



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: March 5, 2024

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Council Member Eugene T. Frazier
Council Member James L. Furstenberg, III
Council Member Laurie P. Marchini
President Raymond M. Morriss

ABSENT:

Council Member Richard J. "Rock" Cioni

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Shannon Adams, Fire Chief; Chuck Ternent, Police Chief

IV. Presentations

Mayor Morriss recognized two individuals, Timothy Murphy (32 years) and Dennis Steiding (20 years) for their retirement from the City. Mayor Morriss read a letter from Mr. Murphy's supervisor, Brooke Cassell, speaking to his accomplishments. Fire Chief Shannon Adams spoke of Mr. Steiding's skills and accomplishments.

V. Director's Reports

Motion to approve the reports was made by Council Member Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

(A) Fire

1. Fire Department Monthly Report for January 2024

(B) Utilities

1. Utilities Division Water/Sewer/Flood Monthly Report for February 2024

VI. Approval of Minutes

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

1. Approval of the Work Session Minutes of February 13, 2024 and the Closed, Work and Regular Session Minutes of February 20, 2024

VII. Public Hearings

1. A public hearing regarding the proposed wording changes to Article XIV (Sections 25-396 to 25-407) of the City's Zoning Ordinance (Chapter 25 of the City Code) which sets forth the City's Sign Control Provisions.

Hearing Convened: 6:28 p.m.

No public comments

Hearing Adjourned: 6:29 p.m.

2. A public hearing to consider an Ordinance (Number 3973) authorizing the issuance and sale of general obligation debt in an aggregate principal amount not to exceed \$3,350,000 to be issued under the State of Maryland's Local Government Infrastructure Financing Program.

Hearing Convened: 6:29 p.m.

No public comments

Hearing Adjourned: 6:29 p.m.

VIII. Public Comments – Agenda Items Only

Robin Summerfield, 15501 Summerfield Lane, Rawlings, MD, is speaking on behalf of U.S. Senator Ben Cardin tonight. He referenced the agreement with the Army Corps of Engineers on this evening's agenda regarding the C&O Canal Rewatering Project that has been a big priority for a number of people, going back three senators, three congress members and numerous city counsels and stake holders. Mr. Summerfield wanted to congratulate the City on reaching this milestone and called out City Engineer Bobby Smith for his hard work with the Corps of Engineers. Summerfield expressed thanks and congratulations on reaching this mile stone and is looking forward to the next steps.

Mayor Morriss thanked Mr. Summerfield for all of the hard work that he did and stated that this was something that Mr. Summerfield needed to be completed before Senator Cardin retired. The agreement with the Army Corps of Engineers for the C&O Canal Rewatering Project has been something that has been years and years of effort, with a lot of people working on the two projects the rewatering of the canal and also the seventy-eight inch pipeline.

All public comments are limited to 5 minutes per person

IX. Unfinished Business

(A) Ordinances

1. **Ordinance 3972** (*2nd and 3rd readings*) - to repeal Article XIV of Chapter 25 of the City Code and to reenact it with amendments for the purpose of abrogating regulations which are not content neutral and to otherwise amend its terms

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to approve the reading was made by Council Member Frazier, seconded by Council Member Furstenberg, and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance was 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 4-0.

2. **Ordinance 3973** (*2nd and 3rd readings*) - providing for the issuance and sale of an aggregate principal amount not to exceed \$3,350,000 of general obligation bonds of the Mayor and City Council of Cumberland

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to forego the second reading and move to the third reading was made by Council Member Frazier without comment and was passed on a vote of 4-0.

Mayor Morriss called for questions or comments. Being none, the ordinance was 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 4-0.

X. New Business

(A) Ordinances

1. **Ordinance 3974** (*1st Reading*) – enacting Division 4 of Article V of the Code of the City of Cumberland entitled “Arts Commission” pertaining to the composition, terms of service and the general purpose of the Arts Commission.

FIRST READING: The ordinance was submitted in title only for its first reading. Motion to accept the first reading and table until the next meeting was made by Council Member Frazier, seconded by Council Member Furstenberg, and was passed on a vote of 4-0.

2. **Ordinance 3975** (*1st Reading*) – to repeal and reenact with amendments Article V of Chapter 15 of the City Code (Sections 15-80 to 15-90), inclusive, pertaining to parades and special events for the purpose of adding provisions for “small events”, amending the definition of special events and making other minor changes.

FIRST READING: The ordinance was submitted in title only for its first reading. Motion to accept the first reading and table until the next meeting was made by Council Member Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda and Mayor Morriss called for questions or comments. **Motion** to approve each item was made by Council Member Marchini, seconded by Council Member Frazier, and was passed on a vote of 4-0.

Order 27,411 – declaring certain City-owned properties to be surplus and authorizing them for sale.

Order 27,412 - authorizing the execution of a Design Agreement with the United States Army Corps of Engineers outlining terms for the C&O Canal Rewatering Project (City Project 28-19-FPM) allowing for the project to be designed and contract documents to be drafted, with City’s contribution, after in-kind contributions, will be an amount not to exceed \$210,000.

Order 27,413 – lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol within a defined area of the downtown mall for the Hooley Pub Crawl for the period of March 16, 2024 beginning at 12:00 p.m. and ending at 2:00 a.m. on March 17 2024; notwithstanding, that open glass containers shall not be permitted.

XI. Public Comments

Peggy Keene, 309 Skyview Drive, LaVale, MD – Ms. Keene greeted the Mayor and City Council and advised she is part of the Cresap Chapter of the Daughters of the American Revolution (D.A.R.). She advised that she came before Council in December about the George Washington’s Headquarters and a suggestion was made to solve the problems around the Headquarters by the D.A.R. leasing the headquarters from the City. She indicated that at the time some of the Council members thought it may be a good idea and were going to check with the City’s attorney – and Ms. Keene has not heard back.

Since then, Ms. Keene indicates she has gotten a response back from Ruth Davis-Rogers (the City Historic Preservation Coordinator) about the insurance on the Headquarter building, and apparently, there is none. Ms. Keene indicated that the email from Ms. Davis-Robers said that “the City was not responsible for any items lost to theft,” and stated that it was difficult to carry out a cannonball, mannequins, etc. and that all the items in the cabin are valuable.

Ms. Keene continues that she has tried to obtain insurance for the cabin, but commercial insurance is hard to find since the D.A.R. neither leases nor owns the cabin. The D.A.R. has been hosting at the George Washington Headquarters since 1935 when the City of Cumberland gave them the privilege of hosting it. They feel it is an honor to host at the headquarters as it is considered a treasure to be visited by those who wish to see it. She continues that they’ve increased the touring hours and open the cabin by request with notice and also plan on opening it at least one weekend a month. Additionally, the D.A.R. runs tours during Museum Week and Heritage Days without admission fees.

Ms. Keene indicated that rumors circulate periodically about moving the Headquarters and hiring a full-time docent, however, we have been told that the cabin is too fragile to be moved since it is about 265 years old and the last structure of the Fort still standing. A full-time docent equates to money. Currently, they clean, host and meet the public for free out of the honor they have been given to host the Headquarters.

Keene continued that the George Washington Trail has brought visitors and can envision the people that will visit it situated near activity at the new RiverPark at Canal Place. The draw of seeing the house will bring visitors into other museums, restaurants and perhaps future residents. The mission of the D.A.R. is to promote historic preservation, education and patriotism.

Ms. Keene asked the Mayor and Council Members if they have come to any decision that can be taken back to their leadership for their review and consideration? She also wanted to take the time to thank Captain Burt and the City Police Dept. for their help in monitoring the headquarters and would like to request a private session with Council because this is pretty expensive, and would require more than five minutes.

Jeff Silka responded saying that preliminary research shows that when the park was donated there is an encumbrance that states that it becomes a park forever and would not be able to be leased to another entity.

Ms. Keene responded that they didn't want the park, just to maintain the Headquarters. The new park that is planned will have a parking lot right there next to the Headquarters, which is excellent because people can pull up and park and go right into the Headquarters.

Mayor Morriss responded that the insurance issue would be looked into as this is the first time he'd heard of this. He continued that we will talk internally and then we will get back with her.

Ed Taylor, Jr., President of the Cumberland Historic Cemetery Organization, 400 S. Allegany Street, Cumberland, MD – Mr. Taylor states that he is here to support Ms. Keene as she is not only with the local D.A.R. but she is also one of our board members. He continued that while their organization was here in December and originally came up with the idea of leasing the park, that idea needs to be withdrawn. Mr. Taylor said that after they saw the River Park Plan, it encompasses that parking lot...and they're all in favor of the parking lot as it would help multiple issues down there and it would also be a good access for people to visit the cabin.

Mr. Taylor continued that what they are asking is, if the D.A.R. could lease or purchase the cabin that they have been maintaining since 1935. They are working to save American monuments and that cabin is a monument in our City's history. He states that nobody wants the cabin to be moved, however times change. Taylor states he is worried about thirty or forty years from now since people come and go and things change. If these monuments, including the cabin, shift into private and individual hands but remain on public property, that will guarantee that no one will come along and move the monument. Mr. Taylor continued by asking that Council Members Marchini and Frazier be on the Heritage Days committee this year.

Mayor Morriss thanked Mr. Taylor for coming and told him we will continue to look at our options for the George Washington Headquarters. It is truly a monument within our City that we need to continue to protect for the long-term.

Max Green, 505 Patterson Avenue, Cumberland, MD – Mr. Green expressed gratitude for the swift action in addressing the traffic concerns on the West Side involving the coordinated efforts of the CPD, Public Works and Engineering Depts., saying it was reassuring receiving a call from Lt. Tichnell today detailing all of the enforcement measures already in place courtesy of the Community Actions team effort on Fayette, Braddock and Allegany, which is complemented by the strategic placement of the speed trailer on Fayette. This proactive and community focused response is commendable and sets a precedence to governments moving forward on this issue.

Further, Mr. Green eagerly anticipates the upcoming community listening sessions orchestrated by the Police Dept. which promise to further bridge the gap between City officials and residents ensuring a collaborative approach in these and other public safety issues. He also wanted to acknowledge some of the residents present as their civic engagement epitomizes the essence of community partnership and its crucial to recognize that real change stems from active participation and constructive dialogue far beyond the confines of social media interactions.

Mr. Green continued that as we dive into specific concerns related to traffic on the west side, he urges us to broaden our perspective and consider the impending impact of new developments like the 100+ new homes at the former Allegany High School sight. Proactive identification and litigation of potential issues is imperative to ensure harmonious integration of growth and community wellbeing.

He proposes a number of common sense and cost-effective solutions for “traffic calming”, many of which are implemented across the City, exploring the intersection of functionality and esthetics with “traffic calming” – the integration of public art and beautification initiatives as mentioned in our letter to the Mayor and Council offers a dual benefit of “traffic calming” and placement. This approach not only addresses safety concerns but also enhances the visual appeal of our neighborhood fostering a sense of pride and belonging.

Mr. Green continues that he does not expect the City to invest significant funds to realize a goal to incorporate public art nor does he think it should hold up more cost effective, practical solutions, but he does believe that we should be open to these creative solutions and we should leverage grant funding where possible towards those efforts.

Green states that the exploration of traffic management tools such as speed humps or tables with due consideration for municipal services like snow plowing is warranted. He says that consideration of other municipalities like Montgomery County, Maryland, provide valuable precedence for adaptable, effective solutions for speed humps. Green continues that Council has their commitment to go back to the community association and continue to act as a local community engagement and feedback regarding other areas of concerns in our neighborhood.

Mr. Green continued by acknowledging the complexity of traffic calming, as it is imperative to maintain a focus and is a collective effort in enhancing the safety and aesthetic of our streets. The synergy of the City’s resources, community insights and innovative approaches can pave the way for a safer, more vibrant west side. He also added that he would Council to reinstate the Neighborhood Advisory Commission as it is critical that not only communities like West Side are empowered to speak about the issues that impact their neighborhood, but, also South end and others where we know those communities are in need and often overwhelmed. Mr. Green thanked Council for their unwavering commitment to our community’s wellbeing and looks forward to the City’s response during the next public meeting.

Mayor Morriss thanked Mr. Green for bringing his concerns and indicated that we will get back with him as quick as we can and hopefully by the next meeting will have some resolutions on what the plans will be. As far as the Neighborhood Commission, what Council needs are more groups like yours who are active and engaged in the other neighborhoods around town. Morris continued that we are fully supportive of that commission and are hoping what they are doing on the West Side could be the template for what happens on the Northend and the Southend, Johnson Heights and Mapleside and all of the different neighborhoods within the city. The Mayor thanked Mr. Green for what he is doing and the chief has been involved in some “listening sessions.”

Chief Ternent commented on the “listening sessions” saying that before COVID, there was a pretty robust system of community meetings across town. The Police Dept. attended many of them, and hosted several of them. During COVID they all went to the way side. We’ve made offers to help some throughout the time but actually the West Side is pretty much the only one that is operating now, along with the South Cumberland Business Association. So, we decided to implement a series of community meetings called “Chief’s Forums” where the community can come out and start some conversations with us of what they want to see in their community. Hopefully we can spur some community involvement. Chief Ternent spoke with the Mayor and wanted to invite City Council Members to come out and sit with him at the tables, along with a couple other police officers, the Mayor, and someone from Community Development, Kevin Thacker as well. Our first meeting will be at HRDC on March 27th at 5 p.m. After that, we have one where the West Side Crime Watch has a meeting, April 10th. Our goal is to spur community involvement, interaction with the police, and try to address any problems the community has before they come to you guys.

Mayor Morriss replied that we like communicating with our citizens

All public comments are limited to 5 minutes per person

XII. Adjournment

With no further business at hand, the meeting adjourned at 7:00 p.m.

Minutes approved on March 19, 2024

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk