



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman Joseph P. George
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

MINUTES

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

DATE: November 02, 2021

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman Joseph P. George
Councilwoman Laurie P. Marchini
President Raymond M. Morriss

Also Present: Jeffrey Silka, City Administrator; Marjorie A. Woodring, City Clerk; Kenneth Tressler, Director of Administrative Services; Robert Smith, City Engineer; Chuck Ternent, Chief of Police; Shannon Adams, Interim Fire Chief

Mayor Morriss introduced Jeffrey Silka, the new City Administrator, and thanked Kenneth Tressler for the service he provided over the last 5-6 months as Interim City Administrator. The Mayor stated that Mr. Tressler had done a great job of holding everything together.

IV. Statement of Closed Meeting

1. Summary statement of closed meeting held October 27, 2021

Mayor Morriss announced that a closed session had been held on October 27, 2021 at 4:30 p.m. and read into the record a summary of that meeting 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. Quarterly presentation of awards to employees who have reached career milestones with the City of Cumberland.

Chief Ternent introduced Jerry Flanagan, and MPA Supervisor Kevin Ogle, Mr. Flanagan's direct supervisor, joined the Chief at the podium. The Chief stated that Mr. Flanagan has been with the City for 40 years, and said they were fortunate to have him. He advised that Mr. Flanagan manages all the parking maintenance, parking kiosks, meters, garages, etc., said he is very dependable, is always there when they need him, and said they appreciate all his years of work he's done for the City. The Chief also mentioned Mr. Flanagan's family who were in attendance.

Chief Ternent invited Lt. Andy Tichnell to the podium with him, as well as Capt. Jim Burt. The Chief announced that Lt. Burt was promoted this past Saturday, and is now the new Captain for the CPD.

Chief Ternent advised that Lt. Tichnell has been with the City for 20 years, and said he started out as a patrol officer and worked his way up to Lieutenant. The Chief advised that during Lt. Tichnell's tenure he has served as a detective, a patrol Sergeant, crime scene technician, and a motorcycle officer. Chief Ternent said that now Lt. Burt is a member of his staff, running the Criminal Investigation Division. The Chief said Lt. Burt is an important part of their staff, and said they very much appreciate his 20 years of service

VI. Proclamations

1. Proclaiming the month of November, 2021 to be Family Court Awareness Month in the City of Cumberland

Mayor Morriss read the proclamation, and Heather Twigg accepted the proclamation on behalf of Tina from One Mom's Battle. She stated that 12 years ago Tina entered the family court system believing that child safety was prioritized, and found out it is not. Ms. Twigg discussed areas of concern, and said their goal is to shine a spotlight on research that has been done on this topic, which is not being utilized. She added that awareness is the first step to change, and thanked the City for standing with them to recognize the importance of a court system that prioritizes child safety.

VII. Director's Reports

Motion to approve the reports was made by Councilman Frazier, seconded by Councilman George, and was passed on a vote of 5-0.

(A) Administrative Services

1. Administrative Services monthly report for August, 2021

(B) Engineering

1. Engineering Division monthly report for October, 2021

(C) Public Works

1. Maintenance Division monthly report for September, 2021

VIII. Approval of Minutes

Motion to approve the minutes was made by Councilman Cioni, seconded by Councilwoman Marchini and was passed on a vote of 5-0.

1. Approval of the Closed Session Minutes of August 10, 2021, and the Regular Session Minutes of September 21, 2021

IX. Unfinished Business

(A) Ordinances

1. **Ordinance 3902** (*2nd and 3rd readings*) - accepting the bid from RM & GM, LLC from the "Round III Surplus Property Sale" for the purchase of 130 Polk Street for the amount of \$2,500 and authorizing execution of a deed to effect the conveyance.

Mr. Tressler advised that this property was originally listed in Round II, and was inadvertently left off the surplus properties declaration.

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 Councilwoman 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 presented in title only for its third reading, and was passed on a vote of 5-0.

2. **Ordinance 3903** (*2nd and 3rd readings*) - accepting the bid from the "On-going Surplus Property Sale" for 3 Altamont Terrace from David W. Smith for the amount of \$100 and authorizing execution of a deed to effect the conveyance.

Mr. Tressler advised that this property was also originally listed in Round II, but did not receive a bid.

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 Councilwoman 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 presented in title only for its third reading, and was passed on a vote of 5-0.

3. **Ordinance 3904** (*2nd and 3rd readings*) - to repeal and reenact with amendments Sections 6-1 through 16-6 of the City Code to update employee paygrades.

Mr. Tressler advised that this ordinance was last updated in 2017, and since then there have been four 2% COLA increases, as well as a minimum wage increase. He added that this ordinance increases the base, midpoint, and maximum pay amounts by 5%.

SECOND READING: The ordinance was presented in title only for its second reading. The reading was interrupted, and a **motion** to accept the second reading and move to the third after comment was made by Councilwoman Marchini, seconded by Councilman Frazier, 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 presented in title only for its third reading, and was passed on a vote of 5-0.

X. New Business

(A) Ordinances

1. **Ordinance 3905** (*1st reading*) - approving an application to amend the City's zoning map to rezone property at 718 Frederick Street from R-U (Urban Residential) to R-R (Rehabilitation and Redevelopment) Floating Zone.

Mr. Tressler advised that a public hearing on this ordinance was held at the last M&CC Regular Session.

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 Cioni, and was passed on a vote of 5-0.

2. **Ordinance 3906** (*1st reading*) - accepting the bid from Michael W. and Kimberly A. McKay for the purchase of 17 Paw Paw Alley and authorizing execution and conveyance of a deed to effect the transfer.

Mr. Tressler advised that this property was originally listed in Round III, and received no bid at that time.

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 Cioni, and was passed on a vote of 5-0.

(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 Councilwoman Marchini, seconded by Councilman George, and was passed on a vote of 5-0.

Order 26,894 - accepting the sole source proposal from Gwin, Dobson & Foreman in the not-to-exceed amount of \$26,870 to support the City's efforts to renew the Water Allocation Permit from the PA Department of Environmental Protection for the Water Filtration Plant.

Mr. Tressler advised that Gwin, Dobson & Foreman performed an assessment in 2018, and are familiar with the system, and also have a lot of experience with the EPA.

Order 26,895 - approving the sole source purchase of one (1) New Ford F150 Extended Cab Pickup Truck and one (1) New Ford F150 Regular Cab Pickup Truck from Keystone Ford using CoStars joint purchase pricing in the total amount not-to-exceed \$69,474.

Mr. Tressler advised that CoStar is a competitive cooperative purchasing bid, and the City is piggy-backing on it.

Order 26,896 - accepting the sole source proposal from Belt Paving, Inc. for the "Merchant's Alley and Kelly Road Paving Project (22-21-P)" in the estimated lump sum cost of \$68,295.

Mr. Tressler advised that this needs to get done this paving season to prepare for calendar year 2022 projects, and had to be sole sourced to Belt Paving in order to accomplish that.

Order 26,897 - approving a one-time Historic District Property Tax Credit in the amount of \$2,343.50 for 600 Washington Street (Tax No. 06-017118) to be used within five (5) years, and a one (1) year property tax assessment freeze.

Mr. Tressler advised that this project went through the HPC process, and was for roof replacement and gutter repair.

Order 26,898 - authorizing execution of a Second Amendment to the current Collective Bargaining Agreement with AFSCME #553 to allow for 12-hour shifts for employees at the Water Reclamation Plant and Water Filtration Plant.

Mr. Tressler advised that this is an attempt by management to address significant turn-over that the City is experiencing at the WWTP, and worked with the union in an effort to improve the employees' work/life balance.

Order 26,899 - declaring City-owned properties 107 Springdale Street, 109 Springdale Street, 105 Grand Avenue, 14 W. First Street, and 417 Broadway Street as surplus and authorizing them for sale to the general public.

Mr. Tressler advised that these properties were obtained through the donation process, and said that two will be demolished due to neighborhood complaints, and two are already gone.

Order 26,900 - authorizing the City Administrator or their designee to execute contracts with new hires at the Water Reclamation Facility and the Water Filtration Plant to provide terms by which new hires agree to remain employed in the department they were originally hired into and are not eligible to transfer to another department for a period of five (5) years from their date of hire.

Mr. Tressler advised that this is another step being taken to address turn-over issues.

XI. Public Comments

Chris Myers, 15 S. Liberty Street, stated he owns and business and works downtown, and thanked M&CC for the recent White Cane Awareness Day proclamation. He said that he could not be at the meeting due to a work conflict. He said that tying on with the topic of white cane awareness, he wanted to discuss crossings and sidewalks. He explained an incident where he and his guide dog were injured, but not seriously, at the Baltimore and Mechanic Streets crossing by a

hit and run driver. He stated that there continues to be a problem with pedestrian safety in Cumberland, specifically at that intersection, and said the cycling of the lights there is much too long, with most pedestrians not waiting for the walk light. He added that he realizes this wouldn't get addressed until after the Baltimore Street Redesign, but said he thinks the City could change the cycling with current traffic equipment that's there. Mr. Myers also discussed the right-on-stop sign in front of the Kensington, and said it needs to be changed to a 3-way stop, and provided some ideas to Council, along with discussing the sidewalk situation on Washington Street. Lastly, Mr. Myers suggested promoting pedestrian safety awareness, as well as enforcing right-on-red issues in downtown, Greene Street, Queen City Drive, and that whole corridor.

Mayor Morriss advised Mr. Myers that Council has had this discussion from another citizen recently, and said they have been reviewing the intersection at the Kensington, looking at different signs, and are actively engaged at looking into it. The Mayor added that there have also been some discussions about audible pedestrian crossing safety devices. -

Janet Wunderlick, 15 Prospect Square, owner of WCBC building, said Chris Myers said a lot of what she was going to say. She said that she, too, has dashed through traffic at the intersection Mr. Myers spoke about, after waiting for the signal to change, and added that this corner is a challenge between pedestrians and vehicles. Ms. Wunderlick stated that the rolling corner, right on red, is deadly. She asked M&CC to prioritize this issue to Jason Deal, Superintendent of Streets, to seriously look at this and come up with recommendations very soon, like the audible crossing signal. She added that the Kensington is very dangerous, and said it's important for visitors to feel safe when crossing, and encouraged M&CC to walk the areas with safety issues to see what it's like for pedestrians.

Mayor Morriss replied that they are actively looking at things to make the downtown more walkable. Robert Smith, City Engineer, stated that the Baltimore St. Access Project will have cross walk lights in the area discussed converted to audible. He also advised that they will have a new traffic controller, and added that the City's timing is within the state recommended times, but said they can look at it. Mr. Smith explained that the Baltimore/Greene/Washington Street intersection was set up based on recommendations from a 2009 Whitman Requardt & Associates study that evaluated traffic issues around the entire City, and said this wasn't done in a vacuum. He explained further that a lot of the problem is due to queuing and stacking issues, and said the City is trying to balance everything, stated that nothing is being ignored, and added that he is re-looking at the studies to see if there are other recommendations.

Chief Ternent advised that in 2020 the CPD recognized a problem with pedestrian safety, and even had a pedestrian fatality. He stated that the goal of the CPD is to increase enforcement. He said they did do checkpoints, gave pamphlets to drivers, and informed pedestrians, and said they do take it seriously. He advised that in the past they have had funding from the Maryland Highway Safety Office, and said they will explore that again.

Councilwoman Marchini noted that there needs to be driver awareness, and said people drive right through cross walks, and said it's being done at City Hall as well. She suggested that the City may need a marketing plan to advertise that pedestrians have the right of way. Councilman Cioni said that walkability needs addressed, and Councilman Frazier reiterated that the pedestrian crossings at City Hall do not feel safe – no driver awareness.

All public comments are limited to 5 minutes per person

XII. Adjournment

With no further business at hand, the meeting adjourned at 7:06 p.m.

Minutes approved on February 15, 2022

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk