

# Mayor and City Council of Cumberland

## WORK SESSION

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

Tuesday, November 5, 2019  
4:30 p.m.

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

**ALSO PRESENT:** Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Bobby Smith, City Engineer

**MEDIA:** Paul Mullen, WCBC Radio

## PUBLIC MEETING AGENDA REVIEW

### I. PROPOSED PARADES AND SPECIAL EVENTS ORDINANCE

Mr. Cohen advised on the proposed parade and special events ordinance, saying that the City currently has no such ordinance, and explained that the problem lies in terms of how to apply rules and regulations in a fair and consistent manner. He advised on the similarities of parades, marches, and processions, and added that special events would fall under any activity that would gather more than 50 people, or an activity which would involve the sale of food, alcohol or merchandise, and/or the erection of tents, platforms, or other structures. Mr. Cohen advised that events organized by the DDC are an exception to this ordinance, as the DDC has its own rules and procedures.

Mr. Cohen stated there will now be a permit fee of \$150 and advised on the permitting process and specific standards in regards to traffic interruption, police/fire interference, etc., and the need for consultation with the Police, Fire, and Street Departments. Mr. Cohen advised on insurance compliance, and added that organizations that don't want to provide insurance can opt for showing good cause, which can be accepted or denied by the City Administrator. Mr. Cohen also advised on the consumption of alcohol requirements, hold-harmless provisions, and bond requirements for clean-up.

Mr. Cohen discussed an issue that was never covered before, which is diverting employees from their jobs for these special events, with the City incurring costs in terms of overtime (EMS, Police & Street Dept., etc.). He explained how overtime or time beyond normal cost can be recouped from the event holder, unless waived by M&CC.

Mr. Rhodes mentioned the challenges of having events in the City, like races, and the fact that three officers, which may be half the staff, are needed on a Saturday to close an intersection for the runners; all the personnel needed for the annual Hooley Pub Crawl, and in recent years modifying

how ambulances are sent to high school athletic events. Mr. Cohen stated that this proposed ordinance would make obligations uniform, with always the same procedures.

Mr. Rhodes suggested getting the document out to the organizations that come to the City yearly for event permission, so it won't come as a surprise.

Mr. Mullen of WCBC inquired about pass-through events like the Ride for Freedom, and if that would be covered under this proposed ordinance. Mr. Cohen advised that it technically falls within the parameters of a parade, as it's on City streets. When asked about M&CC waiving the fee for that, he advised that the City should avoid arbitrary waivers, and look at events on a case-by-case basis, and look at the criteria.

Mr. Mullen also inquired about football games at the stadium, and if the Board of Education pays for an ambulance to be there. Mr. Rhodes advised that there have been times the Board has paid for the ambulance, with the City sending out a crew on overtime that didn't affect normal operations, and other times the City has sent an ambulance on the stipulation that if a call comes in, they leave. Mr. Cohen advised that these events are on Allegany County Board of Education property and would not be covered under the terms of this proposed ordinance.

## **II. ARCH STREET PROPERTIES PROPOSED ORDINANCE**

Mr. Cohen advised that this proposed ordinance relates to properties being conveyed to the Cumberland Housing Alliance, and added that they are small lots that the CHA will be using to combine for constructing a residential dwelling. Mr. Rhodes advised on the relationship that the City has with the CHA, saying that it is a segment of the Cumberland Housing Authority, with the M&CC appointing the board of directors but exercising no day-to-day control over their operation, or having any financial obligation to them. He added that hypothetically if they were to go defunct their assets would default to the City as their original sponsor from back in the 1950s.

## **III. ORDERS**

Mr. Rhodes reviewed the upcoming Orders for tonight's Regular Session:

- Order 26,551 - Police Dept. MOU with the Health Dept. for a drug take-back event.
- Order 26,552 - School Safety Grant – “adequate coverage” grant – supplementing the SRO program with \$49K for overtime, but not adding an SRO.
- Order 26,553 - Sole Source proposal from Keystone for Ford F550 dump truck with plow. Keystone is the 2<sup>nd</sup> lowest bidder, with the lowest bidder not being able to produce the vehicle in time for winter. Keystone is honoring the Co-Star pricing, even though the City is not a member.
- Order 26,554 - Sole Source purchase of a mower from WMD Outdoor Power, but through the co-op Source Well, which the City is a member of. The mower it is replacing is on this agenda as surplus equipment.
- Order 26,555 - Tax and utilities abatement for 609 Maryland Avenue, a property that the City has acquired.

- Order 26,556 - Construction agreement with CSX for removal and replacement of the Cumberland Street Bridge, covering the construction of the bridge and nothing else, from permitting to payment of costs, and all procedures relative to the process. It is an 80-Gov't/20-CSX split for financing. This agreement covers destruction and construction, and Mr. Cohen advised that all 3 bridges will need to be torn down as none are salvageable. Mr. Smith advised that bid-ready should be around July 2021, construction expected to begin in spring of 2022, with a 6-12 month completion.
- Order 26,557 – Execution of a Deed Surrendering Possibility of Reverter/Right of Entry acknowledging that the CHA has satisfied development requirements of construction of a single-family dwelling at 32/34 Virginia Ave. for the Quitclaim Deed, and was done before the deadline. They opted to have all restrictions removed from the deed, which gives them a clear title.
- Order 26,558 – Accepting the bid from Queen City Business Systems for copiers, which was the lower of the two bids. The City swaps out copiers every 5 years or so.
- Order 26,559 – Authorizing execution of a First Amendment to the AFSCME AFL-CIO Local #553 Collective Bargaining Agreement, which recognizes their right to organize shift trades amongst themselves without management involvement.
- Order 26,560 – Determining a 2005 Toro Groundsmaster mower to be surplus equipment and authorizing its disposal or trade-in. This mower will be a trade-in for the new mower to be purchased in Order 26,554, and will reduce that cost by \$5,500.

**IV. ADJOURNMENT**

With nothing further, the meeting adjourned at 5:16 p.m.

Respectfully submitted,

Marjorie A. Woodring  
City Clerk

Minutes approved \_\_\_\_\_