



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. “Rock” Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael Scott Cohen
City Clerk Allison K. Layton

MINUTES

M&CC Regular Public Meeting
57 N. Liberty St.

DATE: March 19, 2024

I. OPEN SESSION – 6:15 p.m.

II. Pledge of Allegiance

III. Roll Call

Council Member Richard J. “Rock” Cioni
Council Member Eugene T. Frazier
Council Member James L. Furstenberg, III
Council Member Laurie P. Marchini
President Raymond M. Morriss

Also Present: Jeffrey F. Silka, City Administrator, Allison K. Layton, City Clerk; Chuck Ternent, Chief of Police; Shannon Adams, Fire Chief

IV. Statement of Closed Meeting

Mayor Morriss announced that a closed meeting had been held on March 19, 2024 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. Presentations

1. Presentation of a Certificate of Recognition to Carter Hess from Fort Hill High School for capturing the 2A/1A Maryland State Wrestling Championship title in the 285-weight classification.

Coach Bernie spoke about Carter’s character, saying he exemplifies what a student athlete should be. He stated that Carter has over a 4.0 GPA, and scored 1200 on the SAT. He said when talking about 285 pounds, Carter was always out front when they ran. He added that it’s hard to wrestle at that weight class, and said he’s proud of the work he put in, on the mat and in the classroom. M&CC expressed their congratulations.

VI. Proclamations

1. Proclaiming March to be "Cumberland's Women in History Month"

Mayor Morriss read the proclamation and presented it to Sandra Roeder. Council Member Frazier read a poem he wrote dedicated to women.

VII. Director's Reports

Motion to accept the reports was made by Council Member Furstenberg, seconded by Council Member Frazier, and was passed on a vote of 5-0.

(A) Administrative Services

1. Administrative Services Department Monthly Report for February 2024

(B) Public Works

1. Maintenance Division Monthly Report for February 2024

(C) Fire

1. Fire Department Monthly Report for February 2024

(D) Police

1. Police Department Monthly Report for February 2024

VIII. Public Comments

No public comments

All public comments are limited to 5 minutes per person

IX. (A) Ordinances

1. Ordinance 3974 (*2nd and 3rd readings*) - enacting Division 4 of Article V of the Code of the City of Cumberland entitled "Arts Commission" pertaining to the composition, terms of service and the general purpose of the Arts Commission.

SECOND READING: The ordinance was submitted in title only for its second reading.

Motion to accept the second reading and move to the third after comment was made by Council Member Frazier, seconded by Council Member Cioni, and was passed on a vote of 5-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 5-0.

2. Ordinance 3975 (*2nd and 3rd readings*) - to repeal and reenact with amendments Article V of Chapter 15 of the City Code (Sections 15-80 to 15-90), inclusive, pertaining to parades and special events for the purpose of adding provisions for "small events", amending the definition of special events and making other minor changes.

SECOND READING: The ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third after comment was made by Council Member Marchini, seconded by Council Member Furstenberg, and was passed on a vote of 5-0.

Mayor Morriss called for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted in title only for its third reading, and was passed on a vote of 5-0.

X. New Business

(A) Ordinances

1. Ordinance 3976 (*1st reading*) - authorizing the execution of an Infill Development Agreement with Teabow Residential, LLC for the purpose of conveying certain surplus real property located at 602, 606, 610, 612-614, 616-618, 622 and 624 Maryland Avenue, 301-303, 305, 307 and 309 Arch Street, 220-222 Lee Street, 321-323 and 325 Pennsylvania Avenue, 215-217 Knox Street and 252 Elder Street in the City of Cumberland to Teabow Residential LLC for the development of said properties for market-rate residential housing.

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

M&CC spoke to all positives about this project and said they looked forward to working with Teabow Residential, LLC

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to approve each item was made by Council Member Furstenberg, seconded by Council Member Cioni, and was passed on a vote of 5-0.

Order 27,414 - approving the extension of the Custodial Services Contract with Michael's Janitorial, Inc. for an additional year beyond the original contract terms at a monthly cost not to exceed \$7,745.60, with no increase in cost to the City.

Order 27,415 - declaring Cumberland Police Department Unit #9 (2020 Ford Explorer, MD reg 18163LG, Vin# 1FM5K8AB3LGC94662) surplus for sale or scrap.

Order 27,416 - amending Order No. 27,196, originally approved on March 7, 2023 for the purchase of two (2) 2024 International Ambulances from FESCO Emergency Sales with a reduction in cost in the amount of \$54,850 due to the removal of two (2) power load systems from the order.

Order 27,417 - approving the purchase from Stryker Medical of two (2) power load systems to be installed in two (2) new 2024 International Ambulances in the amount not to exceed \$51,589.90.

Order 27,418 - authorizing the execution of a 10-year master service and purchase agreement with Flex Financial, a division of Stryker Sales, LLC, for the ALS360 Program, which includes equipment, replacement schedule, service and maintenance for all Stryker equipped Emergency Medical Service apparatus and 8 Community Rescue Automatic External Defibrillators to be located within City-owned buildings in an amount not to exceed \$2,134,806 for the 10-year term.

Mr. Silka advised that this essentially puts all advanced cardiac equipment under one contract, with free upgrades for 5 years.

Order 27,419 - authorizing the execution of a Non-Endowed Restricted Fund Agreement on behalf of Let's Beautify Cumberland! with the Community Trust Foundation, Inc., regarding the establishment of the City of Cumberland Clock Fund, to be used to provide financial support for the creation of a town clock in the City, and authorizing the transfer of all related donated funds received.

Mr. Silka advised that this project is being done like the skatepark, in that they are sponsoring with the Community Trust Foundation, in an account that won't get intermingled with City funds.

Order 27,420 - approving the sole source purchase of repair costs for a 2018 Freightliner VACCON Combination Sewer Cleaner from Atlantic Machinery, Inc. in an amount not to exceed \$43,171.41.

Order 27,421 - accepting the bid from Insituform Technologies, LLC for the Sanitary Sewer CIPP Repair (City Project 2023-24-SANS) in the lump sum not-to-exceed \$521,075 to include the installation of a Cured-In-Place Pipe (CIPP) repair in sanitary sewer lines along certain sections of Beechwood Drive, Williams Street, and Mechanic Street.

Order 27,422 - approving Change Order #2 to the City's mowing contract with Service Pro (City Project 2022-15-M) to add/remove properties recently acquired/sold by the City to cover the mowing through the end of the Fiscal Year at an increase the current contract of \$18,500, bringing the new contract value not-to-exceed \$61,000.

Mr. Silka advised that most of these properties are little parklets they didn't realize they had.

Order 27,423 - accepting the bid from American Hardwood Industries, LLC for the 2024 Evitts Creek Water Company Watershed Timber Sale in the lump sum of \$151,464.51.

Mr. Silka advised that they did receive another bid of \$136,942 on this open-market bid.

Order 27,424 - authorizing appointments to the Evitts Creek Water Company Steering Committee.

Order 27,425 - declaring certain City-owned properties to be surplus and authorizing them for sale.

Mr. Silka advised that the properties are 463 and 469 Goethe, and 111 South Street

Order 27,426 - executing a donation agreement between the Mayor and City Council and Kevin Kniseley, Personal Representative of the Estate of Robinhood Constitution AKA Mark Anthony Shrock, for the donation of parcels of real property at Youngs Terrace, Block 21, Lots 63-65; 454-456 Goethe Street; and Sperry Terrace, Lots 5-6-7, Blk. 28 and the improvements thereon, if any, to the City.

Order 27,427 - accepting the sole source purchase of traffic control equipment from Econolite in an amount not-to-exceed \$25,524.68.

Order 27,428 - authorizing a contribution in the amount of \$100,000 to Allegany County in support of the 63-69 Baltimore Street Wills Hotel project.

Order 27,429 - authorizing the execution of a Strategic Demolition Fund Program Grant Agreement with the Department of Housing and Community Development regarding the disbursement of \$50,000 in funding for the Cumberland Roof Replacement Program.

Order 27,430 - authorizing the execution of a Business Façade Improvement Program Grant Agreement with the Department of Housing and Community Development (DHCD) regarding the disbursement and use of \$50,000 in funding for the “Midtown Façade Grant Program”.

Order 27,431 - authorizing the execution of a Community Legacy Program Grant Agreement with the Department of Housing and Community Development (DHCD) regarding the disbursement and use of \$100,000 in funding for the “Choose Cumberland Relocation and Renovation Package”.

Order 27,432 - authorizing the acceptance of the recommendation of the Historic Preservation Commission (HPC) of a Historic District Tax Incentive Program property tax credit for 522 Washington Street in the amount of \$10,580, which is 10% of the eligible project costs of \$105,800.

Order 27,433 - authorizing the acceptance of the recommendation of the Historic Preservation Commission (HPC) of a Historic District Tax Incentive Program property tax credit for 514 Washington Street in the amount of \$2,531, which is 10% of the eligible project costs of \$25,312.

Order 27,434 - authorizing the acceptance of the recommendation of the Historic Preservation Commission (HPC) of a Historic District Tax Incentive Program property tax credit for 505 Washington Street in the amount of \$7,920, which is 10% of the eligible project costs of \$79,200.

Order 27,435 - authorizing the execution of a Cost-Share Agreement with the Maryland Department of Transportation, State Highway Administration (MDOT-SHA) relative to City Project 8-18-BR, Replacement of Bridge A-C-09 Cumberland Street Over CSXT Railway, with the City’s cost share portion estimated at \$251,943.60, which is 20% of the total estimated cost of \$1,259,718.

Council Member Cioni asked for some specifics for Order No. 27,428. Mr. Silka explained that there was a gap in funding, so the County and the George Edwards Fund are contributing but came up a little short, so the City is filling that gap.

Public Comments

Sandra Roeder, 613 Louisiana Avenue, spoke on Women's Her-story Month, and said she found a link on the City's website from the Daily Record about Maryland's Top 100 Women, which featured Council Member Laurie Marchini. She read a blurb off the website and said she wanted to call it to M&CC's attention, because she said this area often gets overlooked by the rest of the state.

Council Member Marchini congratulated the other winners in the County, and she's in good company, and said it's nice that Allegany County is on the radar.

Dana Tinnen, 223 Wallace Street, spoke about his run for City Council, and reviewed his concerns about various issues in the community. He also asked where to look to find updates about the Carver Center.

Mayor Morriss advised that the information for the Carver Board was publicly available, but said he will provide it to Mr. Tinnen. He stated that the consultant is in the beginning stages of what to do with the Carver Center, and reiterated that this is a Carver Center Board project, not a City project. He added that money is available through the HUD program, which is administered by the DHCD. He said the program is administratively intensive.

All public comments are limited to 5 minutes per person

Adjournment

With no further business at hand, the meeting adjourned at 7:04 p.m.

Minutes approved on April 16, 2024

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk