



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

MINUTES

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

DATE: April 19, 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 (via phone)
Councilwoman Laurie P. Marchini
President Raymond M. Morriss

Also Present: Jeffrey Silka, City Administrator; Michael Cohen, City Solicitor; Marjorie Woodring, City Clerk; Ruth Davis-Rogers, Historic Planner/Preservation Coordinator; Morgan Alban, GIS Specialist; Captain Jim Burt, CPD Administrative Services; Shannon Adams, Fire Chief; Delegate Mike McKay

Mayor Morriss acknowledged Delegate Michael McKay in attendance this evening.

IV. Statement of Closed Meeting

1. Summary Statement of closed meeting held April 12, 2022

Mayor Morriss announced that a Closed Meeting had been held on Tuesday, April 12, 2022 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. Director's Reports

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

(A) Public Works

1. Maintenance Division monthly report for March, 2022

(B) Fire

1. Fire Department monthly report for March, 2022

(C) Police

1. Police Department monthly report for March, 2022

(D) Utilities – Flood, Water, Sewer

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

VI. Approval of Minutes

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

1. Approval of the Closed Session No. 1, Work Session, and Closed Session No. 2 Minutes of December 14, 2021, and Regular Session Minutes of December 21, 2021

VII. Public Hearings

1. Public Hearing - to receive comment on a proposed ordinance to amend Section 25-23 of the City Zoning Code (ZTA #22-01) to 1) establish a definition for "Gambling Facility," and 2) amend the Use Regulation Table in Section 25-132 to incorporate the "Gambling Facility" use into its terms.

Hearing convened: 6:39 p.m.

Ms. Alban provided a PowerPoint presentation, and a little background on the State of Maryland passing sports wagering of fantasy competitions in 2021. She explained that the current zoning ordinance does not address the conduct of these activities in the City, and said that the proposed ZTA #22-01 would amend the current ordinance. Ms. Alban discussed the areas and zones within the City limits that these activities would be permitted, which was outlined on the map in the PowerPoint presentation. Ms. Alban also provided a timeline of the procedural history of the proposed amendment, which is also listed in the PowerPoint presentation. Ms. Alban opened the floor for questions or comments.

Councilwoman Marchini asked if this amendment allows the creation of an on-site location to place a bet. Ms. Alban explained that it does, and said it's a specific system that a business would have to apply to accept fantasy bets, and added that they would have to have the appropriate licensing.

Mr. Cohen advised that there are only a limited number of licenses in the State, and said they are hopeful that there will be a successful candidate in this area.

Mr. Silka explained that the first 35 licenses are for brick-and-mortar facilities, and said there is a second allotment of about 65 licenses for on-line capability.

Hearing adjourned: 6:43 p.m.

VIII. New Business

(A) Ordinances

1. **Ordinance 3910** (*1st reading*) - accepting the bid from C3 Home Renovations LLC in the amount of \$52,963.40 for the purchase of City-owned surplus property at 502 Regina Avenue, which was offered for public sale in the 2022 Request for Bids for Surplus Property Round IV. No other bids were received.

Mr. Silka advised that this was a property that was put out with a minimum bid of \$50K.

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

2. **Ordinance 3911** (*1st reading*) - accepting the bid from Richard A. Pravlik in the amount of \$ 2,000 for the purchase of City-owned surplus property at 309 S. Cedar Street, which was offered for public sale in the 2022 Request for Bids for Surplus Property Round IV, and rejecting all other bids.

Mr. Silka advised that there were two identical bids of \$2K submitted for this property, and stated that the bid that is being recommended is the most complete bid with intended use, and gave the most complete development timeline.

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

3. **Ordinance 3912** (*1st reading*) - accepting the bid from Del and Del Allegany Properties LLC in the amount of \$ 3,500 for the purchase of City-owned surplus property at 107/109 S. Allegany Street, which was offered for public sale in the 2022 Request for Bids for Surplus Property Round IV, and rejecting all other bids.

Mr. Silka advised that there were three bids for this property, but stated that this was the lowest and the only completed bid package received.

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

Order 26,991 - authorizing execution of a Certificate of Satisfaction acknowledging that the indebtedness secured by a Deed of Trust made by Michael and Cheryl Maistros, dated August 29, 2003, and pertaining to 7 Decatur Street (*Allegany County Land Records Book 1026, Page 298*), has been fully paid and the lien is hereby released.

Mr. Silka advised that this was an old deed of trust that was found through a closing, that was never released.

Order 26,992 - rejecting the bid for the Municipal Service Center Pole Building Project (28-21-M) from Harbel, Inc. in the amount of \$219,226.00 due to the lack of budgeted funds needed to meet the bid amount, accepting the direct quote from Kauffman Metals in the amount not to exceed \$64,895 and rejecting all other quotes.

Mr. Silka advised that after the bid came out high in the competitive round, per the City's purchasing policy three quotations were submitted and received, with Kauffman Metals coming back the lowest.

Order 26,993 - declaring City-owned real estate parcels collectively known as the "Former Site of the Memorial Hospital" as surplus and acknowledging the intent to transfer said parcels to the Cumberland Economic Development Corporation per terms of the Memorandum of Understanding dated July 21, 2015.

Order 26,994 - approving Amendment No. 10-03112022 to the Community Development Block Grant Program.

Mr. Silka advised that order authorizes the re-allocation of surplus funds from the emergency homeless prevention program to the Allegany Youth Programs Center. Mr. Silka read a statement from Ms. Lee Borrer about the current state of the CDBG:

“There are delays to the formula granting fund calculations for 2022 awarded by the DHUD. The M&CC will not formalize the plan until exact funding amounts have been released. At that time, there will be a new 30-day public hearing period preceding the M&CC vote.”

Order 26,995 - approving Substantial Amendment No. 2 to reprogram Community Development Block Grant CARES Act Funding by amending the 2020 Annual Action Plan in response to the needs of residents affected by the Coronavirus pandemic.

Mr. Silka advised that this order authorizes the re-allocation of revenue from the HRDC emergency fund and small business allotment that was surplus-funded, and takes it to the broadband initiative, Youth Rehabilitation Center, the Gilchrist gymnasium and the Family Crisis Resource Center Violence Hotline.

Order 26,996 - Order 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 Residential Accessibility Improvement Project, and authorizing the City Comptroller to accept the funding.

Mr. Silka advised that allows owner-occupied accessibility projects in homes that meet the income threshold, with preference given to elderly and disabled people

Order 26,997 - Order authorizing execution of a Community Legacy Program Grant Agreement with the Department of Housing and Community Development regarding the disbursement and use of \$150,000 in funding for the Cumberland Main Streets Connection Project, and authorizing the City Comptroller to accept the funding.

Mr. Silka advised that this assists in the Baltimore Street project by financing sprinkler taps and fiber connections to buildings within the project zone.

Order 26,998 - accepting the bid from EZ Out, Inc. for the Virginia Avenue Demolition Project (CD2022-01) in the lump sum amount not to exceed \$116,230, and rejecting all other bids.

Order 26,999 - accepting the quote from R. L. Abatement, Inc., for the removal and disposal of asbestos containing materials pertaining to the Virginia Avenue Demolition Project (CD2022-01) in the amount not to exceed \$42,550 and rejecting all other quotes.

Mr. Silka advised that Orders 26,998 and 26,999 address the blight on Virginia Avenue.

Order 27,000 - declaring certain City-owned vehicles and equipment to be surplus and authorizing them for sale or trade-in.

IX. Public Comments

No Comments

All public comments are limited to 5 minutes per person

X. Adjournment

With no further business at hand, the meeting adjourned at 6:55 p.m.

Minutes approved on August 16, 2022

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk