



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman Joseph P. George
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

MINUTES

M&CC Regular Meeting
City Hall

DATE: March 01, 2022

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman Joseph P. George
Councilwoman Laurie P. Marchini
President Raymond M. Morriss

Also Present: Jeffrey F. Silka, City Administrator; Marjorie A. Woodring, City Clerk; Robert Smith, City Engineer; Chuck Ternent, Chief of Police; Shannon Adams, Fire Chief

IV. Statement of Closed Meeting

1. Summary statement of closed meeting held March 1, 2022

Mayor Morriss announced that a Closed Session had been held on March 1, 2022 at 5:40 p.m. and read into the record a summary of that session 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. Director's Reports

Motion to approve the report was made by Councilman George, seconded by Councilman Cioni, and was passed on a vote of 5-0.

(A) Administrative Services

1. Administrative Services monthly report for December, 2021

VI. Approval of Minutes

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

1. Approval of the Closed Session Minutes of October 19, 2021, and the Work Session Minutes of November 2, 2021

VII. Unfinished Business

(A) Ordinances

1. **Ordinance 3908** (*2nd and 3rd reading*) - accepting the bid from EZ Out, Inc. for the purchase of surplus properties at 32 Laings Avenue, 105-107 Fifth Street, and 305-307 Fifth Street for the total amount of \$600 and authorizing execution of a deed to convey the properties to EZ Out, Inc.

Mr. Silka advised that these are properties that were declared surplus and were included in the Round II bids, are in a commercial zone, and will be put to commercial use.

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 Councilwoman Marchini, seconded by Councilman Frazier, and was passed on a vote of 5-0. 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 5-0.

2. **Ordinance 3909** (*2nd and 3rd readings*) - repealing City Code Sections 2-171 to 2-175 pertaining to the City's purchasing policy and reenacting them with amendments, and enacting Section 2-177 pertaining to Change Orders.

Mr. Silka advised that the policy had not been updated in five years, and said the updates were explained in detail by the Comptroller at the last meeting.

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 Councilman George, seconded by Councilman Frazier, and was passed on a vote of 5-0. 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 5-0.

VIII. New Business

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to approve Order No. 26,966 *only* was made by Councilman Frazier, seconded by Councilwoman Marchini, and was passed on a vote of

4-0, with Councilman George abstaining. **Motion** to approve remaining Order Nos. 26,967 – 26973 was made by Councilman George, seconded by Councilman Frazier, and was passed on a vote of 5-0.

Order 26,966 - authorizing the Chief of Police to enter into an Updated Memorandum of Understanding (MOU) with the Family Crisis Resource Center (FCRC) to support police overtime in the amount not-to-exceed \$19,583 for the provision for security at FCRC during supervised visitation and exchange.

Mr. Silka advised that the City's officers provide security and are reimbursed at an overtime rate by FCRC.

Order 26,967 - accepting the estimate from Gano Communications for equipment and installation costs to upfit four (4) 2022 Ford Police Interceptor vehicles at a cost of \$25,301.72.

Order 26,968 - lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol within a defined area of the downtown mall for the Hooley Pub Crawl for the period of March 12, 2022 beginning at 12:00 p.m. and ending at 2:00 a.m. on March 13, 2022; notwithstanding, that open glass containers shall not be permitted.

Mr. Silka advised that there is a map attached with this order describing the allowed area.

Order 26,969 - authorizing execution of an Agreement for Legal Services with Kaplan Kirsch & Rockwell LLP for the provision of advice and counsel related to issues with CSX Transportation related to the City's sewer easement over property owned and used by CSX, to be effective retroactive to November 1, 2021.

Order 26,970 - authorizing the waiver of permit fees as requested by Habitat for Humanity for a new residential build at 22 Maple Street, and Cumberland Housing Group for the renovation of JFK Apartments at 135 N. Mechanic Street.

Councilman George inquired if this Order should be amended to formalize the Cumberland Housing Group as being exempt for future requests. Mr. Silka advised that it could definitely be added on at a future date.

Order 26,971 - authorizing execution of a Right-of-Entry Agreement, effective March 1, 2022, with Cumberland Senior Partners, LLC as owners of real property described in a deed from Countryhouse LLC to Owner, dated December 1, 2018 (Book 2346, Page 461 of Allegany Co. Land Records), to facilitate the rehabilitation of the Baltimore Street Bridge.

Mr. Silka advised that there are current rights-of-way and easements on this property, and said this sets up temporary easements for construction on the bridge which will revert back once construction is over.

Order 26,972 - authorizing execution of a Donation Agreement with Rose M. Klink for the donation of property at 409 S. Central Avenue (Tax ID 22-015141) to the City, and authorizing the City's acceptance of the deed and execution of documentation to effect the transfer.

Mr. Silka advised that the City has been looking to acquire this property for some time, and said it will be demolished.

Order 26,973 - declaring a 1992 Sutphen 90-ft. Aerial Tower Pumper Truck (VIN # 1S9A3KFE5N1003933) and a 2004 Chevy Tahoe (VIN #1GNEK13V04J268695) as surplus and authorizing them for sale or trade-in.

Mr. Silka advised that this is the CFD's old ladder truck and old command truck that are out-of-service. Chief Adams advised this ladder truck had been in service for 30 years.

IX. Public Comments

No Comments

All public comments are limited to 5 minutes per person

X. Adjournment

With no further business at hand, the meeting adjourned at 6:38 p.m.

Minutes approved on June 21, 2022

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk