



# 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

Interim City Administrator Ken Tressler  
City Solicitor Michael S. Cohen  
City Clerk Marjorie A. Woodring

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## MINUTES

M&CC Regular Public Meeting  
City Hall Council Chambers, 57 N. Liberty Street, Cumberland

DATE: July 20, 2021

### **I. OPEN SESSION - 6:15 P.M.**

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

### **III. Roll Call**

#### **PRESENT:**

Councilman Seth Bernard  
Councilman Eugene T. Frazier  
Councilwoman Laurie P. Marchini  
President Raymond M. Morriss

Councilman Richard Cioni was absent

**Also Present:** Michael S. Cohen, City Solicitor; Marjorie A. Woodring, City Clerk; Mark Gandolfi, City Comptroller; Kathy McKenney, Community Development Program Manager; Shannon Adams, Interim Fire Chief; Chuck Ternent, Police Chief

### **IV. Director's Reports**

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

#### **(A) Administrative Services**

1. Administrative Services monthly report for May, 2021

#### **(B) Public Works**

1. Maintenance Division monthly report for June, 2021

#### **(C) Fire**

1. Fire Department monthly report for June, 2021

**(D) Police**

1. Police Department monthly report for June, 2021

**(E) Utilities - Flood, Water, Sewer**

1. Utilities Division-Flood/Water/Sewer monthly report for June, 2021

**V. Approval of Minutes**

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

1. Approval of the Work Session Minutes of May 18 and May 25, 2021, and the Work Session and Regular Session Minutes of June 1, 2021

**VI. Unfinished Business**

**(A) Ordinances**

1. **Ordinance 3893** (*2nd and 3rd readings*) - accepting the bid from Robert B. Williams for the purchase of 500 Kingsley Avenue for the amount of \$300 and authorizing conveyance of the property and execution of a deed to effect the conveyance

Ms. Woodring advised that this property was included in the Round II Surplus Bid process, but was not bid on at that time. She stated that Mr. Williams' intended use of the property is to make it a landscaped parking area.

**SECOND READING:** The ordinance was presented in title only for its second reading. **Motion** to approve the second reading and move to the third after comment was made by Councilman Frazier, seconded by Councilman Bernard, and was passed on a vote of 4-0. Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

**THIRD READING:** The ordinance was presented in title only for its third reading, and was passed on a vote of 4-0

**VII. New Business**

**(A) Orders (Consent Agenda)**

Ms. Woodring reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to approve Orders 26,833 and 26,835-26,844 was made by Councilwoman Marchini, seconded by Councilman Frazier, and was passed on a vote of 4-0. **Motion** to approve Order No. 26,834 *only* was made by Councilman Frazier, seconded by Councilman Bernard, and was passed on a vote of 3-0, with Councilwoman Marchini abstaining.

**Order 26,833** - authorizing the execution of a Field Use Agreement with Allegany College of MD for the purpose of occasionally sharing the newly constructed softball field on their campus, provided for with funding assistance from the MD Dept. of Natural Resources Community Parks and Playgrounds Program.

Ms. Woodring advised that the City was awarded this funding in 2017 to assist with this construction, said that this Order puts in writing what was previously verbally agreed to, and stated that this field is solely maintained by the college. Ms. McKenney advised that the program was only open to local jurisdictions so over the years the City has helped other entities with recreational projects on properties that are not City-owned. She also advised that there's an understanding with the college that there will be another field in case of an overflow of requests on City fields, that can be used to fill that need at no charge to City leagues or teams in addition to the normal field fee.

**Order 26,834** - authorizing payment to CBIZ Insurance Services, Inc. for FY22 Risk Management Services for the period July 1, 2021, through June 30, 2022, in the amount not to exceed \$32,500.00.

Ms. Woodring advised that for this service, CBIZ negotiates with the City's workers' comp carrier PMA regarding rates and attends the City's risk management meetings, and provides a lot of training materials.

**Order 26,835** - authorizing execution of a Collective Bargaining Agreement with the UFCW Local 1994, representing certain members of the Cumberland Police Department, to be effective July 1, 2021, through June 30, 2024; with a provision to automatically renew year-to-year thereafter unless either party gives notice of intent to do otherwise, in accordance with terms of the Agreement.

Mr. Cohen advised that he had gone over the negotiations in good detail, hitting the main points, during the Work Session prior to this meeting this evening.

**Order 26,836** - authorizing the purchase of one (1) 2022 Ford F-550 4x4 Ambulance for the total delivered price not to exceed \$262,338 from FESCO Emergency Sales through the HGAC Cooperative Purchasing Program (HGAC Contract Am10-20).

Ms. Woodring advised this was already competitively bid through the co-op program, with the City piggy-backing on that bid price. She added that this is a budgeted purchase for FY22.

**Order 26,837** - authorizing execution of a Lease Agreement with the New Creamery, LLC for the use of the public right-of-way in front of 108 W. Harrison Street for outside dining purposes for the term of July 20, 2021, through April 30, 2022.

**Order 26,838** - authorizing payment to Link Computer Corporation for MuniLink utility billing cloud-based software hosting and support services for Fiscal Year 2022 for the total yearly amount not to exceed \$40,000.

Ms. Woodring advised that this is the system used to generate utility bills for the water, sewer and trash, and said the City has contracted with MuniLink since 2017 for these services, adding that this is a yearly budgeted expense.

**Order 26,839** - authorizing the Chief of Police to enter into an M.O.U. with the Allegany County Health Dept. (ACHD) to conduct mini take-back events within the community and provide medication pick-up services to home-bound individuals between 7/7/21 and 6/30/22, with a grant amount of \$3,000 for police overtime appropriated by the ACHD.

Chief Ternent advised that this is known as the “green box” program for medication drop-off that the Police Department hosts in their lobby, and said that several times a year they go out into the community to people that can’t get out, and collect medications. He advised that they do a press release at different times to notify the community, and sometimes go through the HRDC Senior Center to discuss which locations will be available.

**Order 26,840** - lifting the provisions of Section 11-113 of the City Code that bans open containers of alcohol on Saturday, August 14, 2021, from 3:00 p.m. - 7:00 p.m. on the downtown mall for the City Center Summer Celebration event; notwithstanding that open glass containers shall not be permitted.

Ms. Woodring advised that this event was requested by the DDC, and went over some of the activities scheduled for that day.

**Order 26,841** - authorizing execution of a Certificate of Satisfaction acknowledging that the Deed of Trust dated June 26, 1987, made by Genevieve Koegal pertaining to 209 Emily Street (Allegany County Land Records Book 610, page 827) has been fully paid and the lien is hereby released.

**Order 26,842** - authorizing execution of a Certificate of Satisfaction acknowledging that the debt on a Deferred Loan Agreement dated June 26, 1987 (Allegany County Land Records Book 610, page 823) and made by Genevieve Koegal with regard to 209 Emily Street is fully paid and the lien is hereby released.

Ms. Woodring advised that the Finance Department has acknowledged that payment has been made on both Order 26,841 and 26,842, and both liens are able to be released.

**Order 26,843** - authorizing acceptance of funding awards from the Allegany County Community Enhancement Program for the 600 Block of Maryland Avenue in the amount of \$145,800 with 100% City in-kind and cash match; and for the 6 Virginia Avenue Demolition Project in the amount of \$155,000 with 100% City in-kind and cash match.

Ms. Woodring advised that the 600 Maryland Avenue project is now complete with City match provided by assessed value of properties already acquired. Ms. Woodring also advised that funding for the 6 Virginia Avenue project was received in February of this year and said the match for that is part cash and part acquisition of 927 Grand Avenue as property swap for 6 Virginia Avenue.

**Order 26,844** - authorizing acceptance of \$98,000 in Community Parks and Playground funding for the Allegany College of Maryland Outdoor Volleyball Court Facility, which was jointly submitted by the City of Cumberland and Allegany College (No matching funds from the City required).

Ms. McKenney advised that she has a Scope of Services drafted for this project, and will be drafting a Use Agreement similar to the Allegany College softball field agreement.

## VIII. Public Comments

**Michael Mudge, 101 Oak Street (Chaplain of the Cumberland Historic Cemetery Organization)**, thanked M&CC for whatever funds his organization was awarded through the Hotel/Motel funding, and spoke about the August Baker monument project, saying that if he can get 1/3 deposit by August they can guarantee installation by May of next year. He added that he would like the dedication to be May 21<sup>st</sup>, the last day of Law Enforcement Week. He said they are about 80% towards their funding goal already, and advised that they're not planning on launching a fund-raising campaign until August. He mentioned that he has received some donations locally already. He provided background on Officer August Baker, killed 1907, the only Cumberland, MD officer who was killed in the line of duty. Chief Ternent wanted to publicly thank Mr. Mudge for everything he's done for this project. Mr. Mudge stated that with the help of the genealogical society, last year they were able to find the exact grave of Officer Baker, which had never had a marker.

**John Buchanan, CBIZ, 44 Baltimore Street**, wanted to request that the City reconsider the installation of a Portland Loo bathroom at the corner of Baltimore and Mechanic Streets for the Baltimore Street renovation project, and said he walks by there every day, seeing all the bad things: pan-handling, needles, trash, beer bottles, etc. He stated he thinks the City can do better than a bathroom that kind of looks like a gorilla cage, which he said the Seattle Times calls them. He advised that he had spoken to EADS, and voiced his concerns about the safety of CBIZ employees as well as how these bathrooms are cleaned. He stated that a representative of EADS said they get hosed down, with the water going down the sloped concrete towards Mechanic Street, and said in his opinion that is an unacceptable design. Mr. Buchanan spoke more about his concerns, and said there needs to be a theme to that parklet, and said the Portland Loos are too harsh and cold, and spoke of statistics from the San Diego Tribune concerning attraction of crime and the maintenance of these bathrooms. He asked that the City give consideration to other options.

Mayor Morriss thanked Mr. Buchanan for his comments and said they will review them. He added, though, that once the drawings are turned in to the SHA, there are limited abilities to change things, but said they will review the issues he expressed.

Councilwoman Marchini advised that the drawings have already been turned in to the SHA, and agreed there is very little opportunity to make changes now. She stated that the finished design won't be hiding in the trees, and will be much more open with greater visibility. She said the issues Mr. Buchanan has brought up will be addressed by the open design, and said the same kind of people won't be hanging out there.

There was discussion about CBIZ's policy of locking the front door and having employees exit out the back into the alley after hours, and discussion about the SHA and the approval of a new design of the bathroom, with Councilwoman Marchini stating that it would necessitate another whole approval process to ask for a change at this time. Mr. Buchanan stated that he disagrees with the bathroom design, and said he thinks it should be something more historically relevant, not a stainless-steel cage design.

**Wesley Heinz, Interim Executive Director of the WMSR**, gave a quick history of his railroad background, saying that he lives in New Hampshire and is the Executive Director of the Maine Narrow-Gauge Railroad Company and Museum. He said the railroad was at a similar place where the WMSR is now, and worked with them to build ridership, as they were spiraling

downward. He said in 2017 he had the opportunity to come here and work on the 1309 steam engine that he said hopefully will serve as the catalyst to reinvigorate the WMSR. He said volunteers have been coming here to work on the railroad, because they believe in Cumberland, and stated that he hopes to take what the things that work successfully in Main and imprint them here. He added that a lot of potential exists here for the WMSR to be a key attraction and experience.

Mr. Heinz discussed the Ice Cream train that began July 2<sup>nd</sup>, which was a quick-turn \$10 trip up to The Narrows and back, and advised that they were sold out to almost 600 people. He added that he heard from the Crabby Pig that they were overrun with people, due to the Ice Cream Train, which he said he loved hearing because it meant that businesses were being impacted positively from the WMSR.

Mayor Morriss said it has been a pleasure to work with Mr. Heinz the last few weeks, and said the enthusiasm at the WMSR is great to see.

All public comments are limited to 5 minutes per person

## **IX. Adjournment**

With no further business at hand, the meeting adjourned at 6:57 p.m.

Minutes approved on October 5, 2021

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk