAN EMPLOYEES: 7 full time, 8 part time

CPD Office Associate	1 full time
CPD Records Clerk	1 full time
CPD Records Clerk	0 part time OPEN
MCIN Coordinator	1 full time*
CPD Patrol Assistant	1 full time
CPD Crime Analyst	1 full time*
CPD Maintenance	1 part time
C3IN Office Associate	1 part time**
C3I Office Associate	1 full time
C3I Office Associate	1 part time**
MPA Supervisor	1 part time
Parking Meter Supervisor	1 full time
Parking Enforcement	2 part time
Code Enforcement	2 part time

*=Grant funded

**=Shared costs with other agencies

LEAVE REPORT

VACATION TAKEN: 864.75

YEAR TO DATE (beginning 07/01/23): 4,976.13

COMP TIME USED: 128

YEAR TO DATE (beginning 07/01/23): 1,033.38

SICK TIME USED: 314

YEAR TO DATE (beginning 07/01/23): 519

OVERTIME REPORT

OVERTIME WORKED: 95.5

YEAR TO DATE (beginning 07/01/23): 1060.75

HOSPITAL SECURITY: 36

YEAR TO DATE (beginning 07/01/23): 740

COURT TIME WORKED: 480

YEAR TO DATE (beginning 07/01/23): 2,652

File Attachments for Item:

. Utilities Division Flood/Water/Sewer Monthly Report for December 2023

Utilities Division Activity Report for December 23 WATER

REQUEST	W/E 12/8/23	W/E 12/15/23	W/E 12/22/23	W/E 12/29/23	MONTHLY TOTALS
Service Technicians					
NON READS	13	44	42	56	155
FINAL READS & DEMOS	2		6		8
LEAK INVESTIGATIONS/turn off-on	6	1	2	3	12
METER/STOP INVESTIGATIONS	19	20	14	14	67
REPAIR WIRING/GET READING					0
ORANGE TAG FOR REPAIRS	1	7		6	14
RED/PINK TAG FOR SHUT OFF					0
RECONNECTS/TURN ONS	53	38	48	5	144
NONPMT/BAD CK/AGREEMENT SHUT OFFS	50	41	54		145
SUSPENDED ACCTS - RECHECKS	2				2
REPLACE/REPAIR METER/LID/VALVE					0
SVC SEPARATIONS/INVESTIGATIONS					0
INSTALL COUPLERS/PLUGS/LOCKS	3				3
NEW METER - Residential	4	1	2	2	9
METER FIELD TESTS - Residential					0
METER TESTS - Industrial					0
NEW METER - Industrial					0
HYDRANTS FLUSHED					0
PRESSURE CHECK/NO WATER/DIRTY WATER					0
MOVE METERS OUTSIDE		1		2	3
SP Change Outs/Repairs/Reactivates/Move	4	2	2	4	12
Replace/Reattach smartpoint antenna					0
INSULATE METER BOXES					0
FREEZE UPS-LEAKS/METERS & LINES					0
CCP - BACKFLOW/RETRO		1		2	3
HYDRANT/IRRIGATION METER					0
Total					577

Pipe Technicians					
LINE LOCATOR	501	460	120	85	1166
TAPS SERVICED	4	9	7	5	25
LEAKS REPAIRED	3	3	2	1	9
BROWNING ST/COMPLETED/CLEANED UP	2				2
LONGWOOD AVE - NEW 1" AIR VALVE	2				2
FLUSHED HYDS - LONGWOOD AVE	2				2
LIBERTY ST - TIED IN SERVICES	3				3
QUEEN CITY DR - CUT IN VALVE & BOX	3				3
TIED IN CUMBERLAND ARMS/LIBERTY ST	5				5
1813 FRED ST - BROKE LID OUT OF CONCRETE	2				2
KEIFER - LEAK INVESTIGATION		4			4
GROW-WEST / REPOSITIONED SETTER		3			3
REHAB 1ST @ BALT ST - COLD MIXED HOLES		2			2
603 GREENWAY - LEAK INVESTIGATION		2			2
RT 51 - LEAK INVESTIGATION			4		4
525 COLUMBIA AVE - ABANDONED SERVICE		3			3
222 N LEE - ABANDONED SERVICE		3			3
LINCOLN ST - REPLACED HYDRANT			3		3
ARROWHEAD TRL - INSTALLED AIR VALVE			4		4
215 & 217 KNOX - ABANDONED SERVICES			4		4
469 GOETHE - ABANDONED SERVICE			4		4
REHAB 1ST - REMOVED CONCRETE FORMS			4		4
INSTALLED NEW CAPS ON HYDRANTS			4		4
ABANDONED SERVICE - 510 N MECHANIC				3	3
MOVED EQUIP TO BROWNING FOR METER BXS				4	4
					0
					0
					0
					0
					0

Watershed

Hauled equipment from Browning St to shop
 Cleaned rented mini and returned to American Rent All
 Cleaned and greased water dept. mini excavator
 Graded and moved concrete/blacktop/dirt @ park fill site (several days)
 Cleaned up trash around Lake Koon parking lot
 Removed tree - Harrow Ln
 Flushed hyd - James Day Rd
 Cut trees - Lake Gordon emergency access rd
 Refueled & greased 392
 Removed tree Lake Gordon Rd
 Hauled 317 from Growden Rd to dam
 Refueled & greased 317
 Moved equipment from Growden Rd back to dam
 Greased & performed maintenance on #398
 Cut & stacked brush
 Trimmed trees & burned brush on dam fire road (several days)
 Leak check Golden Ln @ Eastern Rd
 Hauled D5 from warehouse to park fill site
 Hauled excavator from park to Pea Vine Run Rd shale pit
 Removed leaf box from street dept dump truck
 Hauled shale from Pea Vine Run Rd to park fill site
 Graded park fill site
 Sweitzer Ln - repaired valve on 36" - 2" private line is still leaking

GRAND TOTAL

1847

December 2023 Monthly Report

FLOOD MAINTENANCE

Test run pumps and run gates

Run gate operators

Check sewage regulators

Safety meeting

Run Greene St. pump

Clean all storm drains

Bruch Cut Ridgley Field, Hicky Hollow

Per & post storm inspection

Perform other maintenance work as required

SEWER BRANCH

Calls answered	13
Service lines opened	5
Owner's trouble	4
Traced lines/main	501
Mains Repairs/ Replace	2
Sewer taps installed/replaced	0
Cleaned catch basins	60
Cleanouts installed	0
Televised sewer mains	1,400' main
Televised sewer lines	8 service lines
Call outs/ overtime	11 callouts/ 26.5 hours overtime
Weekly check of overflows, pits	4
Catch basin repair/rebuild	2
Flushed mains	3,408 Feet

Gallons of water used	5,600 Gals.
605 Vac-con truck	1,600 Gals.
608 Flush truck	4,000 Gals.

905 Fayette St, Not City Issue resident needs plumber

123 Humbird Sik Hole fill in

West Second Street Basin Re-build

Cumberland Street basin Repairs

Baltimore Street Sewer Line repair 5ft of 6"

Queen City Drive Basin Repair

920 Brown Ave Flush sewer main, Removed Rocks

445 North Mechanic flushed and Camera sewer main no breaks or debris

106 Mckenley Roots removed from line using electric rooter

303 Paca Street Removed roots from Sewer main/Reinspect in 6 months

106 Decatour blockage of Rags in sewer line flushed and Vac-con

Vactor Truck callouts: 10

Hydro 6 Sites Sewer

Hydro 4 Sites Water

CCTV Camera Truck Callouts:

230 Bond Street Sewage from residents Cleanout

318 Reservoir Property Owner has dip in sewer line

718 Avondale Ave. vertical/Sewer Main clear owner needs plumber

603 Greenway No sewer issues (water line break)

553 Winifred No issues to report

447 Goethe St No sewer issues (residents water line seeping)

15 N. Liberty Sewer main Collapse Triton
Responsible

437 Walnut No sewer issues water seeping into foundation

821 Shades Lane Sewer main and Tap good, residents has roots in line

File Attachments for Item:

1. Approval of the Work Session and Regular Session minutes of January 2, 2024



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room
57 N. Liberty Street
Cumberland, MD 21502

Tuesday, January 2, 2024, 5:00 p.m.

PRESENT: Mayor Raymond M. Morriss; Council Members: Rock Cioni (by phone), Eugene Frazier, Jimmy Furstenberg, and Laurie Marchini

ALSO PRESENT: Jeffrey F. Silka, City Administrator; Allison Layton, City Clerk; Ken Tressler, Director of Administrative Services; Ryan Mackey, Director of Parks and Recreation

Media: Teresa McMinn, Cumberland Times-News
Kathy Cornwell, WCBC Radio

I. PARKS AND RECREATION PRESENTATION

Mr. Mackey provided a PowerPoint presentation and went over Constitution Park improvements.

The Duck Pond had a major facelift, with all new shrubbery, duck house, stone edging, and bench.

Constitution Park Pool has a new roof on the building, and the old deck was removed and replaced. There is new fencing, and the Casino floor and walls were repainted. Mr. Mackey stated that this opened the area up, adding that there is also new seating.

Mr. Mackey provided photos of the park pool and discussed new picnic tables, grills, and trash receptacles.

The Guard Station at the park had a facelift as well, with a new roof, railing, paint, siding, windows and doors, drainage, and electrical work done.

The Constitution Park Amphitheater has a few more upgrades to be done, but some major upgrades completed are new front-row seating, new electrical work done, and handicap accessible seating.

Mr. Mackey stated that there were 200 yards of guardrail added to the park – the yellow posts are being removed in phases and will be replaced with guardrail or natural barriers to keep the aesthetic. He also mentioned that 33 signs have been replaced that were in bad shape, and said that new wayfinding, entrance, maps, and points of interest signs were added.

Flynn Field had its infield replaced and has new bulbs for stadium lights. Mr. Mackey advised that the BMX Project was completed by the operators of the BMX Facility at the Gene Mason Sports Complex, but was facilitated by Parks and Rec. He said new soil and soil conditioner was added and turns were repaved.

Mr. Tressler provided a chart and explanation of costs, and said a lot of grant funds were used, as well as interest from the ARPA grant. He stated that out of a total cost of \$1.1M, the City only paid \$45K.

Mr. Mackey discussed upcoming projects. He advised on the proposed trail project for Constitution Park, which will cost around \$380K, with the largest chunk coming out of CDBG funds. Other projects include tree planting at Gene Masons field, with bathrooms being repaired or updated, infield replacement at Cavanaugh Field, an ongoing tree and stump removal at Constitution Park, security upgrades, and WIFI installation.

Mr. Mackey talked about the Bowers Trust Five-Year Tentative Plan, saying that they have \$55K, which will accrue by \$75K in five years to \$130K. He stated that this will cover tentative projects, like upgrades to other infields.

There was discussion about the volleyball courts at ACC. Mr. Mackey stated that he has been emailing David Jones at ACC trying to stay on top of it. He said they went from two courts to one court due to rising costs, and said they moved it so it was out of the flood plain. He explained that after moving it they had to resubmit permits and the grant application. He advised that everything is in place, they're just waiting on Belt Construction to break ground, which will be sometime in the Spring.

There was discussion about putting a small pavilion behind the scoreboard at Long Field. Mr. Mackey advised that they had put in a grant for pavilions, one at the pool, and one at the Mason Complex. He said there was a plan to put a pavilion at Long Field to rent out or for kids to use if there's a rainstorm.

Mr. Tressler advised that there was a grant in place to do a pad at the playground across from the pavilions at the amphitheater, but they requested to transfer that funding to new equipment that was needed. He said as soon as it's approved, they will put out an RFP to replace the equipment.

II. AGENDA REVIEW – JANUARY 2, 2024

Mr. Silka advised that there was nothing on the agenda that wasn't self-explanatory. The Mayor mentioned the recognition of the two football teams, and the employee milestones. Council Member Marchini asked to have the Gateway Enterprise Zone explained, regarding Resolution R2024-01. Mr. Silka explained businesses within the zone are eligible to get tax credits, and said that the zone is created by the state – the zone stays, but businesses fluctuate.

III. MAYOR AND CITY COUNCIL UPDATES

Council Member Cioni advised about the Parks and Rec Board meeting this coming Monday at 5:00 p.m. He added that there is no LBC meeting in January; their first meeting of the year will be February 5th at 7:00.

Council Member Frazier talked about the New Year's Eve ball drop, saying there was a good crowd and lots of compliments on the fireworks. He stated that Winter Fest next year will be bigger, so Melinda Kelleher will need more volunteers helping. Council Member Furstenberg gave kudos to Ms. Kelleher for the great job she did with the City's first Winter Fest.

Mayor Morriss talked about Melinda Kelleher, DDC; Ruth Davis-Rogers, Historic Preservation; and Geena Kyle, CFD being in the top 12 compelling people in the City, as listed by WCBC. He stated that the Winter Fest went really well, with good weather both days. He added that it says a lot for the City that everything could be moved to Canal Place this year as smoothly as it did. The Mayor talked about the ball drop, and commended Rhett Wolford. He said as we get into 2024, all of the plans of more to come shows the City is keeping the momentum going.

Council Member Marchini discussed the Town Hall meeting, saying it went well, with good questions and participation. She stated that 12 new businesses have opened up downtown since construction started, and said all buildings have sold except for the Peskin's building. She mentioned a new restaurant coming to The Rosenbaum – Lefty's from Morgantown, WV is opening up another restaurant here. She also talked about Ruth Davis-Rogers and her historic preservation plan, saying it was done well. The Councilwoman added that the micro-revolving loans are live and available for applications.

Mayor Morriss also talked about Lefty's coming downtown, saying that the pizza and wings are delicious, and will be competition for other pizza and wing shops in town.

Council Member Marchini added that Café Mark will be expanding as well – great news.

IV. ADJOURNMENT

With no further business at hand, the meeting adjourned at 5:42 p.m.

Respectfully Submitted,

Allison K. Layton
City Clerk

Minutes approved on: _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. “Rock” Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael Scott Cohen
City Clerk Allison K. Layton

MINUTES

M&CC Regular Public Meeting
57 N. Liberty St.

DATE: January 02, 2024

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Council Member Richard J. “Rock” Cioni (by phone)
Council Member Eugene T. Frazier
Council Member Jimmy L. Furstenberg, III
Council Member Laurie P. Marchini
President Raymond M. Morriss

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Robert Smith, Director of Engineering and Utilities; Captain Jim Burt, acting Chief of Police; Shannon Adams, Fire Chief; Media Representatives

IV. Presentations

1. Presentation of a Certificate of Recognition to the Fort Hill Unified Flag Football Team for capturing the inaugural State Championship Gold Medal in their division in the Maryland Special Olympics Unified 5vs5 Flag Football Tournament.

Mayor Morriss read the Certificate of Recognition, presented it to the team, and photos were taken. M&CC gave accolades to the coach and team for all their hard work.

2. Presentation of a Certificate of Recognition to the Fort Hill High School Football Team for capturing the Class 1A Maryland State Football Title.

Mayor Morris read the Certificate of Recognition, presented it to the team, and photos were taken. M&CC gave accolades to the coach and team, saying it's quite an accomplishment.

3. Presentation of awards given in recognition of employee career milestones.

5 Years:

Cassidy Lease, CPD – Detective and Patrol Officer First Class

Captain Burt provided background on the officer and her current assignment – C3I (County Combined Criminal Investigations Unit), and said she is the first officer in their history to receive the Medal of Valor Award.

Kori Smith, CPD – Patrolman First Class

Captain Burt provided background on the officer, and his current assignment - Patrol Division, and said he is also currently a certified operator on the CERT (Cumberland Emergency Response Team).

Kevin Campbell, WRF - Tech II – Not present

Director of Engineering and Utilities Robert Smith said a few words about Kevin, saying he's close to becoming a Tech III, and said they are fortunate to have him, and does an all-around great job.

Collin Carney, Vehicle Maintenance – Not present

Mayor Morriss read some words by Supervisor Brian Broadwater, saying Collin started his career in November 2018, he is the first technician to help a co-worker when there is an emergency breakdown, and sets the standard in the Fleet Management garage for diagnostics and electrical repairs. He added that Collin is dependable and is always ready to work.

Louis Schadt, Water Distribution – Not present

Mayor Morriss read some words by Supervisor Marty Watts, saying Louis started his career as a seasonal employee with Sanitary Sewers/Flood Control in April 2018, his work ethic providing him the opportunity to be employed as an Entry Level Pipe Technician in November 2018, and has advanced to Pipe Technician II and III. He added that he has been a valuable and dependable employee.

Chip Watkins, IT – Not Present

Mayor Morriss said some words about Chip, saying he's one of the ones that keeps the computer systems up and running and does a good job to keep everyone informed as to what's going on.

Craig Adams, Community Development – Code Enforcement Officer – Not present

Mayor Morriss read some words by Supervisor Kevin Thacker, saying that Craig has become an integral part of the CD team, and has learned there are always different ways to handle cases they are presented with daily. He said he has become the person on the team with the "soft-handed" approach to finding resolutions, said they receive calls and emails about Craig and his caring ways, and is a great employee and friend.

15 Years:

Aaron Grove, WRF – Senior Technician

Robert Smith provided background on Aaron, saying he does just about anything they ask of him, primarily focusing on maintenance day-to-day, if there's something broke he can fix it, and said they're lucky to have him.

20 Years:

John "JR" Monahan, CFD – Equipment Operator/EMT

Fire Chief Shannon Adams provided background on JR, saying back in 2003 he was one of the original Swift-Water Techs. He said JR is the type of guy who just goes and does things without being told and doesn't complain about it.

25 Years:

Brent Croston, CFD – Not present

Chief Adams said a few words about Brent, saying he began in November 16, 1998 and is currently an Operator/Paramedic.

Lt. Scott Carlson, CFD – Not present

Chief Adams said a few words about Scott, saying he started on November 30, 1998.

Vincent McKenzie, WRF – Superintendent

Robert Smith provided background on Vince, saying they are really lucky to have him, he does an incredible job in that very complex facility, and said day in and day out Vince is able to orchestrate 6-7 people keeping the facility running. He added that Vince is a credit to the whole City.

V. Approval of Minutes

Motion to approve the minutes was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 5-0.

1. Approval of the Closed, Work, and Regular Session Minutes of December 19, 2023

VI. Public Comments – Agenda Items Only

No Comments

All public comments are limited to 5 minutes per person

VII. New Business

(A) Resolutions

1. **Resolution R2024-01** (*1 reading*) - authorizing certain businesses located in the Gateway Enterprises Zone to receive tax credits for the year 2024-2025.

READING: The resolution was submitted in title only for its reading. **Motion** to approve the resolution was made by Council Member Furstenberg, seconded by Council Member Frazier, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to approve each order was made by Council Member Frazier, seconded by Council Member Furstenberg, and was passed on a vote of 5-0.

Order 27,383 - approving the Cumberland Historic Preservation Plan, as presented by the Lakota Group, to guide the strategies for strengthening and enhancing local preservation efforts in the City of Cumberland.

Order 27,384 - authorizing an appointment to the Downtown Development Commission.

Order 27,385 - accepting the bid from Gwin, Dobson & Foreman, Inc. for the preliminary engineering services for the design of a new membrane filtration building at the City's Water Filtration Plant (City Project 2023-20-WFP) in the amount not-to-exceed \$34,000.

Order 27,386 - accepting the proposal from Belt Paving, Inc. to provide, mill, patch and paving work on Browning Street (City Project 2023-07-PVG) in the total amount not-to-exceed \$122,433.

Order 27,387 - accepting the bid from Global Action Sports Solutions for the Constitution Park Trails Contract (City Project 2022-32-RECR) to design and construct multi-use mountain bike and pedestrian trails in Constitution Park in an amount not-to-exceed \$378,336.82.

VIII. Public Comments

No Comments

All public comments are limited to 5 minutes per person

IX. Adjournment

With no further business at hand, the meeting adjourned at 6:46 p.m.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk _____

File Attachments for Item:

. Ordinance 3970 (*1st reading*) - authorizing the transfer of 301 Columbia Street and 303 Columbia Street to Theresa E.S. Wyatt for the purchase price of \$100

ORDINANCE NO. 3970

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED "AN ORDINANCE TO ACCEPT THE BID OF THERESA E.S. WYATT FOR THE PURCHASE OF THE PARCELS OF REAL PROPERTY IN THE CITY OF CUMBERLAND KNOWN AS 301 COLUMBIA STREET AND 303 COLUMBIA STREET, CUMBERLAND, MD 21502 AND, SUBJECT TO THE TERMS SET FORTH HEREINAFTER, TO AUTHORIZE THE EXECUTION OF A DEED TO EFFECT THAT CONVEYANCE."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of two certain parcels of real property located at 301 Columbia Street and 303 Columbia Street, Cumberland, MD 21502 (the "Properties");

WHEREAS, the Properties were declared surplus under the terms of Order No. 26,757, passed by the Mayor and City Council on February 16, 2021;

WHEREAS, the Properties were included in the solicitation for bids known as the "Request for Bids Surplus Properties Round III" but were not bid upon;

WHEREAS, the City has since received a bid for the purchase of the Properties from Theresa E.S. Wyatt (the "Purchaser") for the sum of One Hundred Dollars (\$100.00), and staff is recommending that the Mayor and City Council accept the bid; and

WHEREAS, subject to the hereinafter set forth terms, the Mayor and City Council deem the acceptance of this bid 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 shall accept the bid of the Purchaser for the purchase of the Properties for the sum of One Hundred Dollars (\$100.00) subject to the following terms and conditions:

- A. The Properties will be conveyed to the Purchaser by means of a quitclaim deed containing no warranties or representations of any kind, the form of which is set forth in the Exhibit A attached hereto;
- B. The Purchaser shall pay all of the recordation and transfer taxes that are required to record the said deed;
- C. The Purchaser will pay the City and County real estate taxes due from the date of the deed through the remainder of the current tax year and will assume responsibility for the payment of those taxes thereafter.
- D. The Purchaser shall remit the payments set forth below to the City Clerk at City Hall, 57 N. Liberty Street, Cumberland, MD 21502 by personal check, cashiers check or money order. A total of three (3) personal checks/cashiers checks/money orders must be presented to the City Clerk.
 - i. \$60.00 deed recordation fee made payable to "Circuit Court for Allegany County".
 - ii. The purchase price, pro-rated City real estate taxes and \$100.00 deed recordation service fee made payable "City of Cumberland".
 - iii. The pro-rated County real estate taxes and deed recordation and transfer taxes made payable to "Allegany County".
- E. Cash will not be accepted. Improperly remitted payments will be returned.
- F. Failure to remit the aforesaid payments to the City Clerk within sixty (60) days from the date of the passage of this Ordinance shall result in the rejection of the Purchaser's bid unless said

deadline is extended by the City Administrator or City Solicitor for good cause shown.

- G. The deed will be released for recordation upon the Purchaser's compliance with the foregoing provisions.

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 terms and conditions;

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

Passed this _____ day of _____, 2024.

Raymond M. Morriss, Mayor

ATTEST:

Allison K. Layton, City Clerk

1st reading:

2nd reading:

3rd reading:

EXHIBIT A

QUITCLAIM DEED

THIS QUITCLAIM DEED, made this ____ day of _____, 2024, by and between **Mayor and City Council of Cumberland** (the “Grantor”), a Maryland municipal corporation, and _____ (the “Grantee”).

WITNESSETH:

That for and in consideration of the sum of _____ Dollars (\$_____.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, _____, forever in fee simple:

IT BEING the same property that 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, _____ in fee simple forever.

WITNESS/ATTEST:

Allison K. Layton, City Clerk

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

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

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

I HEREBY CERTIFY, that on this ____ day of _____, 2024, 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 3971 (*1st reading*) - authorizing the transfer of 606 Hill Street to Eliana Bennett for the purchase price of \$150

ORDINANCE NO. 3971

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED "AN ORDINANCE TO ACCEPT THE BID OF ELIANA BENNETT FOR THE PURCHASE OF THE PARCEL OF REAL PROPERTY IN THE CITY OF CUMBERLAND KNOWN AS 606 HILL STREET, CUMBERLAND, MD 21502 AND, SUBJECT TO THE TERMS SET FORTH HEREINAFTER, TO AUTHORIZE THE EXECUTION OF A DEED TO EFFECT THAT CONVEYANCE."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 606 Hill Street, Cumberland, MD 21502 (the "Property");

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

WHEREAS, the Property was included in the solicitation for bids known as the "Request for Bids Surplus Properties Round I" but was not bid upon;

WHEREAS, the City has since received a bid for the purchase of the Property from Eliana Bennett (the "Purchaser") for the sum of One Hundred Fifty Dollars (\$150.00), and staff is recommending that the Mayor and City Council accept the bid; and

WHEREAS, subject to the hereinafter set forth terms, the Mayor and City Council deem the acceptance of this bid 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 shall accept the bid of the Purchaser for the purchase of the Property for the sum of One Hundred Fifty Dollars (\$150.00) subject to the following terms and conditions:

- A. The Property will be conveyed to the Purchaser by means of a quitclaim deed containing no warranties

or representations of any kind, the form of which is set forth in the Exhibit A attached hereto;

- B. The Purchaser shall pay all of the recordation and transfer taxes that are required to record the said deed;
- C. The Purchaser will pay the City and County real estate taxes due from the date of the deed through the remainder of the current tax year and will assume responsibility for the payment of those taxes thereafter.
- D. The Purchaser shall remit the payments set forth below to the City Clerk at City Hall, 57 N. Liberty Street, Cumberland, MD 21502 by personal check, cashiers check or money order. A total of three (3) personal checks/cashiers checks/money orders must be presented to the City Clerk.
 - i. \$60.00 deed recordation fee made payable to "Circuit Court for Allegany County".
 - ii. The purchase price, pro-rated City real estate taxes and \$100.00 deed recordation service fee made payable "City of Cumberland".
 - iii. The pro-rated County real estate taxes and deed recordation and transfer taxes made payable to "Allegany County".
- E. Cash will not be accepted. Improperly remitted payments will be returned.
- F. Failure to remit the aforesaid payments to the City Clerk within sixty (60) days from the date of the passage of this Ordinance shall result in the rejection of the Purchaser's bid unless said deadline is extended by the City Administrator or City Solicitor for good cause shown.

G. The deed will be released for recordation upon the Purchaser's compliance with the foregoing provisions.

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 terms and conditions;

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

Passed this _____ day of _____, 2024.

Raymond M. Morriss, Mayor

ATTEST:

Allison K. Layton, City Clerk

1st reading:

2nd reading:

3rd reading:

EXHIBIT A

QUITCLAIM DEED

THIS QUITCLAIM DEED, made this ____ day of _____, 2024, by and between **Mayor and City Council of Cumberland** (the “Grantor”), a Maryland municipal corporation, and _____ (the “Grantee”).

WITNESSETH:

That for and in consideration of the sum of _____ Dollars (\$_____.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, _____, forever in fee simple:

IT BEING the same property that 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, _____ in fee simple forever.

WITNESS/ATTEST:

Allison K. Layton, City Clerk

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

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

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

I HEREBY CERTIFY, that on this ____ day of _____, 2024, 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:

. Order 27,388 - accepting the equipment and installation estimates from G-Technologies, Inc. to upfit three (3) 2023 Ford Police Interceptor Vehicles at a total cost not to exceed \$41,107.47

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

ORDER NO. 27,388

DATE: January 16, 2024

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

THAT, the proposal from G-Technologies, Inc., PO BOX 70, Augusta, WV 26704, for the upfit of three (3) 2023 Ford Police Interceptor vehicles in the not-to-exceed amount of Forty One Thousand One Hundred Seven Dollars and Forty Seven Cents (\$41,107.47), be and is hereby approved.

Raymond M. Morriss, Mayor

Budget:
001.040.64000

Council Agenda Summary

Meeting Date: January 16, 2024

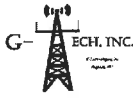
Key Staff Contact: Chief Chuck Ternent/Captain Jim Burt

Item Title: G-Technologies Upfit 2023 Ford Interceptor SUVs

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

Request to accept the equipment and installation estimates from G-Technologies Inc. to upfit three (3) 2023 Ford Police Interceptor Vehicles at a total cost of \$41,107.47.

Budget number: 001.040.64000



G-Technologies, Inc.
 PO BOX 70
 AUGUSTA, WV 26704-0070

Estimate

Project	Date	Estimate #
Cumberland PD	1/3/2024	2024-0294

Name / Address
City of Cumberland Attn: Accounts Payable 57 N. Liberty St. Cumberland, MD 21502 30001094 *EMAIL INV

Description	Qty	Rate	Total
Equipment and Installation quote for CPD Ford Interceptor SUV. Includes additional equipment to Match the Ready For the Road Package. Total for 3 Vehicles. *** Does Not Include Laptops, Docks or Computer Mounting Equipment.*** See Estimate 2024-0296 for Computer Equipment. All lighting is Whelen CORE programmable and compatible.			
Ion T-Series DUO Linear Surface Mount RED / Blue	12	168.00	2,016.00
Whelen ION T-Series License Plate Bracket	3	39.48	118.44
Whelen ION - Red / Blue	12	126.00	1,512.00
Hide-Away with flasher - White (taillight flasher)	6	94.98	569.88
Surface Mount Micron - Red/Blue w/Black Flange	6	114.99	689.94
Whelen 9SX all red/blue, with white front flood and rear amber T/A override. Includes Whelen CORE Siren and Lighting Controller, Siren Speaker and Mounting Brackets.	3	3,503.50	10,510.50
Havis High Angled Console For 2020-2023 Ford Interceptor Utility SUV (includes 2 Lighter Plug Outlet and Dual USB Charging Port, equipment mounting brackets for APX-8000, Cencom Siren Control, arm rest cup holder, printer mount, Magnetic mic and filler plates.	3	1,084.98	3,254.94
Labor to install emergency equipment, console system. This includes additional labor for the ready for the road equivalent.			4,500.00

Quote is valid for 30 days. Please contact us if you have questions.

Subtotal
Sales Tax (6.0%)
Total

Signature _____

Date: _____

Phone/Fax#	E-mail
304-496-8818	Admin@gtechwv.com



G-Technologies, Inc.
 PO BOX 70
 AUGUSTA, WV 26704-0070

Estimate

Project	Date	Estimate #
Cumberland PD	1/3/2024	2024-0294

Name / Address
City of Cumberland Attn: Accounts Payable 57 N. Liberty St. Cumberland, MD 21502 30001094 *EMAIL INV

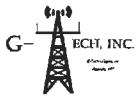
Description	Qty	Rate	Total
Any applicable shipping/postage/freight/insurance charges will be added to final invoice.		0.00	0.00

Quote is valid for 30 days. Please contact us if you have questions.

Subtotal	\$23,171.70
Sales Tax (6.0%)	\$0.00
Total	\$23,171.70

Signature _____ Date: _____

Phone/Fax#	E-mail
304-496-8818	Admin@gtechwv.com



G-Technologies, Inc.
 PO BOX 70
 AUGUSTA, WV 26704-0070

Estimate

Project	Date	Estimate #
Cumberland PD	1/3/2024	2024-0296

Name / Address
City of Cumberland Attn: Accounts Payable 57 N. Liberty St. Cumberland, MD 21502 30001094 *EMAIL INV

Description	Qty	Rate	Total
Panasonic Laptop and Mounting Equipment quote for CPD Ford Interceptor. Includes Laptop Dock, Mounts and Accessories for 3 Vehicles. Installation Labor is included on Vehicle Equipment Quote.			
Docking Station For Panasonic TOUGHBOOK 55 Laptop With Standard Port Replication & LIND Power Supply.	3	921.96	2,765.88
11" Slide Out Locking Swing Arm With Low Profile Motion Device Adapter	3	308.28	924.84
Honeywell VuQuest Barcode Scanner	3	384.00	1,152.00
Brother PJ8 Vehicle Kit. Includes Brother PJ823 Printer, 14" DC Vehicle Adapter, Battery Cavity Mounting Block, 4" USB A to C Cable,	3	724.35	2,173.05
Toughbook Panasonic 55, FZ-55 MK2, 14.0" HD, Intel Core i5-1145G7 4GB, 1TB SSD Opal NVMe SSD, 4G LTE, Infrared Webcam, TPM 2.0, Emissive Backlit Keyboard, Windows 10 Pro. 3 year limited warranty.	3	3,640.00	10,920.00
Any applicable shipping/postage/freight/insurance charges will be added to final invoice.		0.00	0.00

Quote is valid for 30 days. Please contact us if you have questions.

Subtotal	\$17,935.77
Sales Tax (6.0%)	\$0.00
Total	\$17,935.77

Signature _____ Date: _____

Phone/Fax#	E-mail
304-496-8818	Admin@gtechwv.com

23,171.70
 + 17,935.77

 \$ 41,107.47

File Attachments for Item:

. Order 27,389 - authorizing the execution of a reimbursement and release agreement with Columbia Gas for the restoration work on portions of Baltimore Street and Altamont Terrace for a lump sum payment to the City of \$37,389.20

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

ORDER NO. 27,389

DATE: January 16, 2024

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

THAT, the Mayor be and is hereby authorized to execute a Reimbursement and Release Agreement by and between the Mayor and City Council of Cumberland and Columbia Gas of Maryland outlining terms by which the City shall pave and restore the public right-of-way disturbed by Columbia Gas during the renovation of their pipeline system on streets listed below in exchange for a lump sum payment to the City of Thirty Seven Thousand Three Hundred Eighty Nine Dollars and Twenty Cents (\$37,389.20).

- Baltimore Street from Park Street to Wavery Terrace
- Altamont Terrace from Baltimore Street to Union Street

Raymond M. Morriss, Mayor

Budget: N/A – City receiving reimbursement

Council Agenda Summary

Meeting Date: 1/16/2024

Key Staff Contact: Robert Smith, PE

Item Title:

Columbia Gas Reimbursement and Release Agreement for Baltimore Street & Altamont Terrace

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

The Mayor & City Council of Cumberland (M&CC) is entering into a reimbursement and release agreement with Columbia Gas of Maryland (Columbia). Columbia has undertaken certain renovations to its pipeline system located within the M&CC's public rights-of-way and in doing so has disturbed the said rights-of-way. The M&CC has agreed to perform the restoration and paving of the public rights-of-way disturbed by Columbia's project in exchange for a lump sum amount of \$37,389.20.

This mill and overlay paving would be done for the following streets:

<u>Street Name</u>	<u>Intersecting Streets or House Numbers</u>
Baltimore Street	Park Street to Waverly Terrace
Altamont Terrace	Baltimore Street to Union Street

This agreement relieves Columbia of any liability regarding the restoration work and places it on the M&CC. Once the above mill and overlay paving has been accomplished, any remaining funds will be able to be used by the discretion of the M&CC for further paving restoration work.

Amount of Award: \$37,389.20

Budget number: 127.322.15

Grant, bond, etc. reference: City receiving reimbursement

REIMBURSEMENT AND RELEASE AGREEMENT

THIS REIMBURSEMENT AND RELEASE AGREEMENT (“Agreement”) is made and entered into as of the 20th day of December 2023, by and between Columbia Gas of Maryland, Inc., a Delaware corporation (“Columbia”), and The City of Cumberland, a Maryland political subdivision (“Municipality”).

- A. The Municipality and Columbia are entering into this Agreement to achieve economic and operational efficiencies;
- B. Columbia has undertaken certain renovations and/or upgrades to its pipeline system located within the Municipality’s public rights-of-way along Baltimore Street and Altamont Terrace (the “Project”), and Municipality agrees to perform the restoration and paving of the public rights-of-way disturbed by the Project;
- C. as a one-time benefit, Columbia agrees to reimburse Municipality for the actual and reasonable expenses incurred by the Municipality for such restoration and paving work under the terms of this Agreement;
- D. Municipality agrees to use the full amount of the Payment solely for the Work as defined in this Agreement: and
- E. Municipality agrees to be solely responsible for the Work and is willing to release and indemnify Columbia for any and all claims and costs associated with such Work.

In exchange the promises contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by both parties, the parties agree as follows:

1. **Recitals.** The above recitals are made a part of this Agreement.

2. **Work:** Municipality agrees to be solely responsible for and perform the work described below: (i) through its own employees and/or its contractors, and (ii) in accordance with all applicable rules and regulations including, but not limited to, Municipality’s paving and restoration standards (the “Work”):

(a) Asphalt mill and overlay, as per Municipality’s street opening ordinance, of the roadway surfaces of Baltimore Street between Park Street and Waverly Terrace and Altamont Terrace between Baltimore Street and Union Street.

3. **Payment:** Municipality has provided an estimated cost for the Work of \$37,389.20. Within thirty (30) days execution of this Agreement, Columbia shall pay the estimated cost in the form of a check made payable to the Municipality (the “Payment”). The receipt and sufficiency of the Payment as compensation in full for any and all costs and damages associated with the Project, is acknowledged by the Municipality. Municipality waives all permit fees, street opening fees, or right of way costs associated with the Project and Columbia shall not be

responsible to pay for or reimburse Municipality for any costs associated with any restoration of roads that were not disturbed by Columbia during the Project.

4. **Release and Waiver:** Municipality represents and covenants that Columbia shall not be held liable or responsible for any costs, damages, defects, defaults or failures, including but not limited to any type of pavement failure (e.g., settlement, development of potholes, fatiguing cracks, reflection cracks, seam cracks, etc.) or failure to comply with any federal, state or local laws, rules or regulations, arising from or related to the Work.

To the extent allowed by law, Municipality releases and forever discharges Columbia and its parent company, affiliates and/or subsidiaries, and all of their respective employees, officers, directors, agents and shareholders (collectively, "Released Parties"), from all claims, suits or actions related to or arising from Municipality's performance of the Work and or the granting of waivers contained in this Agreement which Municipality or any third party has or may hereafter have for loss, damage, expenses or injuries of any kind including, but not limited to, damage or injury to any Municipality roadway, property, employee, agent, representative or contractor. To the extent allowed by law, Municipality shall indemnify and defend the Released Parties from all such claims, demands, suits or causes of action at its own costs and expense without reimbursement from Columbia or any other of the Released Parties.

5. **Governing Law:** This document is subject to and governed by the substantive law of the Commonwealth of Maryland. This document shall be construed to provide the broadest possible protection to the Released Parties.

6. **Miscellaneous:** This Agreement is unique and applies to this Project only and shall have no effect on any future work done by Columbia within the Municipality. This Agreement shall be construed to provide the broadest possible protection to the Released Parties. In the event any provision of this Agreement is deemed invalid or unenforceable, in whole or in part, then it shall be construed as reformed to the extent necessary to render such provision valid, and this Agreement shall remain fully enforceable and in effect as reformed. This Agreement contains the entire agreement between the Municipality and Columbia, and all of the terms of this Agreement are contractual and not mere recital. The captions and heading used in this Agreement are convenience only and shall not affect the interpretation or meaning of the Agreement. This Agreement may be signed in one or more counterparts, each of which shall be deemed an original but all of which shall be deemed one and the same instrument. A facsimile or pdf signature to this Agreement shall be legally binding and considered in all manner and respects as an original signature. This Agreement may only be modified by a written instrument signed by authorized representatives of the Municipality and Columbia.

[Signature pages to follow.]

The parties have executed this Agreement as of the date first written above.

BY SIGNING BELOW, I REPRESENT THAT I HAVE FULL AUTHORITY TO EXECUTE THIS AGREEMENT ON BEHALF OF _____, Maryland.

[_____]

Title: _____

Date: _____

COLUMBIA GAS OF Maryland, INC.

Title: _____

Date: _____

Winmer Street Project

Baltimore Street and Altamont Terrace M/O Estimate – City of Cumberland

Description	Quantity	Units	Unit Price	Bid Total
Mobilization	1	LS	\$ 8,500.00	\$ 8,500.00
Flagging	64	HR	\$ 72.00	\$ 4,608.00
Milling	1400	SY	\$ 4.70	\$ 6,580.00
Paving Fabric	1400	SY	\$ 3.85	\$ 5,390.00
Wedge	80	TN	\$ 149.00	\$ 11,920.00
Overlay	80	TN	\$ 3.85	\$ 308.00
5" Paint	208	LF	\$ 0.40	\$ 83.20
Total				\$ 37,389.20

File Attachments for Item:

. Order 27,390 - accepting the bid from Walter N. Yoder & Sons for the City Hall HVAC Improvements project (City Project 2022-11-PBLD) for the replacement of the HVAC system in the City Hall Building in the amount not to exceed \$2,189,500

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

ORDER NO. 27,390

DATE: January 16, 2024

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

THAT, the bid from Walter N. Yoder & Sons, Inc., 16200 McMullen Highway SW, Cumberland MD 21502, for the "City Hall HVAC Improvements" (City Project 2022-11-PBLD) for the replacement of the HVAC system in the City Hall Building be and is hereby approved in the not to exceed amount of Two Million One Hundred Eighty Nine Thousand Five Hundred Dollars and No Cents (\$2,189,500.00).

Raymond M. Morriss, Mayor

One Qualified Bid:

Company	Bid Amount
Walter N. Yoder & Sons	\$2,189,500.00

Budget: 115.032A.63000

Council Agenda Summary

Meeting Date: 1/16/2024

Key Staff Contact: Robert Smith, P.E.

Item Title:

Award City Hall HVAC Improvements Contract, City Project # 2022-11-PBLD

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

Award City Hall HVAC Improvements Contract to low responsive bidder, Walter N. Yoder & Sons, Inc., in the lump sum cost of \$2,189,500.00.

This project will include the replacement of the HVAC System in the City Hall Building.

This project was advertised for bid on 12/6/23. Bids closed on 1/10/24, with one qualified bid being received. The low bidder was Walter N. Yoder & Sons, Inc., with an acceptable bid of \$2,189,500.00.

The project is budgeted for this fiscal year, and utilizes City Funds (ARPA Funds).

Amount of Award: \$2,189,500.00

Budget number: 115.032A.63000

Grant, bond, etc. reference: City Funds (ARPA)

CITY OF
CUMBERLAND
 MARYLAND

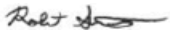
PROJECT INFORMATION	
Project Title:	City Hall HVAC Improvements
City Project:	2022-11-PBLD
Contract Length:	270 Calendar Days
BID OPENING	
Date & Time:	1/10/2024 2:30 PM EDT
Location:	Virtual - Beacon Bid Solicitation Website

CERTIFIED BID TABULATION
BIDDER
Walter N. Yoder & Sons, Inc.
16200 McMullen Highway SW Cumberland, MD 21502

BID INFORMATION					
Item No.	ITEM	UNITS	QTY.	UNIT PRICE	AMOUNT
1	HVAC Improvements	LS	1	\$ 2,189,500.00	\$ 2,189,500.00

Walter N. Yoder & Sons, Inc.	
Bid Bond	✓
AoQtB	✓
LPC	✓
ARVF	✓
CoE	✓
TOTAL BID:	\$ 2,189,500.00

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



 Robert Smith, PE
 Director of Engineering and Utilities