



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 Public Meeting
City Hall, Cumberland, MD

DATE: June 06, 2023

I. OPEN SESSION – 6:15 a.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Council Member Eugene T. Frazier
Council Member Jimmy L. Furstenberg
Council Member Laurie P. Marchini
President Raymond M. Morriss

Council Member Richard J. "Rock" Cioni was absent

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Michael S. Cohen, City Solicitor; Ken Tressler, Director of Administrative Services; Captain Jim Burt, Administrative Services - CPD; Carralee Silka, Ombudsman - Allegany County HRDC; Heidi Gardner, NAACP Chapter 7007

IV. Statement of Closed Meeting

Mayor Morriss announced that a closed session had been held on June 6, 2023 at 4:45 p.m. and read into the record a summary of that meeting which is 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. Presentations

1. Administering the Oath of Office to Patrol Officers Austin Groves and Johnathon Skelley.

Mayor Morriss administered the Oath of Office, and Captain Burt provided background on the officers' training as well as their personal lives. The Captain also recognized family members in attendance.

VI. Proclamations

1. Proclaiming June 15, 2023 as World Elder Abuse Awareness Day in the City of Cumberland

Mayor Morriss read the proclamation and presented it to Ms. Carralee Silka, HRDC

2. Proclaiming June 2023 to be Pride Month in the City of Cumberland

Mayor Morriss read the proclamation and presented it to Heidi Gardner, NAACP, Chapter 7007.

VII. Approval of Minutes

Motion to approve the minutes was made by Council Member Frazier, seconded by Council Member Furstenberg, and was passed on a vote of 4-0.

1. Approval of the Closed, Work and Regular Session minutes of May 16, 2023

VIII. Public Comments

All public comments are limited to 5 minutes per person

IX. Unfinished Business

(A) Ordinances

1. **Ordinance 3947** (*2nd and 3rd readings*) - authorizing the transfer of 222 Bond Street to Blake Hill for the purchase price of \$500.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

2. **Ordinance 3948** (*2nd and 3rd readings*) - providing for the annual expenditure appropriation for the FY24 Water Fund.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0

3. **Ordinance 3949** (*2nd and 3rd readings*) - providing for the annual expenditure appropriation for the FY24 General Fund.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

4. **Ordinance 3950** (*2nd and 3rd readings*) - providing for the annual expenditure appropriation for the FY24 Sewer Fund.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Furstenberg, seconded by Council Member Frazier, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

5. **Ordinance 3951** (*2nd and 3rd readings*) - providing for the annual expenditure appropriations for the FY24 Special Purpose Funds.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Marchini, seconded by Council Member Furstenberg, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

6. **Ordinance 3952** (*2nd and 3rd readings*) - providing for the City Tax Levy for FY24.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Frazier, seconded by Council Member Furstenberg, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

7. **Ordinance 3953** (*2nd and 3rd readings*) - to provide for an increase in water rates effective July 1, 2023.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

8. **Ordinance 3954** (*2nd and 3rd readings*) - to provide for an increase in trash rates effective July 1, 2023.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Marchini, seconded by Council Member Frazier, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

9. **Ordinance 3955** (*2nd and 3rd readings*) - amending the fee schedule for Fire Department services, including emergency medical response services and false alarm fees.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

10. **Ordinance 3956** (*2nd and 3rd readings*) - authorizing the transfer of 421 Arch Street to Texas Development and Design, LLC for the purchase price of \$200.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

11. **Ordinance 3957** (*2nd and 3rd readings*) - authorizing the transfer of 443 Columbia Street to Texas Development and Design, LLC for the purchase price of \$200.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

12. **Ordinance 3958** (*2nd and 3rd readings*) - authorizing the transfer of 107 Springdale Street to Texas Development and Design, LLC for the purchase price of \$150.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Furstenberg, seconded by Council Member Frazier, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

13. **Ordinance 3959** (*2nd and 3rd readings*) - authorizing the transfer of 109 Springdale Street to Texas Development and Design, LLC for the purchase price of \$150.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 4-0.

X. New Business

(A) Ordinances

Ordinance 3960 (*1st reading*) - authorizing the amendment of Sections 16-1 through 16-6 of the Code of the City of Cumberland for the purpose of updating pay grades.

First Reading: The ordinance was submitted in title only for its first reading. **Motion** to accept the first reading and table until next meeting was made by Council Member Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Ordinance 3961 (*1st reading*) - authorizing the transfer of 332 N. Mechanic Street and 400 N. Mechanic Street to the Allegany County Historical Society for the purchase price of \$156,000.

First Reading: The ordinance was submitted in title only for its first reading. **Motion** to accept the first reading and table until next meeting was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 4-0.

Ordinance 3962 (*1st reading*) - authorizing the transfer of 411 Frederick St. to Sarit Lisogorsky for the purchase price of \$94K.

First Reading: The ordinance was submitted in title only for its first reading. **Motion** to accept the first reading and table until next meeting was made by Council Member Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

(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 item was made by Council Member Frazier, seconded by Council Member Furstenberg, and was passed on a vote of 4-0.

Order 27,243 - appointing Jamie Echefu to the Downtown Development Commission and Chester Dale Burgess, Sr. to the Shade Tree Commission.

Order 27,244 - authorizing the City Administrator to execute all FY24 Employment Agreements for part-time employees.

Order 27,245 - authorizing the City Administrator to execute all Seasonal Employment Agreements for the 2023 Spring/Summer season.

Order 27,246 - declaring vehicles and equipment to be surplus and authorizing them for sale, trade in or scrap.

Order 27,247 - authorizing the renewal of the LOGOS.net Finance/HR system support and maintenance contract for a one-year term at a cost not to exceed \$54,131.67.

Order 27,248 - accepting the bid of American Hardwood Industries, LLC for the "Evitts Creek Water Company 2023 Watershed Timber Sale" (City Project 2023-13-M) in the lump sum amount of \$150,848.94.

Mr. Silka advised that this timber sale was handled under the observation of the City's consulting forester.

Order 27,249 - authorizing the execution of a reimbursement and release agreement with Columbia Gas for the restoration work on Centre, Mechanic, Polk, Hanover and Bedford Ext. Streets for a lump sum payment to the City of \$199,314.40.

Order 27,250 - accepting the bid from Sign Here for the “2023 Park & Public Facilities Signage” for signs at Constitution Park and other City facilities in the not to exceed amount of \$80,090.50.

XI. Public Comments

Amanda Jackson, 267 National Hwy., Apt. 4, spoke about creating an ordinance that would allow hotels to utilize empty/unsold rooms for the working homeless while they are on the waiting list for housing assistance.

Mayor Morriss stated the hotels could establish their own rates, and said it’s not in the City’s purview to do an ordinance. He added that hotels can do that of their own free will now, and thanked Ms. Jackson for speaking on the topic.

Chuck Park, CEO - Charis Winery & Distillery, 16 Howard St., spoke about Cumberland’s rich history in distilling and craft beverage production, and mentioned the James Clark Distillery outside the City that was built in 1836, flourished, and became one of the largest in the mid-U.S. He provided information on his own business, which he stated has expanded to include distilling of Bourbon named after the City. He presented Mayor and Council with Bottle No. 3.

Mayor Morriss thanked Mr. Park, said it’s good to see his business expanding and thriving. He stated that this bottle would be stored as a collector’s item. Mr. Park advised that tomorrow night at the Corner Tavern they will be doing a release event, and invited M&CC to attend.

Dana Tinnen, Wallace St., spoke about the two ordinances for the increase in water and trash rates, and said it puts a strain on unemployed people like himself.

Mayor Morriss advised that these ordinances have been discussed in two meetings, and have been posted in the Times-News, as well as on the radio. He stated that on average, the increase will be less than \$2 per bill. He added that the increase is due to rising costs of chemicals, and employees.

Frank Clark, 814 Buckingham Rd., spoke about communicating by email with M&CC regarding the past major litter problem on Greene St. across from the car wash, and said he has been picking it up. He advised that now it has improved about 80%, and thanked M&CC with their assistance in that effort. Mr. Clark moved to a different topic, and suggested that since sidewalks are being torn up on Greene Street, this would be a great opportunity to plant trees to improve the tree canopy in Cumberland. He spoke about a study in 2016 that recommended planting more trees along Greene St., but said after attending Shade Tree Commission meetings, he has run into some resistance. He said that trees have a positive effect on people, reduces violence and drug use, and said he’d like to see something done before the sidewalks are done and it’s too late. He also suggested applying for grant money for planting trees.

Mayor Morriss stated that he appreciated Mr. Clark’s comments, and also thanked him for emailing his plan. The Mayor stated that if resistance exists, there are solutions to the resistance, and thanked Mr. Clark for his continued involvement.

Spencer Remson, 414 S. Cedar St., spoke about her father, William H. Harris, Jr., a former City employee, who graduated from Fort Hill, and is co-founder of the organization The Wild Bunch, which participated in local giveaways to the community of clothes, shoes, food, and school supplies. She mentioned that Mr. Harris was also co-founder of the Soul Shack restaurant. She stated that he started his City employment in 1977, and moved forward to become the first African-American Public Works Foreman. Ms. Remson asked that a permanent memorial be placed – a park bench, plaque, or a tree planted, in his memory.

Mayor Morriss thanked Ms. Remson, and advised that Council Member Furstenberg has already brought this topic up to M&CC, and said they are planning on doing a certificate or a plaque at the Public Works building, and said when they do they will make sure her and her family are invited to the ceremony. Council Member Frazier noted that he knew Mr. Harris quite well, and used to hang out with him.

Tifani Fisher, President - Allegany County NAACP Chapter 7007, spoke about their Youth Council, and said they would like Mayor Morriss to attend their event so they can get a photo with him. Ms. Fisher said she wanted to shine a light on the Juneteenth events planned for June 16 – 19, 2023, celebrating freedom and unity. She invited M&CC not to just attend, but to come and have an experience with them.

Mayor Morriss thanked Ms. Fisher for the invitation, and said he'd see what they could do to make arrangements to be there.

All public comments are limited to 5 minutes per person

XII. Adjournment

With no further business at hand, the meeting adjourned at 7:16 p.m.

Minutes approved on: June 20, 2023

Raymond M. Morriss, Mayor:

ATTEST: Allison K. Layton, City Clerk: