

# Mayor and City Council of Cumberland

## WORK SESSION

City Hall Council Chambers  
57 N. Liberty Street  
Cumberland, MD 21502

Tuesday, May 18, 2021  
4:30 p.m.

*This meeting was held via Video-Conference*

**PRESENT:** Raymond M. Morriss, President; Council Members: Richard Cioni, Eugene Frazier and Laurie Marchini. Seth Bernard was absent.

**ALSO PRESENT:** Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Robert Smith, City Engineer; Matt Miller, Executive Director - CEDC

### I. AGENDA REVIEW – MAY 18, 2021

Mayor Morriss reviewed all the reports and minutes and opened up the floor for questions or comments. Being none, Mr. Rhodes reviewed the ordinances:

**Ordinance 3886** (*1st reading*) - providing for the closure of a portion of a street known as Riverside Avenue, as requested by Northbranch Properties, LLC

Mr. Rhodes provided background Ordinance No. 3886, saying this a proposed road closure to accommodate the Grow West (Northbranch Properties, LLC) expansion, and advised that property on either side of the proposed closure is owned by either Allegany County or Grow West, and both sides are in agreement, and affected property owners have been notified. Mr. Rhodes provided map images of the area.

**Ordinance No. 3887** (*1st reading*) - providing for the City Tax Levy for FY22. Real Estate tax rate to remain at \$1.0595 per \$100 of assessed value. Personal Property tax rate to remain at \$2.648 per \$100 of assessed value.

*~PowerPoint slides for the budget were available and presented online during the video-conference~*

Mr. Rhodes provided background on the Ordinance and said this ordinance will set the tax rate for the upcoming year.

**Ordinance No. 3888** (*1st reading*) - providing for the annual appropriation for the FY22 General Fund.

Mr. Rhodes provided background on the Ordinance, and advised that the GF appropriation budget is approximately \$28M. Mr. Tressler wanted to remind everyone that this information was reviewed in two previous work sessions, and advised that the City is basically at a break-even budget, with \$1K surplus in unassigned fund balance.

**Ordinance No. 3889** (*1st reading*) - providing for an appropriation for the FY22 Water Fund.

Mr. Rhodes provided background on the ordinance, and Mr. Tressler added a reminder that the water service is holding at the same rate as last year, as well as sewer and trash rates.

**Ordinance No. 3890** (*1st reading*) - providing for an appropriation for the FY22 Sewer Fund.

Mr. Rhodes provided background on the ordinance, and advised that the budget is approximately \$30M. Mr. Tressler advised that Capital Expenditures is primarily associated with the \$50M 78" Pipeline project, which will be spread over three and a half (3½) years. He added a reminder that the City has just completed the \$30M CSO project, and advised that they did receive almost 88% of the cost in grant funding for both of those projects.

**Ordinance No. 3891** (*1st reading*) - providing for the annual appropriations for the FY22 Special Purpose Funds.

Mr. Rhodes reviewed the ordinance and said there were a number of small funds. Mr. Tressler advised that for the Housing Assistance, that's a straight pass-through, as the City gets the money from the State and passes it on to HRDC. He advised that for Capital Expenditures, the Baltimore Street Access project is expected to start up, along with the Carver Center, and several recreation projects as well.

Mr. Rhodes reviewed each item on the Consent Agenda:

**Order 26,790** - accepting the bid from Gwin, Dobson & Foreman, Inc. for the "Influent Screening System Upgrade Project" (2-21-WWTP) in the lump sum cost of \$70,000.

Mr. Rhodes advised that this is the engineering work that will screen the front end of the WWTP's operations, catching debris approximately a half inch in diameter, or larger. Mr. Smith stated that as this is just the engineering work, the final solution will be determined during the design phase.

**Order 26,791** - authorizing the execution of Change Order No. 5 to the "Residential Mowing Contract" (10-19-M) with Casey Smith, LLC, dba Service Pro, for the added amount of \$700, making the new contract value \$58,685.00. This change order will add and remove properties recently acquired by and sold by the City to the current contract through the end of the fiscal year.

Mr. Rhodes advised that the City was able to eliminate nine properties on the blight program list, but they also picked up 9 new properties which are slightly larger in size, which is the reason for the increase in the mowing contract.

**Order 26,792** - authorizing the Chief of Police to accept a FY22 State Aid for Police Protection Fund Grant in the amount of Four Hundred Fifty-Eight Thousand, Seven Hundred Fifteen Dollars (\$458,715.00) to be used exclusively to provide adequate police protection in the City of Cumberland.

Mr. Rhodes advised that this is the annual allocation of State Aid, and is a formula-based aid that the CPD receives each year.

**Order 26,793** - Authorizing execution of a Joint Use Agreement with Allegany College of Maryland acknowledging that the City is applying for Community Parks and Playground Program funding for the construction of a sand volleyball court for public use that is to be located on land owned by ACM, and outlining the terms for the operation and maintenance of that facility should the funding be granted.

Mr. Rhodes advised that the Joint Use Agreement is necessary because the City is the eligible jurisdiction to receive the funds, but does not own the property. Ms. McKenney advised that the decision is pending, but does look favorable that the funds will be allocated, and said the next stop is with the Board of Public Works at the State.

**Order 26,794** - accepting the proposal from Carl Belt, Inc. for the Long Field Upgrades Project /Phase I (12-20-RE) in the estimated unit cost of \$117,758.26 obtained through NJPA competitive pricing. This project will be funded through Program Open Space with a 10% cash match from the City.

Mr. Rhodes advised that this was bid through the National Joint Powers Alliance which is a purchasing co-op. He said that improvements would be made to concessions for ADA accessibility, as well as improvements to the infield. Mr. Smith advised that replacing the infield will use most of the money, followed by concessions, and then drainage improvements on the field. Councilman Cioni inquired about cost for lighting on the field. Mr. Smith advised that they would base that on the Cavanaugh Field cost, and said that when they go for funding they can buy the lights through the NJPA. He stated it would probably be a \$125K project.

**Order 26,795** - authorizing execution of Lease Agreements with Corner Tavern and Cafe LLC, the Embassy Theatre Corporation, Coaches Entertainment Enterprises (Mezzo's), City Lights American Grill & Bar, and the Baltimore Street Grill for the use of the public right-of-way adjacent to each establishment for the purposes of outdoor dining and entertainment for a one-year term, effective June 1, 2021 through May 31, 2022.

Mr. Rhodes advised that these are the City's yearly lease agreements for outdoor dining.

**Order 26,796** - declaring a 2011 Honda Accord to be surplus property and authorized for donation to the Allegany County Narcotics Task Force to be sold at Sheriff's auction.

**Order 26,797** - authorizing execution of a Copyright Use / Permission Agreement with V. L. Cox to allow the Human Relations Commission to use the concept of her copyrighted "Opening Doors" art installation to create a Fair Housing Act display to be used at various events.

Mr. Rhodes advised that HUD has used this same artwork, and Lee Borrer, Senior Community Development Specialist wanted to use it also. He stated that there is no cost, but it is necessary to obtain the artist's permission.

**Order 26,798** - approving a Historic District Tax Incentive Program credit and assessment freeze for property at 66 Pershing Street (Tax No. 04-084171) owned by CG Enterprises LLC, based on total eligible projects costs of \$187,836.32 Property Tax Credit = \$18,783.63 valid for 5 years, Property Tax Assessment Freeze - 7 years, Special Taxing District Tax Assessment Freeze - 7 years.

Mr. Rhodes advised that these credits and assessments freezes are based on the amount of investment, and stated that if the credits aren't used in 5 years they do expire.

**Order 26,799** - accepting the proposal from Turnbull Hoover & Kahl, P.A., to provide an audit of the City's financial statements for the year ended June 30, 2021, for the amount not to exceed \$111,200.

Mr. Rhodes advised that normally on these audits they typically see the cost coming in under the "not-to-exceed" amount. Councilman Cioni inquired if the cost for the audit each year has remained pretty stable, considering all the grants. Mr. Gandolfi advised that it has remained relatively stable with \$108K - \$109K the last two years. Mr. Tressler advised that there is a single audit that audits federal grant programs.

**Order 26,800** - Accepting the proposal from The Mercer Group, Inc. to provide services and support in the search for a city administrator for the amount of \$21,500 for professional services and expenses not to exceed \$6,500.

*Council Member Bernard signed in at 4:49 p.m.*

Mayor Morriss called for any more questions or comments on the Consent Agenda. He stated that it was good to see someone taking advantage of the Historic Tax Credit. The Mayor also spoke about the street closure at Riverside Avenue, and mentioned that one portion was left open for one property owner. Mr. Rhodes advised that approximately 200 feet or so will remain open to allow DNA Landscaping access.

There was more discussion about the lighting at Long Field, with Mr. Smith advising that the lighting will not be addressed with this upgrade Phase I project, as there was not sufficient funding for it at this time.

There was discussion about the Police Report on the agenda, and the differences in amounts of traffic stops and criminal arrests in the same month in 2020 and in 2021. The Mayor suggested that shows a direct effect of Covid-19, as during the height of the pandemic people were mostly staying home, whereas now things have opened up more and people are getting back to doing what they normally do. He also stated that it shows how active the Police Department has been as of late with everything that's going on, and mentioned the recent vandalism at Jaycee Field and Constitution Park, saying he is confident the CPD will find those responsible. Council Member Marchini wanted to give a shout-out to the officers in recognition, and Council Member Cioni mentioned their additional work with local kids in the Allegany Youth Enrichment Program (AYEPS).

## **II. MAYOR AND CITY COUNCIL UPDATES**

The Mayor advised that as a board member of the Western Maryland Scenic Railroad (WMSR), they just had a meeting with the County about track work that needs done, and stated that the railroad is on schedule to open on Memorial Day with the diesel engine, adding that the steam engine is still undergoing testing.

The Mayor also discussed the track bike venture (Tracks and Yaks) on the scenic railroad, advising that they are working out the kinks and the schedule.

Mayor Morriss advised that at the Allegany Museum things are going well, and stated that the new exhibit on the first floor is completed, and another exhibit, on loan from the Smithsonian, is on the second floor. He said they are looking forward to tourists coming back into town, compared to last year during the pandemic.

The Mayor also advised that June is “Elder Abuse Month”, and said City Hall will be lit in purple starting on June 1<sup>st</sup>.

Council Member Marchini advised that regarding the DDC, the Baltimore Street Redesign Committee now meets every 2 weeks rather than every week, and said that barring any complications ground will be broken in spring of 2022. She also advised that they are making plans for mitigations during construction, and said the focus has been on Merchant’s Alley, with folks on the Arts Council helping to do things to create an inviting entrance way. The Councilwoman also stated that they are offering free classes to business owners, delivered by ACM instructors, to develop or revitalize their online presence. She also mentioned an article in Allegany Magazine by Julie Westendorff about the downtown Baltimore Street redesign.

Council Member Marchini advised that she met with Council Member Cioni and Ken Tressler last week regarding restructuring the DDC to be more of a Main Street focus program which would be a non-profit, and how to address the special taxing district revenue ceasing to exist when the mall ceases to exist. The Mayor stated that will be a discussion later after the street is opened up, and when they have a better feel of what services will still be necessary and desired by property owners downtown. He added they will have to figure out if it will be tax elimination or a tax reduction, or some way to marry the two into a good program.

There was discussion about delivery people downtown and their concerns about where to park to make their deliveries, with a suggestion of 10-minute zones from 9:00 AM – 10:00 AM across from the Manhattan. The Mayor stated he has spoken to Kevin Ogle about the subject of loading/unloading zones at certain times of the day in certain areas. Mr. Rhodes suggested Liberty Street and Centre Street where the bus stops were would be two good areas for loading and unloading from 7:00 AM – 1:00 PM, with anyone else allowed to park thereafter.

Council Member Marchini advised that those on the Historic Preservation Commission did a 2-hour workshop training to help improve the committee’s visibility and public image. She stated that the HPC provides valid public service and benefits, but doesn’t want to be seen as adversarial. She mentioned that a subcommittee met to review the façade grants currently available for downtown businesses, and advised that although originally for residential use, they were expanded to commercial, and were better received. She added this will enhance the appearance of many buildings downtown.

Council Member Frazier advised that the Tri-County Council hasn’t really done anything except a virtual meeting. He also advised that the HRDC just had a meeting last week dealing with presentations from different groups regarding employees’ retirement systems. He also mentioned

the Human Relations Commission, saying that Lee Borrer keeps pretty well updated with that. The Mayor stated that it's good to see that the senior centers are open, giving people access to social activities.

Council Member Bernard advised on an update about the skate park concept, saying that next week one of the people instrumental in getting a skate park in Hagerstown will be in Cumberland and said that a meeting is being set up next Tuesday at 3:00 PM, maybe in City Hall. The Mayor advised that he will try to attend, and said the skate park seems to be getting a lot of support. He advised that they need to take a good look at it, and decide where the best location would be. He added that the City needs to do its due diligence on that and keep working forward.

Council Member Cioni advised that Let's Beautify Cumberland will be out putting up flags around Queen City Drive, and prep work was being done in anticipation of Day of Caring and Sharing. The Councilman wanted to thank Kathy McKenney for including him in the Community Legacy meetings so he can learn more about tentative projects this year. He advised that they are scheduled to meet again Thursday, June 20<sup>th</sup>. The Councilman questioned if the Bower fund had been used recently, and advised that he had an informal request from Mike Fiscus and the robotics group asking for funds for maintenance and utility costs for a building they purchased, once they get up and running. He said Mr. Fiscus had informed him that the County may be able to help out as well. Mr. Rhodes advised that some dollars have been spent here and there from the Bower Fund, and stated that the fund does have some restrictions, in that it has to be used specifically for City recreation.

Councilman Cioni advised that regarding the Youth Coalition, there has already been some collaborative work done between the Salvation Army and AYPES and the Robotics Group. The Mayor said that the Youth Coalition is really great to see, and advised that it's coordination between different organizations that had previously worked on their own helping local youth. He added that they will look at the restrictions for the Bower Fund to see if it can be applied for robotics.

Mayor Morriss advised that Wednesday, May 19<sup>th</sup> the AI/Gar chapter of the Maryland Municipal League (MML) will be having their chapter dinner/meeting at the Culinary Café at 5:00 p.m. He also mentioned that the Robotics Group will be at Constitution Park on Thursday, May 20<sup>th</sup> at Pavilion One, and said he and Councilman Frazier will attend.

The Mayor advised that Friday, May 21<sup>st</sup> is the Day of Caring and Sharing, run by County United Way along with Let's Beautify Cumberland, with CSX and other great participants and sponsors. He added that it starts at 9:00 a.m., with the community coming out and getting together to help beautify the City.

### **III. ADJOURNMENT**

With no further business at hand, the meeting adjourned at 5:16 p.m.

Respectfully submitted,

Marjorie A. Woodring  
City Clerk

Minutes approved July 20, 2021