



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 Meeting
57 N. Liberty St.

DATE: October 17, 2023

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Council Member Richard J. "Rock" Cioni
Council Member Eugene T. Frazier
Council Member James L. Furstenberg, III
Council Member Laurie P. Marchini
President Raymond M. Morriss

Also Present: Jeffrey F. Rhodes, City Administrator; Allison K. Layton, City Clerk; Chuck Ternent, Chief of Police

IV. Statement of Closed Meeting – October 10, 2023

Mayor Morriss announced that a closed session had been held on Tuesday, October 10, 2023, 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.

Chief Ternent introduced the new member of the Department of Public Health, Dr. Junie Delizo, Health Officer for the Allegany County Health Department. Dr. Delizo stated that the County has an amazing health department, and said he is here to serve, his duty being to ensure that citizens have the services they need. Mayor Morriss thanked Dr. Delizo, saying the City has a lot of concerns, and has a good line of communication with the County.

V. Presentations

1. Presentation of an award to Dennis Bittinger in honor of 20 years of service on the Shade Tree Commission

Mayor Morriss read the Certificate of Recognition and it was presented to Mr. Bittinger by the Mayor and City Council. Another award was presented by the members of the Shade Tree Commission – Gary Mallow, Dale Burgess, and Harold Hipsley. They provided background on the Shade Tree Commission, saying its members are Guardians of the Tree Forest, and that they ensure that the City remains a Tree City, USA. They spoke highly of Mr. Bittinger, saying he has logged countless hours working for the Commission, and has taught at schools and prisons. Dale Burgess presented a plaque to Mr. Bittinger in honor of all the work he’s done while on the Shade Tree Commission.

2. Presentation of Employee Retirement Awards

Fire Chief Shannon Adams spoke on behalf of Lt. EMT Geena Kyle, providing background on her career with the CFD that began in 1998. He stated that during her 24-year career she was active in many aspects of the department – teaching kids, Academy instructor, certified EMS instructor, fire instructor, and started as a Medic in 2015, working her way up to Lt. EMT in 2017. Chief Adams said she was the first female firefighter in Cumberland, and was a mentor and a friend – she will be missed.

VI. Director's Reports

Motion to approve the reports was made by Council Member Furstenberg, seconded by Council Member Cioni, and was passed on a vote of 5-0.

(A) Administrative Services

1. Administrative Services Monthly Report for September 2023

(B) Public Works

1. Maintenance Division Monthly Report for September 2023

(C) Fire

1. Fire Department Monthly Report for September 2023

(D) Police

1. Police Department Monthly Report for September 2023

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 5-0.

1. Approval of the Closed, Work and Regular Session Minutes of October 3, 2023, and the Closed and Work Session Minutes of October 10, 2023.

VIII. Public Comments

No Public Comments

All public comments are limited to 5 minutes per person

IX. Unfinished Business

(A) Ordinances

1. **Ordinance 3966** (*2nd and 3rd Readings*) - authorizing the transfer of 102-104-106 Altamont Terrace to Abiye Williams for the purchase price of \$4,800.

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to accept the 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 5-0.

THIRD READING: The ordinance was submitted in title only for its third reading and was passed on a vote of 5-0.

X. New Business

(A) Ordinances

1. **Ordinance 3967** (*1st Reading*) - providing for the closure of an unnamed alley in the City of Cumberland running from Garden View Drive, bounded on both sides by property owned by Jimmie C. O'Neal.

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 Cioni, seconded by Council Member Furstenberg, and was passed on a vote of 5-0.

2. **Ordinance 3968** (*1st Reading*) - providing for the closure of a right of way by the name of Orlando Street in the City of Cumberland which runs between Wiley Street and Garden View Drive and is bounded on both sides by property owned by Jimmie C. O'Neal.

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

3. **Ordinance 3969** (*1st Reading*) - to enact Section 22-12 of the Cumberland City Code pertaining to the prohibition of habitation in vehicles parked on public property and to amend Section 13-48(a) of the said code for the purpose of authorizing the towing of vehicles parked on public property for more than 24 hours after having been cited.

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 Cioni, seconded by Council Member Furstenberg, 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 accept all items was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 5-0.

Order 27,337 - lifting Section 11-113 of the City Code on October 27, 2023 from 5:00 PM through 11:00 PM to allow for the use of open containers of alcohol within certain areas of the downtown during the "Friday After Five" event; notwithstanding that open glass containers shall not be permitted.

Order 27,338 - authorizing reappointments to the Administrative Appeals Board, Historic Preservation Commission and Housing Authority of Cumberland.

Order 27,339 - authorizing the acceptance of the proposal from Percy Public Affairs, LLC to provide lobbying and government relations services in the amount not-to-exceed \$45,000 for the term November 1, 2023 through November 1, 2024.

Order 27,340 - rescinding Order 27,334 dated October 3, 2023 and accepting the proposal from Long View Systems Corporation USA for equipment, installation and support of a Tenable system to better secure and monitor the City's water supply and Wastewater management IT systems, as well as general IT Networks, in the amount not-to-exceed \$53,471.16.

Order 27,341 - declaring Cumberland Police Department Unit #16, a 2015 Ford Sedan, VIN# 1FAHP2MK2FG128011 to be surplus for sale or scrap.

Order 27,342 - executing a Donation Agreement between the Mayor and City Council of Cumberland and Kim K. Gold and John D. Hendershot, Personal Representatives of the Estate of Leon L. Granoff, donation of the following four (4) parcels of real property to the City: 305 Maryland Avenue (Tax ID No. 22-002678), Broadway, Lot B-6 (Tax ID No. 22-018396), Broadway, Lot B-8 (Tax ID No. 22-018345) and Rear Greene Street (Tax ID No. 06-030890).

Order 27,343 - authorizing Change Order No. 1 to the Rehabilitation of Bridge A-C-06 Baltimore Street over Wills Creek (City Project 9-18-BR) with an increase of \$131,593.13 bringing the total contract price to an amount not to exceed \$4,836,503.38.

Order 27,344 - authorizing the execution of Change Order No. 2 to "Baltimore Street Access Project" (12-16-M) for the restoration of the existing building walls that became exposed after removal of existing masonry at both parklets in the amount of \$45,160, bringing the new contract amount not to exceed \$14,782,435.

Order 27,345 - authorizing the Sole Source purchase of the City's annual amount of Meter Setters, Meter Boxes and Frost-Free Lids from L/B Water Service in the amount not-to-exceed \$62,533 for the entire fiscal year.

Order 27,346 - authorizing the Sole Source purchase of the City's annual amount of Meter Setters, Meter Boxes and Frost-Free Lids from Core & Main LP in the amount not-to-exceed \$62,533 for the entire fiscal year.

Order 27,347 - authorizing the Sole Source purchase of the City's annual amount of Meter Setters, Meter Boxes and Frost-Free Lids from CITCO Water in the amount not-to-exceed \$62,533 for the entire fiscal year.

Order 27,348 - authorizing the City Administrator to execute an agreement with the Cumberland Economic Development (CEDC) and 81 Baltimore Street, LLC allowing the City of Cumberland and the CEDC to locate surveillance system equipment within a leased room on the 4th floor and on the roof of the property at 81 Baltimore Street for an annual stipend of \$2,500 for a ten-year term.

Order 27,349 - executing a Donation Agreement between the Mayor and City Council of Cumberland and Joseph A. Goetz, for the donation of the parcel of real property to the City at 111 South Street (Tax ID No. 04-023102).

Order 27,350 - authorizing the City Administrator to enter into a fixed price electricity supply agreement for a term up to three (3) years beginning in November of 2024 for City Assets in Maryland and Pennsylvania.

XI. Public Comments

David Biser, Long Drive, Cumberland, gave kudos to M&CC for taking steps to increase cybersecurity and to insure that information held by the City is held safely. He also mentioned that this week is the event at Rocky Gap called Tech At The Gap, which brings people from all over the region for IT security purposes.

All public comments are limited to 5 minutes per person

XII. Adjournment

With no further business at hand, the meeting adjourned at 6:50 p.m.

Minutes approved on November 7, 2023

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk