



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 Allison Layton

MINUTES

M&CC Public Meeting
City Hall, Cumberland, MD

DATE: August 16, 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: Jeffrey F. Silka, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk

IV. Statement of Closed Meeting

1. Statement of closed meeting held August 16, 2022

Mayor Morriss announced that a closed meeting had been held on August 16, 2022 at 5:00 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. Certificates of Recognition presented to organizations who supported and unified the community through festivals and events.

Mayor Morriss read the list of recipients and events they were responsible for and certificates were presented. He stated that there have been so many positive things

happening in the City, and said that M&CC truly appreciate what these organizations bring to the community:

John Hedrick	Taco De Mayo
Renee Mason	Chalk It Up to Civility
Sonia Cooper Lathrop	For the Kids
Dave Williams	Delville Pub Crawl and Heritage Days
(Barb Buehl, co-coordinator, was not able to attend)	
Dave Love	North Centre Street Festival
Tifani Fisher	Juneteenth
Ethan Romaine	Lovers Leap Documentary (filmed in Allegany County)
Matt Miller	Tri-State Wing Off
Heidi Gardner	Pride Festival

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 July 2022

(B) Fire

1. Fire Department monthly report for July, 2022

(C) Police

1. Police Department monthly report for July, 2022

(D) Utilities - Flood, Water, Sewer

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

VII. Approval of Minutes

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

1. Approval of the Closed and Work Session Minutes of April 5, 2022, the Closed and Work Session Minutes of April 12, 2022, and the Work and Regular Session Minutes of April 19, 2022

VIII. Unfinished Business

(A) Ordinances

1. **Ordinance No. 3922 (2nd and 3rd readings)** - (ZTA #22-02) to amend the definition for the Residential-Office (R-O) Zoning District set forth in Section 25-101(b)(5) of the City Code and amend the Use Regulations Table set forth in Section 25-143 to include "Dwelling Units / Mixed Uses" as a permitted use in the R-O District.

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

Mayor Morris called for questions or comments. Being none, 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 No. 3923 (2nd and 3rd readings)** - accepting the bid from Kevin and Anita Thacker for the purchase of surplus properties at 7 and 9 Arch Street for the amount of \$100.00 and authorizing execution of a deed to effect the conveyance.

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

Mayor Morris called for questions or comments. Being none, 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.

3. **Ordinance No. 3924 (2nd and 3rd readings)** - accepting the bid from Kevin and Anita Thacker for the purchase of surplus property at 105 Grand Avenue for the amount of \$100.00 and authorizing execution of a deed to effect the conveyance.

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

Mayor Morris called for questions or comments. Being none, 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) Resolutions

1. **Resolution No. 2022-06 (1 reading)** - granting the Cumberland Outdoor Club a property tax credit for tax years 2022-2023 pursuant to Section 9-302(f) of the Tax Property Article of the Annotated Code of Maryland.

ONE READING ONLY: The resolution was submitted in title only for its reading. **Motion** to accept the reading was made by Councilman Frazier, seconded by Councilwoman Marchini, and was passed on a vote of 5-0.

(A) Ordinances

1. **Ordinance 3925 (1st reading)** - accepting the bid from Floyd F. Gregory for the purchase of surplus property located at 728 Baker Street for the amount of \$500.00.

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.

(B) Orders (Consent Agenda)

Mr. Silka advised reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to approve Order Nos. 27,051 – 27,061; 27,067; 27,069 – 27,071; and 27,073 was made by Councilman Frazier, seconded by Councilman Cioni, and was passed on a vote of 5-0. **Motion** to approve Order No. 27,062 was made by Councilwoman Marchini, seconded by Councilman Frazier, and was passed on a vote of 4-0, with Councilman George abstaining from the vote. **Motion** to approve Order Nos. 27,066, 27,068, and 27,072 was made by Councilman Frazier, seconded by Councilman Cioni, and was passed on a vote of 3-0, with Councilman George and Councilwoman Marchini both abstaining from the vote.

Order 27,051 - authorizing the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Allegany County Health Department to receive grant funding in the amount of \$14,241 for overtime for officers to conduct drug interdiction events with the goal of reducing the illicit supply of opioids in Cumberland and Allegany County.

Order 27,052 - authorizing the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Allegany County Health Department to receive grant funding in the amount of \$3,000 for officers to work medication pickup and takeback events in an attempt to prevent opioid misuse.

Order 27,053 - authorizing Special Taxing District residential exemptions for 45 N. Centre Street (\$681.87); 43-45 N. Liberty Street (\$203.99); 50-52 N. Centre Street (\$300.73); 107 S. Centre St. (668.21); and 47 Baltimore Street (\$372.59).

Order 27,054 - authorizing the Chief of Police to accept a FY23 MCIN Grant in the amount of \$256,878 to be used for overtime to support crime reduction patrols, targeted enforcement, intelligence gathering, apprehension of violent criminals, and streamlining information sharing to address gang and drug trafficking.

Order 27,055 - authorizing the Sole Source purchase of water meters and smartpoints from L/B Water Service in the amount not-to-exceed \$170,000 for FY23.

Mr. Silka advised that they are purchasing all of the City's anticipated stock in one order to avoid any supply chain issues.

Order 27,056 - authorizing the purchase of 2K feet of 6" C900 PVC water pipe from L/B Water Service, Inc. for the Avondale Avenue Water Line Project in the not-to-exceed amount of \$33,280 for FY23.

Order 27,057 - accepting the proposal of Bennett, Brewer & Associates for the "Final Design of the South End Water Main Replacement Project" (2-22-W) in the not-to-exceed lump sum amount of \$221,664 to include additional coordination and field investigation, permitting, base mapping and finalization of plans and specs.

Order 27,058 - authorizing the execution of a Quitclaim Bill of Sale to transfer ownership of the Fayette Street Bridge from CSX to the City.

Mr. Silka advised that this will allow the City to access federal highway funds for the bridge.

Order 27,059 - authorizing the execution of a Construction Agreement with CSX outlining the terms for the removal and replacement of the Fayette St. Bridge (43-18-BR).

Order 27,060 - authorizing the execution of Change Order No. 2 with Carl Belt, Inc. for the "Decatur Street 24" Crosstown Water Main Replacement Project (31-17-W)" adding 51 calendar days for final completion, setting the final completion date at September 30, 2022, and increasing the contract price to the not-to-exceed amount of \$79,966.60 due to additional materials and needed work. This brings the new total contract price to \$3,192,852.55.

Order 27,061 - authorizing the execution of Change Order No. 1 to the Non-Residential Mowing Contract (2022-15-M) to add and remove properties recently acquired or sold by the City at various locations within City limits for the not-to-exceed cost of \$1,500, bringing the new contract amount to \$42,500.

Order 27,062 - authorizing the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Family Crisis Resource Center for the reimbursement of police overtime costs not to exceed \$8,000 to provide Domestic Violence Response Team (DVRT) follow-ups.

Order 27,063 - authorizing the City Administrator to execute a Letter of Agreement with Carver Community Center, Inc., stating that Carver accepts the assignment of the African-American Heritage Preservation Program Grant Agreement that was originally assigned to the City effective April 28, 2021, and that the City agrees to provide matching funds for the grant in the amount of \$100,000 as well as construction management and grant administration services.

Order 27,064 - adopting the Strategic Economic Development Plan dated February, 2022, prepared by RKG Associates, Inc.

Order 27,065 - accepting the proposal from Local Government Insurance Trust (LGIT) to provide insurance coverages for FY23 for property, general and excess liability, police legal liability, auto comprehensive and liability, and boiler/machinery for the amount not-to-exceed \$341,434.

Order 27,066 - accepting the proposal from CBIZ Insurance Services, Inc. to provide Public Officials Liability coverage for FY23 through Ace American Insurance for the amount not-to-exceed \$25,067.

Order 27,067 - accepting the Sole Source proposal of Belt Paving, Inc., to pave Footer Place and the Decatur Street cross-streets, to include Davidson, Charles, Fulton, and Glenn, for the not-to-exceed lump sum cost of \$147,767.

Mr. Silka advised that this is being done as a Sole Source due to Paving, Inc.

Order 27,068 - accepting the proposal from CBIZ Insurance to provide general and excess liability coverage through Northland Casualty Co. for the Cedar Street CSO Underground Sewage Line with a rider for the Industrial Boulevard / RT 51 Water Line, effective July 28, 2022 to July 28, 2023, for the amount not-to-exceed \$26,559.

Order 27,069 - approving a \$30,000 forgivable loan through the Revolving Loan Fund to Dominic Dearcangelis to supplement Allegany County funding for a renovation project at 432 N. Centre Street.

Order 27,070 - accepting the proposal from PMA Companies to provide Workers Compensation Insurance for Fiscal Year 2023 for the estimated amount of \$1,005,788 and authorizing execution of a Prefund Deductible Reimbursement and Security Agreement to effect the coverage.

Order 27,071 - accepting the sole source proposal from Amazon Web Services to provide server hosting and support services for FY23 for the amount not-to-exceed \$30,000.

Order 27,072 - accepting the proposal from CBIZ Insurance Services, Inc. to provide risk management services for FY23 for the amount not-to-exceed \$34,125.

Order 27,073 – appointing individuals to various boards and commissions of the City.

X. Public Comments

Carolyn Morris, 108 Altamont Terrace, advised M&CC of a home next door to her that is in poor condition and falling apart. She stated that she would like the City to have it demolished, and provided photos of the structure. She stated that the house has been this way for the last 3 years, and said she moved here from Baltimore to get away from crime. She said she loves it here in Cumberland, but explained that the house next door is a problem.

Mayor Morriss advised that he will investigate this issue, and get with Code Enforcement. He stated that he will get back to Ms. Morris and said they will see what can be done.

A lady that was in attendance stated that 106 and 104 Altamont Terrace are also in bad shape. Mayor Morriss advised that there may be legal issues involved.

All public comments are limited to 5 minutes per person

XI. Adjournment

With no further business at hand, the meeting adjourned at 7:10 p.m.

Minutes approved on December 6, 2022

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk