



# 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

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

DATE: May 17, 2022

**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:** Jeffry F. Silka, City Administrator; Michael S. Cohen, City Solicitor; Marjorie A. Woodring, City Clerk; Ken Tressler, Director of Administrative Services; Chuck Ternent, Chief of Police; Shannon Adams, Fire Chief

**IV. Statement of Closed Meeting**

1. Summary Statement of closed meeting held May 17, 2022

Mayor Morris announced that a closed session had been held on May 17, 2022 at TIME, and read into the record a summary of that session 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. Presentation by Lee Borrer, Senior Community Development Specialist, regarding a substantial amendment to the 2021 Annual Action Plan, which will be up for approval by

Mayor and City Council on June 7, 2022.

Ms. Borrer discussed the Community Development Block Grant program, and a public notice which appeared in the April 29<sup>th</sup> Times-News. She provided background on the City's Annual Action Plan, and said the 2021 plan is addressed in the aforementioned public notice. She said changes proposed are with respect to re-allocating \$162,000 from the original \$232,721 for the Baltimore Street Redesign project.

Ms. Borrer explained there are contingencies in the project description for other locations downtown for infrastructure improvements. She said however, when the location is changed to the most shovel-ready project, which is in South Cumberland, the US Department of Housing and Urban Development requires citizen participation. She advised that this was posted in the newspaper and said there was a 30-day comment period which ends May 31<sup>st</sup>. Ms. Borrer stated that M&CC will vote on the amendment on June 7<sup>th</sup> at the regular M&CC meeting.

## **VI. Director's Reports**

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

### **(A) Public Works**

1. Maintenance Division monthly report for April 2022

### **(B) Fire**

1. Fire Department monthly report for April, 2022

### **(C) Police**

1. Police Department monthly report for April, 2022

### **(D) Utilities - Flood, Water, Sewer**

1. Utilities Division Flood/Water/Sewer monthly report for April, 2022

## **VII. Approval of Minutes**

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

1. Approval of the Work Session Minutes of January 4, 2022, and the Work Session and Regular Session Minutes of January 18, 2022

## **VIII. Unfinished Business**

### **(A) Ordinances**

1. **Ordinance 3913** (*2nd and 3rd readings*) - to amend Section 25-23 of the City Code to establish a definition for "Gambling Facility" and to amend the Use Regulation Table in Section 25-132 to incorporate the "Gambling Facility" use into its terms (ZTA #22-01).

Mr. Silka advised that these two ordinances are regarding permission of gambling within a non-residential district.

**SECOND READING:** The ordinance was presented in title only for its second reading. On a **motion** made by Councilman Frazier, seconded by Councilwoman Marchini, the second reading was passed on a vote of 5-0.

Mayor Morriss opened the floor for questions or comments. Being not, 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 3914** (*2nd and 3rd readings*) - to amend Section 11-132 of the City Code pertaining to gambling to legalize fantasy competitions and sports wagering.

**SECOND READING:** The ordinance was presented in title only for its second reading. On a **motion** made by Councilwoman Marchini, seconded by Councilman Frazier, the second reading was passed on a vote of 5-0.

Mayor Morriss opened the floor for questions or comments. Being not, 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.

## **IX. New Business**

### **(A) Ordinances**

1. **Ordinance 3915** - (*1st reading*) - to rescind Ordinance No. 3912, which authorized the conveyance of 107/109 S. Allegany Street to Del and Del Allegany Properties LLC for the amount of \$3,500, accepting Del and Del Allegany Properties LLC request to renege their bid, and accepting the bid of C Corp Leasing in the amount of \$5,000 for said property, as originally offered in the 2022 Request for Bids for Surplus Property Round IV.

Mr. Silka advised that Del and Del Allegany Properties was awarded the bid as being the only complete bid for the project, however, they have since requested to pull their bid, so the City is awarding it to C Corp Leasing, which was the 2<sup>nd</sup> highest bidder on the list.

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

2. **Ordinance 3916** (*1st reading*) - providing for the City Tax Levy for FY23

Mr. Tressler advised that these ordinances were discussed in the last two work sessions, and said one thing of note is that the Assessable Base will increase 3.4%, which is the largest increase since 2011.

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

3. **Ordinance 3917** (*1st reading*) - providing for the annual expenditure appropriation for the FY23 General Fund.

Mr. Tressler advised that the appropriation is up \$2.6M, and said the largest area of increase in Community Development, and said it is associated with ARPA funds.

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

4. **Ordinance 3918** (*1st reading*) - providing for the annual expenditure appropriation for the FY23 Water Fund.

Mr. Tressler advised that this appropriation is down, mainly due to a decline in capital expenditures.

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

5. **Ordinance 3919** (*1st reading*) - providing for the annual expenditure appropriation for the FY23 Sewer Fund.

Mr. Tressler advised that the big thing with this appropriation is that it's down \$16.2M because capital expenditures are down. He said that in FY22 they had expected the 78" water line to be in full construction, but said now it's being pushed to FY24. He added that the money was not spent in FY22, and won't be spent in FY23, due to problems with the Army Corp of Engineers.

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

6. **Ordinance 3920** (*1st reading*) - providing for the annual expenditure appropriations for the FY23 Special Purpose Funds.

Mr. Tressler advised that these are special revenue funds in the City, and said there is an increase of \$2.2M, Public Safety grants are down \$400K, Capital Improvements are up \$1M, said they are allowing for over \$800K for Constitution Park improvements, and added that there is an increase of about \$1M in street paving.

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

**(B) Orders (Consent Agenda)**

Mr. Silka reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. Motion to approve all Consent Agenda items was made by Councilman Frazier, seconded by Councilwoman Marchini, and was passed on a vote of 5-0.

**Order 27,005** - authorizing execution of a Donation Agreement with Kevin Kniseley, Personal Representative of the Estate of Robinhood Constitution, AKA Mark Anthony Shryock, for the donation of property at 766 Maryland Avenue (Tax ID 04-009746) to the City, and authorizing the City's acceptance of the deed and execution of documentation to effect the transfer.

Mr. Silka advised that this property will either be on the rehab or demo list.

**Order 27,006** - authorizing execution of a Community Legacy Program Grant Agreement with the Department of Housing and Community Development regarding the disbursement and use of \$50,000 in funding for the YMCA Gilchrist HVAC Installation Project, and authorizing the City Comptroller to accept the funding.

Mr. Silka advised that the City is basically a pass-through for this grant.

Councilwoman Marchini wanted to give a shout-out to Community Legacy funding for the YMCA, and said it's a very well-used facility, and a good use of funds.

**Order 27,007** - reappointing Michael Scott Cohen as City Solicitor for a 4- year term, effective retroactive to May 16, 2022, through May 16, 2026.

**X. Public Comments**

David Biser, Long Drive, Cumberland (retired police officer), spoke about the homeless and provided photos. Staff was unable to use his thumb drive on the computer, so Mayor Morriss suggested emailing them to M&CC. Mr. Biser stated that he's seeing more and more homeless/vagrants, and said one person he's seen recently at the underpass on Queen City Drive was sleeping, food spread out, etc. Mr. Biser said he knows it's a problem in a lot of cities, and said it seems to be getting worse here. He stated that one couple lives in a tent by the river. He advised M&CC that he did some research and found a project called Housing First. He said several cities have successfully used the program to curb homelessness and vagrancy, and said he would be happy to share information he has with M&CC. He mentioned that by the George Washington Headquarters parklet there is a strong smell of urine because they are using the area as a toilet. He stated that it's bad for tourism, and said he knows families will not go there. He offered to M&CC that he would help out however he can.

Mayor Morriss thanked Mr. Biser for his comments, and said they know homelessness is a problem in the community, and an obstacle for tourism. He stated that the police know that George Washington Headquarters is a hot spot, and said they are working on it. The Mayor said he's looking forward to seeing the photos and information Mr. Biser has, and advised that there is quite a bit in this year's budget regarding this issue. The Mayor mentioned the Union Rescue Mission project, as well as a program to give homeowners

assistance with properties and address blight. The Mayor and Council thanked Mr. Biser for his input.

Mayor Morriss spoke about people in the community who the City has lost recently. He spoke about Dick Paulman, Director of the Department of Social Services, and said he had done great work for many years. The Mayor also mentioned Frank Nethken, who was Mayor of the City from 1978 – 1982, and Lee Schwartz, owner of The Book Center on Centre Street, all he did for the downtown business community, and as an ambassador for the City. Mayor Morriss said all will be missed.

Chief Ternent spoke about former Lt. Ronnie Horn, and Records Clerk Becky Lowery, who both passed away recently.

All public comments are limited to 5 minutes per person

## **XI. Adjournment**

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

Minutes approved on September 6, 2022

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk