

# Mayor and City Council of Cumberland

## WORK SESSION

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

Tuesday, May 25, 2021  
4:30 p.m.

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

**ALSO PRESENT:** Jeffrey Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Ken Tressler, Director of Administrative Services; Mark Gandolfi, City Comptroller; Chuck Ternent, Chief of Police; Donald Dunn, Fire Chief; Shannon Adams, Fire Marshall; Kathy McKenney, Community Development Program Manager

### I. POTENTIAL ACQUISITION OF 501 REGINA AVENUE

Mr. Rhodes provided background on 501 Regina Avenue, saying it has been kind of a nuisance in the neighborhood with high grass and debris for quite a while. He said the last real owner passed away and it ended up getting tied up in estate activities, without an estate being established. He said the building appears to be a warehouse below with an office above it, and provided photographs. He advised that the leaves collecting near the open garage door could be a potential fire hazard, and said the City has gone out a couple times to clean it out.

Mr. Rhodes advised that the tax certificate was picked up by someone several years ago, but they haven't really done anything with the building. He stated that he asked Mr. Cohen to reach out to the holder of the certificate to see if the City could acquire it from them to try to bring some resolution to the issue. Mr. Rhodes stated that the building has potential, but said that since the property has been down in excess of 24 months, it would have to comply with neighborhood zoning regulations, but advised that there is a floating RR zone that could be utilized with this property. Mr. Rhodes advised that the worse-case scenario would be to tear the building down and make it a potential building site; best-case scenario would be for the City to acquire it, stabilize it, remove the vegetation, and maybe sell it. He said it's been sitting there empty for probably a decade, and nothing positive has happened with it. Mr. Rhodes advised that the current certificate holder has about \$5K+ in the certificate and would be willing to sell it for \$7K+, and stated that he believes the building has a lot more value than that.

Mr. Cohen advised that the property has been vacant at least since 2011, when the owner died, and said he thinks at one point there was flooding in the basement. He said the property was bought in a tax sale, in 2014 and said the person who bought it has initiated a tax sale foreclosure, and said the final order has been entered, and explained the processes which would follow. Mr. Cohen stated, however, that the person has not taken the final steps to record the deed and take the title. He advised that this person is going to assign the certificate to the City, and listed the different fees that had been incurred by the certificate holder, in addition to what he paid for the certificate. Mr. Cohen advised that the final amount the City would need to take legal title is

approximately \$7,600. He added that this property was scheduled to go to tax sale this year, but was removed so that the City could potentially acquire it.

Mayor Morriss stated that he knows one of the neighboring residents, who has taken an exception to the property for quite a while, and said it would be good to get it off the blighted property list one way or the other. He added that Code Enforcement has been working with it and supports the City taking the property.

In answer to a question from Council, Mr. Rhodes stated that he has not been inside the building and doesn't think anyone else has either. There was discussion about if the CEDC should be aware of the building, with Mr. Rhodes agreeing and stating there would be some small hoops to jump through to be able to market it. There was discussion on the Frederick Street/Regina Avenue neighborhood being in pretty good shape, with some renovations having been done, and the property in question not matching the area.

There seemed to be a consensus by M&CC to move forward.

## II. AGENDA REVIEW – JUNE 1, 2021

Mr. Rhodes went over the routine items on the Draft Agenda for June 1<sup>st</sup>, and mentioned the proclamation for Men's Health Month. He advised on the six Ordinances up for their 2<sup>nd</sup> and 3<sup>rd</sup> readings, and mentioned that they had been reviewed last week:

**Ordinance 3886** (2<sup>nd</sup> & 3<sup>rd</sup> readings) - providing for the closure of a portion of a street known as Riverside Avenue, as requested by Northbranch Properties, LLC

**Ordinance No. 3887** (2<sup>nd</sup> & 3<sup>rd</sup> readings) - providing for the City Tax Levy for FY22. Real Estate tax rate to remain at \$1.0595 per \$100 of assessed value. Personal Property tax rate to remain at \$2.648 per \$100 of assessed value.

**Ordinance No. 3888** (2<sup>nd</sup> & 3<sup>rd</sup> readings) - providing for the annual appropriation for the FY22 General Fund.

**Ordinance No. 3889** (2<sup>nd</sup> & 3<sup>rd</sup> readings) - providing for an appropriation for the FY22 Water Fund.

**Ordinance No. 3890** (2<sup>nd</sup> & 3<sup>rd</sup> readings) - providing for an appropriation for the FY22 Sewer Fund.

**Ordinance No. 3891** (2<sup>nd</sup> & 3<sup>rd</sup> readings) - providing for the annual appropriations for the FY22 Special Purpose Funds.

Mr. Rhodes reviewed the two resolutions on the draft agenda, and Ms. McKenney provided more detail:

**Resolution R2021-04** - approving the submission of applications to the Maryland Department of Housing and Community Development's Community Legacy program for the consideration of awarding funding to the four projects that have been recommended by Cumberland's Sustainable Community's Workgroup.

**Resolution R2021-05** - approving the submission of an application to the Maryland Department of Housing and Community Development's Strategic Demolition Program for the consideration of awarding funding for the Cumberland Main Street Connections project that has been recommended by Cumberland's Sustainable Community's Workgroup .

Ms. McKenney thanked Councilman Cioni for providing his time with the Sustainable Communities workgroup, and provided background on the application process, saying that the resolutions are a component of that. She advised that the City is submitting four projects for Community Legacy and one for the Strategic Demolition fund, which she noted is not strictly for demolition. She advised that last year's application for Strategic Demolition for the sprinkler tap project on Baltimore Street was funded in part at the amount of \$250K. Ms. McKenney provided PowerPoint slides and went over the Community Legacy and Strategic Demolition Programs in more detail and advised on the project recommendations:

**2021 Community Legacy Project Recommendations**

1. Residential Accessibility Improvement Program - \$100,000
2. ACM College Center Loft Enhancement for Community and Workforce Development - \$41,257
3. YMCA Gilchrist HVAC Installation - \$70,000
4. Allegany Museum Commercial Kitchen - \$140,000

**2021 Strategic Demolition Project Recommendation**

1. Cumberland Main Street Connection

Mayor Morriss thanked Ms. McKenney and said every time the City goes through this process there are always good projects to choose from. Mr. Rhodes added that Community Legacy goes all the way back to Governor Glendenning when Speaker Cass Taylor was still in office. He noted that in the first year of the program, the City received well over a million dollars, and was a direct result of Ms. McKenney's work, and the quality of the application, which was so strong that she was asked to teach other communities in Maryland how to write Community Legacy applications. Ms. McKenney thanked Mr. Rhodes and said it's something she certainly hasn't done alone, and said they've had a great community to work with and great support from the administration.

Mr. Rhodes reviewed all items on the Consent Agenda:

**Order 26,801** - authorizing execution of a Concession License Agreement with Joyce Wormack granting the right to exclusively operate the Concession Area at Constitution Park for the term June 1, 2021, through September 30, 2021, for the fee of \$900.

Mr. Rhodes advised that this will be Ms. Wormack's third straight year running the concession at Constitution Park, which is a real plus for the City as they've had a hard time filling this position over the years.

**Order 26,802** - authorizing execution of an Outdoor Dining Lease Agreement with Ristorante Ottaviani, LLC and Uncle Jack's Pizzeria & Pub detailing terms for the use of the public right-of-way adjoining each establishment for a one (1) year term effective June 1, 2021 through May 31, 2022.

Mr. Rhodes advised that this is a routine yearly agreement.

**Order 26,803** - authorizing the Chief of Police to execute a Memorandum of Understanding (MOU) by and between the Allegany County Sexual Assault Response Team (SART) and all SART partner agencies to establish the terms and conditions under which the SART will meet and function to collaboratively make system-wide improvements in response to sexual violence; said MOU to be for a term not longer than three (3) years from the effective date of the MOU.

Mr. Rhodes advised that this is essentially a cooperation agreement among the SART partners regarding cases and information. Chief Ternent advised that this has been in place for several years and also encompasses the State's Attorney, UPMC Western Maryland, and the Family Crisis Center.

**Order 26,804** - accepting the bid of Michael's Janitorial, Inc. to provide custodial services for City Hall, Public Safety Building, Municipal Services Center, and emergency clean-up services for the period July 1, 2021 - June 30, 2022, with the option to extend for two years by mutual consent. Basic service - \$7,745.60 per month; COVID cleaning service - \$440.00 per month; emergency on-site cleanup - \$60.00; emergency call-out cleanup - \$100.00.

Mr. Rhodes advised that Michael's is the only bid that was received, and is a continuation of service. He stated that from his perspective this company has done as well or better than other companies over the years.

**Order 26,805** - authorizing the City Administrator to execute all Seasonal Employment Agreements for the 2021 spring/summer season; given that said agreements shall not exceed six (6) months from the date of execution.

**Order 26,806** - authorizing the City Administrator to execute all FY22 Employment Agreement for part-time employees of the City.

**Order 26,807** - approving the award of funding from the Central Business District Facade Improvement Program to: 36 North Centre Street - \$10,000.00, 105 South Centre Street - \$3,750.00, 129 Baltimore Street - \$2,450.00, and 138 Baltimore Street - \$4,776.15, each of which represents a City project match of 25%.

Ms. McKenney explained how this program works and advised that this is the second round of applications. She noted that these four applications were all that were submitted and there were no cuts to what was requested by the applicants, so the recommendation would be for 100% funding for each request.

## **II. MAYOR AND CITY COUNCIL UPDATES**

Mayor Morriss spoke about the recent Day of Caring and Sharing and said there was a great turnout and fantastic help from County United Way and Let's Beautify Cumberland. The Mayor also mentioned that he and Councilman Frazier recently visited the Robotics Team, who showed them "Trashketball" that the kids had designed to help clean up Constitution Park.

Mayor Morriss advised on the recent dinner meeting of the ALGAR Chapter of the Maryland Municipal League, which was held at the Culinary Café, and said there was a very good turn-out of elected officials and City Administrators from Allegany and Garrett counties. He also noted that the pool at Constitution Park will open up Memorial Day weekend, and advised on the upcoming Del McCoury Band free concert on Memorial Day at the Canal Place Festival Grounds, from 2pm – 5pm.

The Mayor mentioned that he and Councilman Frazier were at the WMSR Board Meeting recently and said diesel train operation will be starting this coming Saturday, May 29<sup>th</sup>, and said that hopefully over the course of the summer the 1309 steam engine will come into operation. Councilman Frazier advised that the HRDC had a meeting the other day and mentioned that they have two vacancies. He said if anyone knows of someone who wants to serve, to let Lee Borrer or Margie Woodring know.

Councilwoman Marchini mentioned that she and the Mayor crossing paths with Governor Hogan at a local restaurant in the City, and said it was nice to see him in Cumberland and they appreciate his support always.

Councilman Cioni advised that the Stadium Renovation Committee is being urged by Senator Edwards to look locally for funding for the stadium, and mentioned that he thinks the Senator has two pots of \$750K so far. He advised that Mark Mangas and Greg Hare want to make a presentation to the City to see if it can help, and to satisfy Senator Edwards that the City is doing all it can to help with this effort.

Councilman Cioni also mentioned that Larry Brock had approached him about the City maybe helping with some needed repairs in the part of the GAP Trail that goes through Cumberland.

Mayor Morriss advised that Senator Edwards has been twisting his arm for a couple years about the stadium project, and said he looks forward to Mr. Mangas and Mr. Hare's presentation. There was more discussion on the stadium, and about local money funding the project.

## **III. ADJOURNMENT**

With no further business at hand, the meeting adjourned at 5:17 p.m.

Respectfully submitted,

Marjorie A. Woodring  
City Clerk

Minutes approved July 20, 2021