



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

MINUTES

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

DATE: July 06, 2021

I. OPEN SESSION

1. 6:15 p.m. - Convene into Open Session

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Councilman Seth Bernard
Councilman Richard Cioni
Councilman Eugene Frazier
President Raymond M. Morriss

Councilwoman Laurie P. Marchini was absent

Also Present: Ken Tressler, Interim City Administrator; Michael S. Cohen, City Solicitor; Marjorie A. Woodring, City Clerk; Mark Gandolfi, City Comptroller; Chuck Ternent, Chief of Police

IV. Proclamations

Mayor Morris read the proclamation and presented it to Police Chief Chuck Ternent, who provided information on the event, activities, and vendors. Mayor Morriss advised that the first Tuesday of August Mayor and City Council Public Meeting will be moved to Wednesday, August 4th, so that M&CC can attend the event. Chief Ternent discussed their partnership with the Salvation Army, and what a great asset they are to the community.

1. Proclaiming August 3, 2021 as National Night Out in Cumberland

V. Director's Reports

(A) Public Works

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

1. Maintenance Division monthly report for May, 2021

VI. Approval of Minutes

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

1. Approval of the Closed Session Minutes of April 27 and May 11, 2021, and the Regular Session Minutes of May 18, 2021

VII. Unfinished Business

(A) Ordinances

1. **Ordinance 3892** (*2nd and 3rd readings*) - accepting bids for the purchase of eight (8) parcels of real property solicited through the 2021 Surplus Properties Round II Request for Bids and authorizing transfer of those properties to the successful bidders

Mr. Tressler advised that 10 bids were accepted and the other 2 are rehab bids which will have reverter clauses so aren't ready yet.

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 was made by Councilman Bernard, seconded by Councilman Frazier, and was passed on a vote of 4-0.

The Mayor opened the floor for 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.

VIII. New Business

(A) Ordinances

1. **Ordinance No. 3893** (*1st reading*) - 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

Mr. Tressler provided background on the ordinance and said this was one of the properties that was not bid on in the original Surplus Sale II, and said once the sale is closed, they will accept bids on any remaining properties at any time. He added that staff is recommending acceptance of the bid of \$300.

FIRST READING: The ordinance was presented in title only for its first reading. **Motion** to approve the first reading and table until next meeting was made by Councilman Frazier, seconded by Councilman Bernard, and was passed on a vote of 4-0.

(B) Orders (Consent Agenda)

Mr. Tressler reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to approve all items was made by Councilman Bernard, seconded by Councilman Frazier, and was passed on a vote of 4-0.

Order 26,822 - authorizing the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Allegany County Health Department for grant funding in the amount of \$10,000.00, to be used to conduct drug interdiction events throughout the city in hopes of reducing the illicit supply of opioids into the City.

Chief Ternent advised that the Police Department normally gets this grant every year as well as their partnering agencies, and said they do interdictions together to stop the flow of drugs into the community, using both overt and covert operations.

Order 26,823 - accepting the bid of American Hardwood Industries, LLC for the "Evitts Creek Water Company 2021 Watershed Timber Sale" (7-21-WFP) in the lump sum amount of \$130,555.60.

Mr. Tressler advised that this is the second timber sale and said there were five bidders, with American Hardwood being the high bidder.

Order 26,824 - declaring City-owned property at 322 S. Central Avenue (Tax No. 22-00934) to be surplus and authorizing it for sale through a closed bid process after the passage of 20 (twenty) days from the date of this Order.

Mr. Tressler advised that they plan to put this property in Surplus Sale III.

Order 26,825 - authorizing execution of a Loan Agreement with the Allegany Museum for the loan of the City of Cumberland Gateway to the West banner commemorating the City's Bicentennial.

Order 26,826 - declaring a 2000 Jeep Cherokee (VIN #1J4FF48S5YL217120) and two (2) MX-Pro R3 manual ambulance cots to be surplus equipment and authorizing them for sale or trade-in.

Order 26,827 - appointing Garland Kearney, Sr., to the Housing Authority of the City of Cumberland to fill the remaining term of Robert Godfrey, to be effective July 6, 2021, through October 31, 2024.

Order 26,828 - declaring certain computer equipment and electronics to be surplus and authorizing them to be scrapped or e-cycled.

Mr. Tressler advised that there was quite a long list of basically obsolete electronic equipment.

Order 26,829 - authorizing the City Comptroller to allocate the use of funding for revenue loss recovery in accordance with calculations provided by the Treasury Interim Final Rule, which governs the use of ARPA funds; and approving the allocation of \$1,224,869.64 in ARPA eligible revenue loss funding for Calendar Year 2020.

Mr. Gandolfi advised that one of the four pillars of ARPA is revenue loss, and said there were specific calculations for determining revenue loss recovery. He advised that they have gone through the calculations, and said the fiscal health of local government is extremely important relative to the longevity of employment as well as services provided. He stated that this funding will become revenue in FY21, with the next valuation date being December 31, 2021. He added that the funds will become unassigned fund balance eventually, with opportunities resulting from them being unassigned. Mr. Gandolfi advised that the DDC, MPA, and General Fund all benefit from this \$1.2M, with additional funding from the \$20M left to be allocated at a later time. Mr. Tressler said they were extremely happy to see the final ruling, and stated that they didn't expect to see nearly this amount of revenue loss.

Order 26,830 - lifting the provisions of Section 11-113 of the City Code, entitled "Open Containers of Alcohol," in Constitution Park from 6:00 PM until 10:30 PM on Saturday, July 31, 2021, to accommodate the "Rock N Ribs in the Park" event; notwithstanding that open glass containers shall not be permitted.

Mr. Tressler advised that this event benefits the Western Maryland Food Bank and the Jaycees.

Order 26,831 - extending the current Collective Bargaining Agreements with the IAFF Local #1715 and the UFCW Local #1994 retroactively from July 1, 2021 through August 31, 2021.

Mr. Tressler advised that they got a signed agreement from the UFCW today, and said it will be up for approval on the next meeting. He added that they have been making good progress with the IAFF, saying they will have their first vote, and they will come back and let M&CC know. Mr. Tressler stated that he feels pretty good about the union negotiations.

Order 26,832 - authorizing the Mayor to cast a vote on behalf of the Mayor and City Council to approve the Purdue Pharma, L.P. Bankruptcy Plan.

Mr. Cohen advised that Purdue is in bankruptcy with a Chapter 11 plan, and stated that part of it provides for a \$5M settlement for state and local governments. Mr. Cohen advised that the City could either vote to be in the settlement, or deny approval of the plan. He stated that given the interest in it and that the City is such a small player, it makes sense to go along with a larger group.

Mayor Morriss gave kudos to the Engineering Department, saying it's good continuation revenue from the watershed timber sale, and said there are indications that there will be another one later in the Fall.

The Mayor discussed the Rock 'n Ribs celebration scheduled for July 31st, and noted that the amphitheater in Constitution Park is an underutilized asset and said it's great the event is happening there. He gave thanks to everyone involved; the Western Maryland Food Bank, the Jaycees, and Jeff Hedrick leading the charge.

IX. Public Comments

No public comments

All public comments are limited to 5 minutes per person

X. Adjournment

With no further business at hand, the meeting adjourned at 6:41 p.m.

Minutes approved on October 5, 2021

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk