



# 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

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## MINUTES

M&CC Regular Meeting  
57 N. Liberty Street

DATE: September 05, 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  
Council Member Laurie P. Marchini  
President Raymond M. Morriss

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Michael S. Cohen, City Solicitor

### IV. Statement of Closed Meeting

Mayor Morriss announced that a closed meeting had been held on September 5, 2023 at 4:00 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. Presentations

#### 1. Presentation of City Star Awards

Robert Thomas Bruce (not present); Gloria Schintzius (not present); Don Martin (present); Danny Benson (present); Stephanie Yonce (present); AHEC West (present); Charlotte and Paul Lapp (present)

Chief Ternent spoke about Robert Thomas Bruce, saying that Mr. Bruce is commonly seen around City Hall, the Public Safety Building and the downtown area with his dust pan and broom, cleaning up and picking up cigarette butts, trash, etc. The Chief said he's thanked Mr. Bruce many times, and eventually he was nominated for this award. He added that Ed Mullaney had also previously given Mr. Bruce a Good Citizen award.

Mayor Morriss spoke about Gloria Schintzius, owner of Little Caesar's Pizza, Springdale Street, who was nominated by Cheryl Nash for her work in supporting the City of Cumberland and the community, and said she is known to go above and beyond for her customers and employees. He said she has donated dozens of pizzas to the schools and football teams.

Mayor Morriss spoke about Don Martin, owner of Don's Barbershop on Virginia Avenue, saying he himself has been known to stop by there and get advice about the neighborhood. He said Mr. Martin's shop is where people go to discuss what's happening, and said there's a real sense of community there. The Mayor thanked him for all the good work he does for the City.

Mayor Morriss spoke about Danny Benson, and said he's seen him at many of the charity events around town, of which he is very active. The Mayor thanked him for all the work he does for the charities.

Stephanie Yonce was nominated by Kathy McKinney. Ms. McKinney stated that she met Ms. Yonce when she herself was the historical coordinator for the City, and said Ms. Yonce has been her point person for George Washington's Headquarters cabin. She said Ms. Yonce has represented the D.A.R. and has tirelessly dedicated her time to the cabin's welfare and the tours since the cabin was placed in Riverside Park.

Mayor Morriss spoke about AHEC West, and about all the services they provide including taking care of youths who are sometimes overlooked in the community. Chief Ternent stated that the CPD and AHEC West partner together frequently.

Ed Mullaney spoke about Paul and Charlotte Lapp and all the work they put in with Let's Beautify Cumberland and the Cumberland Garden Club, and several other organizations that they are active in.

## **VI. Director's Reports**

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

### **(A) Engineering**

1. Engineering Division Monthly Report for August 2023

## **VII. Approval of Minutes**

**Motion** to approve the minute was made by Council Member Marchini, seconded by Council Member Frazier, and was passed on a vote of 5-0.

1. Approval of the Closed, Work, and Regular Session Minutes of August 15, 2023

## **VIII. Public Hearings**

1. A public hearing to consider Charter Amendment Resolution No. 152 to repeal and re-enact with amendments Section 13 of the Charter of the City pertaining to the compensation of the Mayor and City Council.

Convened: 6:35 p.m.

Former Council Member Joe George spoke to recommend approval of the Amendment, saying Mayor and Council do what they do for the love of the City, and said as a former Council Member he sees the number of hours the Mayor puts in, and said that Council Members attend meetings, workshops, grand openings, festivals, dinners and functions, and are visible and accessible. He stated that they do these things to be out there with the citizens, and added that many expenses are out-of-pocket, and are not reimbursed. He mentioned that M&CC bought their own shirts to show how much they love Cumberland, said this job shouldn't be a financial burden, and thanked M&CC for their dedication.

Adjourned: 6:38 p.m.

2. A public hearing to amend the City of Cumberland Zoning Ordinance (i.e., Chapter 25 of the Code) for the purpose of adopting regulations pertaining to short-term rentals.

Convened: 6:38 p.m.

Mr. Silka explained the Ordinance, and said the main goal is to get a handle on how many short-term rentals are in the AirBnB, to be sure they are registered and paying the hotel tax to the County. He said the City is looking to implement inspections to ensure the safety of those renting, and said the latest number of short-term rentals in the City is 60. Council Member Cioni voiced support for the Ordinance.

Adjourned: 6:39 p.m.

## **IX. Public Comments – Agenda Items**

*There were no public comments*

All public comments are limited to 5 minutes per person

## **X. Unfinished Business**

### **(A) Ordinances**

1. Ordinance 3965 (*2nd and 3rd readings*) - amending the City of Cumberland Zoning Ordinance (Chapter 25 of the Code) for the purpose of adopting regulations pertaining to short-term rentals in the City of Cumberland.

**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 Frazier, seconded by Council Member Marchini, 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.

## **XI. New Business**

### **(A) Resolutions**

1. **Resolution No. 2023-04** (*1 reading*) - granting the Cumberland Outdoor Club a property tax credit for tax years 2023-2024 pursuant to Section 9-302(f) of the Tax Property Article of the Annotated Code of Maryland.

**READING:** The Resolution was submitted in title only for its single reading. On a motion made by Council Member Cioni, seconded by Council Member Furstenberg, the resolution was passed on a vote of 5-0.

2. **Resolution No. 2023-05** (*1 reading*) - granting the Carver Community Center a property tax credit for tax years 2023-2024 pursuant to Section 9-302(b)(8) of the Tax Property Article of the Annotated Code of Maryland.

**READING:** The Resolution was submitted in title only for its single reading. On a motion made by Council Member Furstenberg, seconded by Council Member Marchini, the resolution 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 each Order on the Consent Agenda was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 5-0.

**Order 27,307** - authorizing the execution of a Donation Agreement with Brenda D. Morrison, Personal Representative of the Estate of Ronald L. Morrison, for real property at 404 Furnace Street, Tax ID #05-019524.

**Order 27,308** - authorizing the abatement of 2022-2023 taxes in the amount of \$12,087.84 for City-owned property at 600 Bishop Walsh Road (Tax ID #06-050301).

**Order 27,309** - authorizing Special Taxing District residential exemptions for 45 N. Centre Street (\$745.10); 43-45 N. Liberty Street (\$206.34); 50-52 N. Centre Street (\$300.73); 27 N. Centre Street (\$334.93); and 47 Baltimore Street (\$383.88).

**Order 27,310** - amending Order No. 27,147 of December 20,2022 allowing up to \$3,000 of the allocated \$25,000 to be used to secure windows at the Carver Center.

**Order 27,311** - accepting the bid of Southern Corrosion, Inc. for the Water Tank Maintenance Service Contract (2023-03-WTR) in the not-to-exceed lump sum of \$133,210.00 for FY24, with each year increasing from the base premium by the increase in the CPI.

**Order 27,312** - authorizing the execution of a Cost-Share Agreement between MDOT-SHA and the City, relative to City Project 2022-24-BR, Replacement of Bridge A-C-08. Fayette St. Over CSXT Railway, with the City's cost-share portion estimated at \$106,951.70 which is 20% of the total estimated cost of \$534,758.51.

**Order 27,313** - authorizing the Chief of Police to enter into a Memorandum of Understanding with the Family Crisis Resource Center to provide police overtime in the

amount not to exceed \$5,000 for the purpose of providing Domestic Violence Response Team (DVRT) Follow-Ups.

**Order 27,314** - authorizing the Chief of Police to enter into an Updated Memorandum of Understanding with the City of Frostburg, Allegany County and Frostburg State University to employ a temporary civilian employee for the purpose of providing clerical services to the Allegany County Combined Criminal Investigation Unit (C3I).

**Order 27,315** - authorizing the Chief of Police to enter into an Updated Memorandum of Understanding with Allegany County to employ a temporary civilian employee for the purpose of providing clerical services to the Allegany County Narcotics Task Force (ACNTF).

**Order 27,316** - rescinding the bid of Steve Flanders for surplus equipment Ingersoll Garden Tractor with Plow due to non-compliance with bid procedures, and accepting the bid of \$285 from Timothy McDermott for said equipment.

**Order 27,317** - declaring computer equipment as surplus property and authorizing it to be scrapped or e-cycled.

**Order 27,318** - authorizing the execution of an Encroachment Agreement by and between the Mayor and City Council, Uhl Enterprises, Inc. and Uhl Real Estate, LLC for the purpose of installing overhead lines for fiber to run across Davidson Street and Charles Street.

## **XII. Public Comments**

**Mike McKay, Senator**, provided for the elected officials a 90-day report for Allegany County for all bills passed in the General Assembly, and discussed the different fundings that were addressed. He advised that it represents over \$160 for all the different pieces of legislation passed, nine this year, and talked about working on next year's priorities.

Mayor Morriss thanked the Senator for coming in and it was stated that this district has a good history of understanding with the Western Maryland Delegation.

All public comments are limited to 5 minutes per person

## **XIII. Adjournment**

With no further business at hand, the meeting adjourned at 6:54 p.m.

Minutes approved on September 19, 2023

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk