



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 S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: November 01, 2022

I. OPEN SESSION 6:15 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Council Member Richard J. "Rock" Cioni
Council Member Joseph P. George
Council Member Laurie P. Marchini
President Raymond M. Morriss

ABSENT:

Council Member Eugene T. Frazier

Also Present: Jeffery Silka, City Administrator; Ken Tressler, Director of Administrative Services; Allison Layton, City Clerk; Morgan Alban, GIS Specialist.

IV. Proclamations

1. Proclamation declaring November as "Family Court Awareness Month" in the City of Cumberland

Mayor Morriss read the proclamation.

V. Directors' Reports

Motion to approve the reports was made by Council Member George, seconded by Council Member Cioni, and was passed on a vote of 4-0

(A) Administrative Services

1. Administrative Services Monthly Report for June 2022

(B) Police

1. Police Department Monthly Report for September, 2022

VI. Approval of Minutes

Motion to approve the minutes was made by Council Member Marchini, seconded by Council Member George, and was passed on a vote of 4-0

1. Approval of the Work Sessions Minutes of July 12, 2022, and the closed and Regular Session Minutes of July 19, 2022

VI. Public Hearings

1. Public Hearing - to receive comment on the proposed annexation of 37.69 acres +/- located along the east side of Messick Road and the north side of Starlight Drive and Limestone Road in Allegany County, MD, Election District No. 16, owned by the Cumberland Economic Development Commission.

Morgan Alban, GIS Specialist, presented the annexation proposal and provided a map of the survey of the property.

Hearing Convened: 6:19 P.M.

No public comments

Hearing Adjourned: 6:22 P.M.

Mayor Morriss advised that Ms. Alban will be leaving employment with the City to work for the County of Frederick. He praised Ms. Alban for all the hard work she has done for the City, and wished her well in her new role with the County of Frederick, stating that she is welcome back any time.

VII. Unfinished Business

(A) Ordinances

1. **Ordinance 3928** (2nd and 3rd readings) - authorizing the transfer of 619 Green Street to C Corp Leasing, Inc. for the purchase price of \$559

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 George, seconded by Council Member Cioni, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and 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 vote of 4-0.

2. **Ordinance 3929** (2nd and 3rd readings) - authorizing the transfer of 222 Pear Street to C

Corp Leasing, Inc. for the purchase price of \$1,022

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 George, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and 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 vote of 4-0.

3. Ordinance 3930 (2nd and 3rd readings) - authorizing the transfer of 420 Pine Avenue to Nelson Rivera for the purchase price of \$4,050

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 Cioni, seconded by Council Member George, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and 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 vote of 4-0.

4. Ordinance 3931 (2nd and 3rd readings) - authorizing the transfer of 842 Gephart Drive to C Corp Leasing, Inc. for the purchase price of \$1,084

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 George, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and 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 vote of 4-0.

5. Ordinance 3932 (2nd and 3rd readings) - authorizing the transfer of 846 Gephart Drive to C Corp Leasing, Inc. for the purchase price of \$1,846

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 George, seconded by Council Member Cioni, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and 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 vote of 4-0.

6. Ordinance 3933 (2nd and 3rd readings) - authorizing the transfer of 802 Maryland

Avenue to C Corp Leasing, Inc. for the purchase price of \$1,000

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 George, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and 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 vote of 4-0.

7. Ordinance 3934 (2nd reading) - authorizing the transfer of 13 W. Clement Street to Dennis and Cheryl Sponaugle for the purchase price of \$30,500

The Ordinance was Withdrawn. Purchaser withdrew their bid to purchase. **Motion** to accept the Withdrawal was made by Council Member George, seconded by Council Member Cioni, and was passed on a vote of 4-0.

New Business

(A) Orders (Consent Agenda)

Mr. Tressler reviewed each item on the consent Agenda, and Mayor Morris called for questions or comments. **Motion** to accept all items on the consent Agenda was made by Council Member Marchini, seconded by council Member George, and was passed on a vote of 4-0.

1. Order 27,116 - authorizing the Chief of Police to accept the FY23 Maryland State Police License Plate Reader Grant in the amount of \$67,484.46 for the purchase of two car mounted license plate readers and one license plate reader speed trailer

2. Order 27,117 - authorizing the acceptance of the proposal from Percy Public Affairs, LLC to provide lobbying and government relations services in the amount of \$39,996 for the term November 1, 2022 through November 1, 2023

3. Order 27,118 - approving Minor Amendment #1 10212022 to the 2020 Community Development Block Grant Program effective November 1, 2022

4. Order 27,119 - approving Minor Amendment #2 10242022 to the 2021 Community Development Block Grant Program effective November 1, 2022

5. Order 27,120 - authorizing the Chief of Police to utilize Maryland State Police License Plate Reader grant funds to purchase two (2) ELSAG License Plate Readers from Applied Technology Services at a total cost of \$29,100 through the Maryland State Bid Process

6. Order 27,121 - authorizing the Chief of Police to utilize Maryland State Police License Plate Reader grant funds to purchase a Radar Speed Trailer with LPR from Applied Technology Services at a total cost of \$38,384.46 through the Maryland State Bid Process. There is no match

7. Order 27,122 - authorizing a Cost Share Agreement with MD-SHA for Materials Testing and Inspection for the Baltimore Street Access project (12-16-M) with the City's portion estimated not to exceed \$21,250.84, which represents 20% of the total estimated cost of \$106,254

8. Order 27,123 - authorizing a Cost Share Agreement with MD-SHA for Construction Inspection Services for the Baltimore Street Access Project (12-16-M) with the City's portion estimated not to exceed \$120,842.29, which represents 20% of the total estimated cost of \$601,211.45

9. Order 27,124 - awarding the Baltimore Street Access Project (12-16-M) to Triton Construction, the low responsive bidder, in the amount not to exceed \$14,638,500

10. Order 27,125 - awarding the South Street ADA Improvements Project (19-21-M) to Excavating Associates, Inc., the low responsive bidder, in the amount not to exceed \$221,036

11. Order 27,126 - authorizing a 2003 Chevy Truck to be declared surplus for sale, trade in or Disposal

12. Order 27,127 - authorizing the execution of a Certified Local Government Grant agreement between Mayor and City Council and the Maryland Historical Trust in the amount of \$23,000 for the development and production of a Cumberland Historic Preservation Plan

IX. Public Comments

All public comments are limited to 5 minutes per person

Karen Lockhart, 851 Gephart Drive, spoke about the homelessness in Cumberland. She stated that homeless are constantly being arrested for trespassing, and said she wondered how much time and money is being spent on doing so. Ms. Lockhart spoke about other options for the homeless, and stated that the Times-News is going to do an article on the situation. She also mentioned a meeting with them tomorrow at Canal Place, saying that the Mayor is welcome to join them. Ms. Lockhart stated that not all are drug addicts, and not all are unemployed, saying that many were born and raised in Cumberland, and they are still citizens of this community.

Mayor Morris stated that he understands her feelings and said M&CC is trying to figure out where they can go; what would be the right place. He said there is lots of push-back wherever they end up, especially at the park by George Washington's Headquarters. He added that any that want help are encouraged to go to the Union Rescue Mission (URM), but it is not the solution for everyone.

Council Member Cioni asked if they are being told to move on, or are they arrested? And if they are being arrested is it for open containers? Ms. Lockhart stated she has researched public record regarding what they have been arrested for, which she said is trespassing. She questioned about there not being any "No Trespassing" signs.

Council Member Marchini asked if she had any suggestions, any place in mind for them to go. Ms. Lockhart stated she is new to the area, having lived here only for a little over a year and a half. She

stated that some homeless will not go to the URM because it is religion based, and some cannot go there due to substance abuse issues.

City Administrator Silka stated they are not being arrested for trespassing alone – it is because they are breaking another law, such as open containers and then receiving a citation for that offense, then being arrested for trespassing. Ms. Lockhart stated that the pub crawls endorse public intoxication.

Mayor Morriss stated that the City does not endorse public intoxication, it endorses open container orders for specific pub crawl events, and said increased police presence controls the situation.

Council Member Cioni stated that MCC have talked with Pastor Ziler from URM, and said that the Pastor approaches the homeless nearly every day - rarely do they want services other than to be fed.

X. Adjournment

With no further business at hand, the meeting adjourned at 6:46 P. M.

Minutes approved on March 21, 2023

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk