



# 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

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## MINUTES

M&CC Regular Meeting  
City Hall, 57 N. Liberty Street

DATE: September 03, 2019

### **I. OPEN SESSION**

6:15 p.m. - Convene into Open Session

### **II. Pledge of Allegiance**

### **III. Roll Call**

#### PRESENT

Mayor Raymond M. Morriss  
Councilman Richard J. Cioni  
Councilman Eugene Frazier  
Councilwoman Laurie P. Marchini

#### ABSENT

Councilman Seth Bernard

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Police Chief Charles Hinnant; Fire Marshal Shannon Adams

### **IV. Presentations**

1. Mayor Raymond M. Morriss to administer Oath of Office to Patrol Officers Kori R. Smith, Cassidy L. Lease and Benjamin L. Click

Chief Hinnant provided personal and professional background on each officer and introduced family members in attendance. Mayor Morriss administered the Oath of Office to the officers and the members of Council extended congratulations.

### **V. Director's Reports**

#### **(A) Public Works**

Central Services monthly report for July, 2019

Motion to approve the report was made by Cioni, seconded by Marchini, and was passed on a vote of 4-0.

**(B) Utilities - Treatment Plants**

Utilities Division-Treatment Plants monthly report for July, 2019

Motion to approve the report was made by Cioni, seconded by Marchini, and was passed on a vote of 4-0.

**VI. Approval of Minutes**

1. Approval of the June 11, 2019 Work Session Minutes, and the Regular Session Minutes of June 18, 2019

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

**VII. Public Hearings**

1. Public Hearing - to consider an Ordinance authorizing the issuance and sale of general obligation debt not to exceed \$3,800,000 in aggregate principal amount, issued under the MD Local Government Infrastructure Financing Project, to be known as the "Mayor and City Council of Cumberland Infrastructure Bonds, 2019 Series B," through the Community Development Administration (CDA), to be used for financing or refinancing costs of Projects defined in the Bond, funding a portion of a capital reserve fund and/or other reserves required by the Administration, and/or paying issuance and other costs related to the Bonds

Mayor Morriss convened the Public Hearing at 6:30 p.m.

Mr. Rhodes discussed the purpose of the Ordinance, stating that the proposed borrowing would finance capital needs for FY20, with the majority of the borrowing dedicated to street paving and replacement of the ladder truck. He highlighted additional equipment and capital projects that would be included in the borrowing.

Mayor Morris opened the floor for comments or questions.

Councilwoman Marchini questioned what the City borrowed the previous year through bond funding. Mr. Rhodes advised that although he did not have the exact number at hand, the City did typically borrow from year to year, through this year more was being borrowed for the regular operating budget than in the last several years so that the City could continue its paving program and purchase the ladder truck.

Mr. Kenneth Wilmot asked how many years it would take to pay off the bond. Mr. Rhodes discussed how repayment of the bond was structured, noting that some assets would be paid off earlier than others, and that could vary from 7 to 20 years.

With no further comments, the public hearing adjourned at 6:34 p.m.

## VIII. Unfinished Business

### (A) Ordinances

1. **Ordinance 3858** (*2nd and 3rd readings*) - providing for the issuance and sale of an aggregate principal amount not to exceed \$3,800,000 in General Obligation Bonds, to be known as the "Mayor and City Council of Cumberland Infrastructure Bonds, 2019 Series B," through the Community Development Administration (CDA), to be used for financing or refinancing costs of Projects defined in the Bond, funding a portion of a capital reserve fund and/or other reserves required by the Administration, and/or paying issuance and other costs related to the Bonds

Mr. Rhodes reviewed the proposed Ordinance, stating that in addition to his comments during the public hearing, he wanted to note that the bonds would not be supported by a total obligation of the General Fund. Some of the items were earmarked for the other funds and the obligation would therefore be split out amongst all the appropriate funds.

SECOND READING: The Ordinance was presented in Title only for its second reading. The reading was interrupted and motion to suspend the second reading and move to the third after comment was made by Frazier, seconded by Marchini, and was passed on a vote of 4-0.

The Mayor opened the floor for comments and none were put forth.

THIRD READING: The Ordinance was presented in Title only for its third reading and was passed on a vote of 4-0.

## IX. New Business

### (A) Orders (Consent Agenda)

Mr. Rhodes reviewed each item on the Consent Agenda and Mayor Morriss entertained questions or comments, as noted below.

**Motion to approve Orders 26,512 through 26,523 on the Consent Agenda was made by Cioni, seconded by Frazier, and was passed on a vote of 4-0.**

**Order 26,512** - authorizing abatement of utilities for properties 884 Sperry Terrace, 307 Broadway Street, 215 Knox Street, and 1016 Ella Avenue

**Order 26,513** - authorizing the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Allegany County Health Dept. to conduct six drug interdiction events, partnering with other local law enforcement agencies, between now and June 1, 2020 with the goal of reducing the illicit supply of opioids in Allegany County. \$10,000 in grant money has been made available from the MD Dept. of Health, Opioid Operational Command Center for police overtime

**Order 26,514** authorizing the abatement of property taxes for City-owned property at 119 Pennsylvania Ave.

**Order 26,515** - declaring City-owned properties at 17/19 N. Waverly Terrace and 27 Ridgeway Terrace to be surplus properties and declaring the City's intent to transfer the properties to Mr. Greis Kaarvaliksen

Councilwoman Marchini questioned whether there would be time frames within which the new property owner would be required to complete improvements. City Solicitor Cohen advised that once the property was declared surplus, there would be an Ordinance presented with a Contract of Sale that would include rights of reverter clauses.

**Order 26,516** - authorizing the Chief of Police to execute a letter to Dr. Rameen J. Shafiei setting forth terms and conditions pertaining to services he will provide as a volunteer physician in connection with the deployment of the Cumberland Emergency Response Team (CERT)

**Order 26,517** - authorizing the abatement of utilities for 118 Baltimore Street, owned by the Cumberland Economic Development Commission (CEDC)

**Order 26,518** - authorizing the execution of Change Order 1 with Bennett Brewer & Associates, LLC for the Decatur Street 24" Crosstown Water Main Replacement" Project (31-17-W) for additional engineering services in the increased not-to-exceed cost of \$50,462

Councilman Cioni questioned whether the problems in the Decatur St. area were close to resolution. Mr. Rhodes advised that the State has provided some funding for this project, but not enough to do it all. At some point, the City may have to take out a water quality loan to complete the project. The engineering services will help determine a scope of work which will then allow an estimate of the total cost to be known. The work will take place in phases.

**Order 26,519** - authorizing the City Administrator to execute a Letter of Agreement with Verizon Maryland, LLC acknowledging Verizon's lease renewal of their three (3) parking spaces in the George St. Parking Garage, at the rate of \$75 per space, for one year to be effective July 1, 2020 through June 30, 2021

**Order 26,520** - declaring City-owned property at 301-303 Arch Street and 305 Arch Street to be surplus property and declaring the City's intent to donate the properties to the Cumberland Housing Alliance, Inc. for the construction of a single family home

**Order 26,521** - declaring City-owned property at 349 Davidson Street as surplus property and declaring the City's intent to transfer said property to Venus Starr for the amount of \$500

**Order 26,522** – authorizing the City Administrator to execute a Contract Amendment with EBA Engineering, Inc. to incorporate a wider scope of work for the “Collection Systems Asset Management Project (19-15-M)” for an additional cost not-to-exceed \$67,000 and extending the contract ending date through August 31, 2021; bringing the total cost of the project to \$155,800

**Order 26,523** - authorizing execution of an Access Agreement with Allegany Junction Limited Partnership to set forth terms by which Allegany Junction may enter upon City-

owned properties at the former Eastside School Site to conduct testing and inspections to assist in making a determination as to whether to make an offer to purchase said properties

**X. Public Comments**

All public comments are limited to 5 minutes per person

**Nick Gelles**, 317 Pearl Street, stated that nothing had been done on Pine Avenue yet. He had turned in a petition to Council from the neighbors and they have asked when something will be done about the situation.

**Erin DeLong**, 21 N. Allegany Street, requested that Allegany Street be paved rather than patched, as she had been advised by Columbia Gas, now that their project was nearing its end in her neighborhood. She discussed that Allegany Street was heavily traveled with the bridge closure and was slippery in winter because it was brick paved. She requested that Paw Paw Alley also be given consideration for paving because of the increased traffic due to the bridge closures.

**Charles Woods**, 11911 Aster Avenue, Cresaptown, discussed concerns about the location of a curb cut that was currently being installed on Glenwood Street in front of a vacant lot. He stated no improvements have been made on the lot, therefore the curb cut shouldn't be allowed. He questioned why a no parking sign was being put up in front of a vacant lot and why the City was spending money to put in the curb cut. He stated he lived outside the city limits but was representing the York family that lived on Glenwood Street.

**XI. Adjournment**

With no further business at hand, Mayor Morriss adjourned the meeting at 7:12 p.m.

Minutes approved on November 5, 2019

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk