



# 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

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## MINUTES

M&CC Public Meeting  
City Hall

DATE: May 16, 2023

### I. OPEN SESSION – 6:15 p.m.

### II. Pledge of Allegiance

### III. Roll Call

Council Member Richard J. "Rock" Cioni  
Council Member James L. Furstenberg  
Council Member Laurie P. Marchini  
President Raymond M. Morriss

Council Member Eugene T. Frazier was absent.

**Also Present:** Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Michael S. Cohen, City Solicitor; Ken Tressler, Director of Administrative Services

### IV. Statement of Closed Meeting

Mayor Morriss announced that a closed meeting had been held on May 16, 2023 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. Director's Reports

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

#### (A) Administrative Services

1. Administrative Services monthly report for April 2023

#### (C) Public Works

1. Maintenance Division monthly report for April 2023

**(D) Fire**

1. Fire Department monthly report for April 2023

**(E) Police**

1. Police Department monthly report for April 2023

**(F) Utilities - Flood, Water, Sewer**

1. Utilities Division Flood/Water/Sewer monthly reports for March and April 2023

**VI. Approval of Minutes**

**Motion** to approve the minutes was made by Council Member Furstenberg, seconded by Council Member Cioni, and was passed on a vote of 4-0.

1. Approval of the Work and Regular Session Minutes of May 2, 2023

**VIII. Public Comments**

*No Comments*

All public comments are limited to 5 minutes per person

**IX. New Business**

**(A) Ordinances**

1. **Ordinance 3947** (*1st reading*) - authorizing the transfer of 222 Bond Street to Blake Hill for the purchase price of \$500

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

2. **Ordinance 3948** (*1st reading*) - providing for the annual expenditure appropriation for the FY24 Water Fund

**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 Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

3. **Ordinance 3949** (*1st reading*) - providing for the annual expenditure appropriation for the FY24 General Fund

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

4. **Ordinance 3950** (*1st reading*) - providing for the annual expenditure appropriation for the FY24 Sewer Fund

**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 Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

5. **Ordinance 3951** (*1st reading*) - providing for the annual expenditure appropriations for the FY24 Special Purpose Funds

**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 Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

6. **Ordinance 3952** (*1st reading*) - providing for the City Tax Levy for FY24

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

7. **Ordinance 3953** (*1st reading*) - to provide for an increase in water rates effective July 1, 2023

**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 Marchini, seconded by Council Member Furstenberg, and was passed on a vote of 4-0.

8. **Ordinance 3954** (*1st reading*) - to provide for an increase in trash rates effective July 1, 2023

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

9. **Ordinance 3955** (*1st reading*) - amending the fee schedule for Fire Department services, including emergency medical response services and false alarm fees.

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

10. **Ordinance 3956** (*1st reading*) - authorizing the transfer of 421 Arch Street to Texas Development and Design, LLC for the purchase price of \$200.

**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 Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 4-0.

11. **Ordinance 3957** (*1st reading*) - authorizing the transfer of 443 Columbia Street to Texas Development and Design, LLC for the purchase price of \$200.

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

12. **Ordinance 3958** (*1st reading*) - authorizing the transfer of 107 Springdale Street to Texas Development and Design, LLC for the purchase price of \$150.

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

13. **Ordinance 3959** (*1st reading*) - authorizing the transfer of 109 Springdale Street to Texas Development and Design, LLC for the purchase price of \$150.

**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 Marchini, seconded by Council Member Furstenberg, and was passed on a vote of 4-0.

#### **(A) Orders (Consent Agenda)**

Mr. Silka reviewed all items 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 Marchini, and was passed on a vote of 4-0.

**Order 27,237** - authorizing the Sole Source Award to Ameri-Seal LLC for improvement to the Riverside BMX Track at Mason Sports Complex in the not to exceed amount of \$46,684.

**Order 27,238** - accepting the new proposal from Treetop Products, Inc. for the purchase of 89 new picnic tables with 20-year warranties for Constitution Park in the not to exceed amount of \$82,437.65 and rescinding Order No. 27,236.

Mr. Silka advised that they decided to go with Treetop Products, Inc. and rescind the previous order because of Treetop's 20-year warranty on these picnic tables.

**Order 27,239** - authorizing the execution of a BMX Facility Long-Term User Agreement for the use of the BMX Bike Track and appurtenances in the Mason Sports Complex through June 30, 2024.

**Order 27,240** - declaring vehicles and equipment to be surplus and authorizing them for sale, trade-in or scrap.

**Order 27,241** - executing a donation agreement between the Mayor and City Council and Arnold D. Kimble for the donation of nine parcels of real property and the improvements thereon, if any, to the City.

**Order 27,242** - authorizing the execution of an Outdoor Dining Lease Agreement with JZ Pub LLC, Embassy Theater and D.K. Property for the use of the public right of way immediately in front of and adjacent to the property for outside cafe dining for a one (1) year term effective June 1, 2023 through May 31, 2024.

#### **Public Comments**

**Amanda Jackson, 12400 Ft. Cumberland Dr., SE**, spoke about child support reform, and said that stopping the suspension of drivers licenses would keep a lot of non-violent men out of prison.

Mayor Morriss stated that he understands Ms. Jackson's concern, but said that topic is outside of the purview of the City of Cumberland, and directed her to contact State agencies aligned with the issue.

**Ellen Coffee, 304 Cumberland St.**, spoke about the newly opened Pepper in the Bottle store, and proprietor Michael Harris. She stated that Mr. Harris is trying to open a new taco bar, but said the Fire Marshall is blocking approval for him to open the business. She wanted to bring this to the M&CC's attention, saying that in this community it's so hard to open a business, and said that she thinks it's brave for an owner to open a business during construction.

Mayor Morriss stated that he has spoken to Mr. Harris a number of times, and said he's hopeful that he will be able to open up the taco bar. He said they will talk with the Fire Marshall and see what they can do to help. He added that there are state requirements that must be met, so they have to be sure laws are followed.

All public comments are limited to 5 minutes per person

### **Adjournment**

With no further business at hand, the meeting adjourned at 6:35 p.m.

Minutes approved on June 6, 2023

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk