



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 Public Meeting
Via Video Conference

DATE: August 04, 2020

I. OPEN SESSION – 6:15 PM

The public meeting will be held remotely as a videoconference. To provide public comment during this video conference, citizens must go to the following webpage on Zoom Meeting and sign into the meeting: <https://us02web.zoom.us/j/84254717004?pwd=elpPMzdjYnp0VDIxZjdqY1B1OHZsZz09> .

Use Meeting ID (842 5471 7004) Password (428097)

To join by phone dial: (+1 301 715 8592); Meeting ID (852 0858 1468) Password (470659)

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.wooding@cumberlandmd.gov. All electronic comments must be submitted by 2 PM on July 21, 2020. Comments received will be acknowledged during the public comment portions of the meeting.

II. Roll Call

PRESENT:

Councilman Bernard
Councilman Cioni
Councilman Frazier
Councilwoman Marchini

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

III. Approval of Minutes

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

1. Approval of the Closed Session Minutes of June 9, 2020; the Closed Session and Public Meeting Minutes of June 16, 2020; and the Work Session and Public Meeting Minutes of July 7, 2020

IV. Unfinished Business

(A) Ordinances

Mr. Rhodes briefly introduced the Ordinance which pertains to changes in City Code regarding refuse collection and solid waste regulations, and Mr. Cohen explained that any garbage other than tree branches and recyclables will have to be bagged, with no loose waste in trash cans. He further advised that market-type bags could be used inside trash cans, but not be placed on the curb. Only commercially-produced plastic bags could be left on the curb outside of a container. Mr. Cohen also reviewed changes in what's allowed for plastic recycling.

1. **Ordinance 3874** (*2nd and 3rd readings*) - to repeal and reenact with amendments Section 21-4 (A) pertaining to the placement of refuse for collection, and Section 21-8 pertaining to the enforcement of solid waste regulations

SECOND READING: The Ordinance was presented in title only for its Second Reading. Motion to accept the Second Reading was made by Councilwoman Marchini, seconded by Councilman Cioni, and was passed on a vote of 5-0.

Mayor Morriss called for questions or comments. Council discussed paper recycling being put in a covered trashcan on top of garbage on rainy days, and whether or not it would be recognized as recyclable and not trash. Mayor Morriss said it could be hard for the Burgmeier's employee to distinguish, and it may be a 50/50 chance on it being recycled, but said they have been able to distinguish in the past with no problems. With there being no more comments or questions, the Ordinance moved to its Third Reading.

THIRD READING: The Ordinance was presented in title only for its Third Reading, and was passed on a vote of 5-0.

V. New Business

(A) Resolutions

Resolution R2020-03 - supporting Governor Hogan's efforts to control and prevent the spread of COVID-19

The Resolution was presented in title only. Motion to approve the Resolution was made by Councilman Frazier, seconded by Councilman Bernard, and was passed on a vote of 5-0.

Mayor Morriss stated that in some ways, the City shouldn't have to do a resolution to enforce compliance with a law – that it would be unnecessary. But the Mayor explained that in extraordinary times like these it's important as elected officials to stand up and encourage all citizens to comply with the Governor's executive orders for Covid-19, and the wearing of face masks and social distancing is critically important.

Councilman Bernard thanked all involved in getting this Resolution passed, and said that part of being an elected representative is showing leadership in times of turmoil and chaos. He added that while the Resolution may seem like common sense to most, providing the public with the facts is absolutely important when the spread of false information is more detrimental than the spread of any virus.

All of Council concurred with Councilman Bernard's sentiments, and Mayor Morriss stated that he truly believes that the community has done a good job of complying with the Governor's executive orders, and hopes that this Resolution can convince any of those citizens that feel the mandates are not necessary, to understand that wearing a mask and social distancing are done out of respect for fellow community members.

Councilwoman Marchini agreed, saying it really is out of respect for the other individual, that masks are worn. It's not about personal rights; it's about taking the responsibility to protect those around us

(B) Orders (Consent Agenda)

Mr. Rhodes reviewed each Order on the Consent Agenda, and Mayor Morriss called for questions or comments. Motion to approve all Consent Agenda items was made by Councilman Frazier, seconded by Councilman Bernard, and was passed on a vote of 5-0.

Order 26,683 - authorizing execution of a Lease Agreement with Uncle Jack's Pizzeria & Pub for the use of space in the public right-of-way to the rear of 20 S. Mechanic Street for outdoor dining purposes for the term of August 4, 2020 through May 31, 2021

Order 26,684 - granting Residential Exemptions from the Special Taxing District levy for the tax year 2020-2021 for 47 Baltimore Street, 45 N. Centre Street, 43-45 N Liberty Street, and 50-52 N. Centre Street

Order 26,685 - authorizing the Chief of Police to accept a FY21 Edward Byrne Memorial Justice Assistance Grant in the amount of \$11,149 to purchase weapons for use by the Cumberland Police Department and Cumberland Emergency Response Team to support tactical missions in Cumberland and Allegany County

Order 26,686 - authorizing the Chief of Police to accept a FY21 Community Grant in the amount of \$13,200 to be used to provide funding for officers to attend community events and conduct neighborhood foot and bike patrols

Order 26,687 - authorizing execution of a Cost-Share Agreement with MD Department of the Environment relative to the Cumberland Flood Control System and Concrete Repairs Project (1-13-FPM) providing that MDE will pay up to 75% in Comprehensive Management Grant Funds of the total project cost, not to exceed \$188,000

Order 26,688 - authorizing execution of a Cost-Share Agreement with MD Department of the Environment relative to the Evitts Creek Phase 3 Project (No. 05-08-S) providing that MDE will pay up to 87.5% in Bay Restoration Funds of the total project cost, not to exceed \$5,418,560

Order 26,689 - approving the report from the City Administrator advising that there were no damages arising from the closure of certain portions of East Street, authorized by Ordinance No. 3873, and that any apparent added monetary benefit to the property owners would be determined by the MD Department of Assessments and Taxation

Order 26,690 - accepting the proposal from Whitman, Requardt & Associates (WRA) to provide final design services for the Evitts Creek Phase III Project (CSX Railyard Sewer Rehabilitation) (No. 05-08-S) as Amendment No. 6 to the current contract with WRA for Evitts Creek CSO Upgrades Phase III (01-10-WWTP) for the amount not-to-exceed

\$568,734 and authorizing the Mayor to execute an Engineering Services Agreement with WRA for these services (of which \$302,100 is eligible for BRNR grant and WQ SRF loan funding)

VI. Public Comments

No public comments

All public comments are limited to 5 minutes per person

VII. Adjournment

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

Minutes approved on October 6, 2020

Mayor Raymond M. Morriss

ATTEST: Marjorie A. Woodring, City Clerk