



# 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

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## MINUTES

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

DATE: October 05, 2021

### I. 6:15 p.m. OPEN SESSION

### 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:** Ken Tressler, Interim City Administrator; Marjorie Woodring, City Clerk; Robert Smith, City Engineer; Shannon Adams, Interim Fire Chief; Chuck Ternent, Chief of Police

### IV. Statement of Closed Meeting

#### 1. Summary Statement of the closed meeting held September 22, 2021

The Mayor announced that a closed session had been held on September 22, 2021 at 4:00 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. Proclamations

#### 1. Proclaiming October 15, 2021 in the City of Cumberland as White Cane Awareness Day

Mayor Morriss read the proclamation. No one was present to accept the proclamation, and Mayor Morriss commented that Blind Industries in Cumberland announced they would be closing at the end of the month. He stated that M&CC will be discussing how

the City can help those employees find employment opportunities in and around Cumberland.

## **VI. Approval of Minutes**

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

1. Approval of the Work and Regular Session Minutes of July 6, 2021, and the Work and Regular Session Minutes of July 20, 2021

## **VII. New Business**

### **(A) Resolutions**

1. Resolution No. R2021-06 - granting a property tax credit for the Cumberland Outdoor Club for the tax year 2021-2022.

Mr. Tressler advised that specific non-profits are granted the ability to request a tax exemption.

The Resolution was submitted in title only. **Motion** to accept the resolution was made by Councilman Cioni, seconded by Councilman George, and was passed on a vote of 5-0.

### **(B) Ordinances**

1. Ordinance No. 3901 (*1<sup>st</sup> Reading*) - Accepting bids for the purchase of six (6) parcels of property offered for sale through the "2021 Request for Bids - Surplus Property Round III" bid process, and authorizing the Mayor to execute deeds effecting the transfer to the successful bidders.

Mr. Tressler advised that there were 18 properties on this list, and 7 were bid on, with 1 property being held out due to needing to be declared surplus first.

**FIRST READING:** The ordinance was submitted in title only for its first reading. **Motion** to approve the first reading and table until the next meeting was made by Councilman George, seconded by Councilman Frazier, and was passed on a vote of 5-0.

### **(C) Orders (Consent Agenda)**

Mr. Tressler reviewed each item on the Consent Agenda. **Motion** to approve all orders was made by Councilwoman Marchini, seconded by Councilman Frazier, and was passed on a vote of 5-0.

Order 26,881 - authorizing the Police Chief to accept an FY22 Maryland Highway Safety Office Project Agreement Traffic Safety Grant in the amount of \$3,000.00 for police OT, concentrating on DUI reduction and occupant protection.

Mr. Tressler noted that the Cumberland Police Department does an excellent job in finding grants to help pay for operational costs.

Order 26,882 - appointing Rhonda Roy to the Cumberland Housing Authority for a five (5) year term to be effective October 31, 2021 through October 31, 2026.

Mr. Tressler advised that the City appoints board members to the Housing Authority, but does not have operational oversight. He added that they are appointed by the recommendation of the Executive Director of the Housing Authority.

Order 26,883 - authorizing the Mayor to accept a deed from Northbranch Properties LLC for a certain parcel of real estate to be used to relocate Riverside Avenue, and accepting said parcel of land into the City's infrastructure and declaring it to be public right-of-way.

Mr. Tressler advised that this deed is for the loop road that goes around the Grow West facility, and said this order is associated with the road closure regarding the Grow West expansion that was approved earlier this year.

Order 26,884 - appointing Councilman Joe George as the ex-officio member to the Cumberland Planning and Zoning Commission.

Mr. Tressler advised that City Code stipulates that a member of the M&CC to be designated a non-voting member of the commission.

Order 26,885 - approving L/B Water Service, Inc. as the sole source vendor for the purchase of water meters and smartpoints for FY22 and approving FY22 purchases of this equipment in the amount not to exceed \$170,000.

Mr. Tressler advised that the City standardized on this equipment many years ago and said this is associated with the cross-connection program where old meters are replaced with new meters that have smartpoint devices and backflow preventers.

Order 26,886 - accepting the proposal from Kiddy's Contracting for the "2021 Fall Tree Removal, Pruning, Stump Grinding Project" (17-21-M) in the estimated unit price of \$43,750.

Mr. Tressler advised that this was a public solicitation, with Kiddy's Contracting having the lowest price.

Order 26,887 - authorizing the execution of Change Order No. 2 for City Project "Replacement of Bridge A-C-06 on Baltimore St. Over Wills Creek" (9-18-BR) to amend the original contract of cost share agreement with the Allegany County Government for invoices pertaining to the Final Design Services, with the County paying MDOT directly and seeking reimbursement from the City for its cost share portion estimated at \$3,892.65. This Change Order will increase the total reimbursement request to \$123,647.25, which is 20% of the estimated project cost of \$618,236.26.

Mr. Smith advised that this relates to some changes during the design process to look further into street lights at the site, additional permitting, survey for borings, and items that were outside the scope of work at the original bidding.

Order 26,888 - authorizing the Mayor to execute a letter to the US Army Corp of Engineers, Baltimore District, and the MD Department of the Environment, Water and Science Administration, advising that the City of Cumberland, for the purpose of the Potomac River Mitigation Bank Project, accepts the ownership of the Cumberland Dam under the Blue Bridge, to allow for the dam to be removed.

Mr. Tressler that this is an early step to get the proposed River Park Project moving forward.

Order 26,889 - appointing Jeffrey F. Silka as the City Administrator for the City of Cumberland effective November 1, 2021.

Order 26,890 - authorizing execution of an Employment Agreement with Jeffrey Silka for the position of City Administrator to be effective November 1, 2021, for a 3-year term, with automatic one-year renewals thereafter, contingent upon terms of the agreement.

Order 26,891 - declaring 130 Polk Street (Tax No. 14-001255) as surplus property and authorizing it for sale through a closed bid process.

Mr. Tressler advised that this property was included in the Surplus Property Sales Round III, and said that City staff inadvertently forgot to declare it surplus, so this order fixes that issue.

### **VIII. Public Comments**

Mark Larson, 80 Greene Street #3, spoke about appearing in front of Council in February of 2020 with his issue regarding the lack of appropriate signage at the intersection of Baltimore, Washington, and Greene Streets to reduce the risk of a pedestrian accident. He stated that after approaching Councilman Frazier shortly after he was elected, as well as the Mayor, nothing has changed. Mayor Morriss advised that at this point they believe it is a workable intersection, but said the City would monitor it and see what could be done. Mr. Smith advised that it had been looked at by the previous City Engineer, and said for the sign to be taken out, they would have to see what the stacking capacity would be between the turning movement and the light at the bridge. He added that maybe some additional signage is needed. He said they would look at it again and get back to M&CC.

Bishop Walsh Spartan Theater Senior Representatives spoke about their Not So Spooky ghost tours to be held on Washington Street every Thursday in October from 7:30 – 8:30 p.m. They advised that it will be an historic tour, specifying the ghosts and history of the City, and said they have been in contact with local paranormal experts. The representatives advised that the tour will be fun for all ages, and not too scary for young children, and advised that theater members will be acting as the ghosts, and telling a little about their stories and backgrounds. The tour begins by the WMSR train station, and is free to the public, with the option for donations, which will sponsor the Bishop Walsh theater program which hasn't had much happening since Covid.

Shannon Adams, Interim Fire Chief, expressed his thanks to the M&CC and staff, and all who helped, participated, or sent support to the Cumberland Fire Department over the last couple days. He also expressed his thanks for support regarding firefighter Kelly Frye, whose funeral was held today. He said that Ken McKenzie, union president, was still with firefighter Frye's family, and couldn't be here tonight. Interim Chief Adams said that the union was very happy with all the support, and asked him to send their thanks, and he also expressed many thanks on behalf of the Cumberland Fire Department.

Mayor Morriss stated that it was their privilege to be there to honor firefighter Frye's 25 years of service, and said the CFD did a wonderful job of honoring him with a great send-off. Mr. Adams said that firefighters from Rochester, NY, Pittsburgh, PA, Frederick County, and numerous law enforcement agencies from all over came in support and to help the CFD go through something they had never done before. He also mentioned that the family knows of the City's support, and expressed their thanks. Councilman Frazier spoke about the outpouring he saw at the funeral home, and said it was one of the most touching funerals he's ever seen. He then read a poem he wrote entitled "Hero". He added that he built his new house in Cumberland specifically because of the Fire Department, Police Department, and EMTs who risk their lives every day, and said he appreciates them and supports them.

All public comments are limited to 5 minutes per person

**IX. Adjournment**

With no further business at hand, the meeting adjourned at 6:49 p.m.

Minutes approved on January 4, 2022

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk