



# Mayor and City Council of Cumberland

*Mayor* Raymond M. Morriss  
*Councilman* Seth D. Bernard  
*Councilman* Richard J. "Rock" Cioni  
*Councilman* Eugene T. Frazier  
*Councilwoman* Laurie P. Marchini

City Administrator Jeffrey D. Rhodes  
City Solicitor Michael S. Cohen  
City Clerk Marjorie A. Woodring

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## AGENDA

M&CC Regular Meeting  
Video Conference

DATE: July 07, 2020

### **CLOSED SESSION**

5:45 PM - Convene in open session for the purpose of closing the meeting for an execution session pursuant to Section 3-305 (b) (9) to discuss negotiation issues with AFSCME Local #553

### **OPEN SESSION**

6:15 PM - Reconvene into Open Session

This meeting will be held remotely as a videoconference.

To view the meeting live, go to the City's website at [www.ci.cumberland.md.us](http://www.ci.cumberland.md.us) and access the public meetings link under the Government tab.

To provide public comment during this video conference, citizens must go to the following webpage on Zoom Meeting:

<https://us02web.zoom.us/j/83126134941?pwd=R0VaVnIEQ0R3bHcxSmlyUDBwWmQ2dz09>

and use Meeting ID (831 2613 4941) Password (194130)

To join by phone dial: (+1 301 715 8592); Meeting ID (831 2613 4941) Password (194130)

Citizens wishing to speak will be placed in a waiting room and will be called upon at the appropriate time.

Written public comment may also be made by emailing the City Clerk at [Margie.woording@cumberlandmd.gov](mailto:Margie.woording@cumberlandmd.gov). All electronic comments must be submitted by 2 PM on July 7, 2020. Comments received will be read during the public comment portions of the meeting.

### **Roll Call**

### **Statement of Closed Meeting**

1. Summary statement of closed meeting held July 7, 2020

### **Approval of Minutes**

1. Approval of the Executive Session Minutes of March 31, 2020 and April 7, 2020, and the Regular Session Minutes of June 16, 2020

### **Public Hearings**

1. Public Hearing - to receive comment on the proposed Charter Amendment Resolution No. 148 to amend Section 73A of the City Charter to empower the City Administrator to declare emergencies in certain events and pass temporary administrative orders necessary for the preservation of the public health, safety, and/or welfare, and to empower the Mayor and City Council to pass executive orders in emergencies

To provide comment during the Public Hearing, please refer to the instructions noted under Open Session above.

### **New Business**

#### **(A) Ordinances**

Ordinance 3873 (*1st reading*) - providing for the closure of 1) a portion of an unnamed alley running north from its intersection with East Street, and 2) a portion of East Street between Reynolds Street and Interstate 68. Both parcels lay between lands owned by the Mayor and City Council of Cumberland and the City has agreed to sell the lands to Allegany Junction LP pursuant to the terms of a Purchase Agreement previously executed by both parties.

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

Order 26,653 - authorizing the Chief of Police to accept a FY21 NIBRS Implementation Byrne-Justice Assistance Grant (BJAG) in the amount of \$45,000 to be used to further prepare for the Cumberland Police Department's (CPD) migration from the existing Uniform Crime Reporting (UCR) format to the new National Incident Based Reporting System (NIBRS) format by January 2021. Funds will be applied toward developing a computer training lab within the CPD and will pay for instructors and students to attend this specialized training.

Order 26,654 - authorizing the Chief of Police to accept a GOCCP FY21 Sex Offender Compliance Grant in the amount of \$20,427 for overtime support for the Cumberland Police Department and Allegany County Sheriff's Office to perform home-visit compliance checks of registered sex offenders to confirm residency

Order 26,655 - authorizing the Chief of Police to accept a State Aid for Police Protection Grant for FY21 in the amount of \$478,883 to be used exclusively to provide adequate police protection in the City of Cumberland, MD

Order 26,656 - authorizing the Chief of Police to enter into a Memorandum of Understanding with the Allegany County Health Dept. to conduct six drug interdiction events between now and June 7, 2021, partnering with the Sheriff's Office, Frostburg Police Dept., and the MD State Police, as appropriate, in an attempt to reduce the illicit supply of opioids in Allegany County. Grant money in the amount of \$10,000 has been appropriated by the Health Dept. through the Opioid Operational Command Center for

these initiatives and to cover meals for one officer to attend Drug Recognition Expert training.

Order 26,657 - authorizing execution of a Joint Use Agreement with The Housing Authority of the City of Cumberland, MD and the Department of Natural Resources to accept \$149,000 in Community Parks and Playgrounds Program funding for playground improvements at 635 East First Street (Jane Frazier Village) and to provide contingencies for use of the funds

Order 26,658 - accepting the bid of Harbel, Inc. for "ADA Improvements at 218 Washington Street Project (19-18-M)" in the estimated unit cost of \$37,339.40, which also includes construction phase support, and rejecting all other bids

Order 26,659 - authorizing execution of a Concession License Agreement with Joyce Wormack for the operation of the concession area on the second floor of the Casino Building at the Constitution Park Pool from June 1, 2020, through September 30, 2020, for a license fee of \$900

Order 26,660 - authorizing execution of an Employment Agreement with John Charles Ternent for the position of Police Chief for a three (3) year term to be effective retroactive to April 7, 2020, and extending through January 1, 2023, with provisions for automatic renewals

Order 26,661 - accepting the proposal from PMA Companies to provide Workers Compensation Insurance for the period July 1, 2020, through July 1, 2021, in the estimated amount of \$1,085,492 (Premium \$272,812 / Cash Collateral Fund \$790,000 / Claims Service Fund \$22,680) and authorizing execution of documents to effect the coverage

Order 26,662 - authorizing payment to CBIZ Insurance Services, Inc. for FY21 Risk Management Services for the period July 1, 2020, through June 30, 2021, in the amount not to exceed \$32,500

Order 26,663 - authorizing execution of a Memorandum of Agreement with the MD Department of Housing and Community Development for the administration of the federally funded Section 8 Housing Choice Voucher Program for the term retroactive to July 1, 2020, and through June 30, 2023

Order 26,664 - authorizing execution of an Amendment to the Purchase Agreement with Allegany Junction Limited Partnership dated April 7, 2020, pertaining to the sale of a certain parcel of land located at 100 Reynolds Street, to allow Allegany Junction LP to add an additional two (2) 30-day Closing Extensions to allow for the closing of all necessary public rights of ways

Order 26,665 - authorizing the execution of Change Order No. 7 to the existing contract with Leonard S. Fiore, Inc. for City Project "CSO Storage Facility at WWTP" (1-10- WWTP), increasing calendar days by 90 for substantial completion, and by 45 for final completion, with no increase to the current contract price of \$26,364,856.88. This Change Order is contingent upon approval from the MD Dept. of the Environment

Order 26,666 - authorizing the execution of Change Order No.1 to the current contract with Casey Smith, LLC dba Service Pro for the "Non-Residential Grass Mowing Contract (11-19-M)" to add City-owned property on Baker Street to the contract for the increased amount of \$1,760, bringing the current contract total to \$40,160

Order 26,667 - authorizing the execution of Change Order No 3 to the current contract with Casey Smith LLC dba Service Pro for the "Residential Grass Mowing Contract (10-19-M)" to add eight (8) recently acquired properties to the contract for the increased amount of \$4,800 for FY20, bringing the current yearly contract amount to \$56,710

Order 26,668 - authorizing the City Administrator to execute FY21 Employment Agreements for part-time employees for the City of Cumberland

Order 26,669 - authorizing the City Administrator to execute all Employment Agreements for seasonal employees entered into during the 2020 spring/summer season; notwithstanding that said agreements shall not exceed six (6) months from the date of execution

Order 26,670 - approving funding changes to various Community Legacy Central Business District Leasehold Improvement Projects that were previously approved by Order Nos. 26,402 and 26,432. Total amount of the awards remains \$75,000

**Public Comments**

All public comments are limited to 5 minutes per person

**Adjournment**