



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Seth D. Bernard
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilwoman Laurie P. Marchini

City Administrator Jeffrey D. Rhodes
City Solicitor Michael S. Cohen
City Clerk Marjorie A. Woodring

MINUTES

M&CC Regular Meeting
Video Conference

DATE: June 02, 2020

I. OPEN SESSION - 6:15 PM

This meeting will be held remotely as a videoconference. To provide public comment during the video conference, citizens must go to the following webpage on Zoom Meeting:

<https://us02web.zoom.us/j/86745605034?pwd=Qi9xSHptZmpZMitrYy9EM1VpeGdkZz09>

and use Meeting ID (867 4560 5034) Password (868849).

To join by phone dial: (+1 301 715 8592); Meeting ID: (867 4560 5034) Password: (868849)

Citizens wishing to speak will be placed in a waiting room and will be called upon at the appropriate time.

Written public comment may also be made by emailing the City Clerk at margie.woodring@cumberlandmd.gov. All electronic comments must be submitted by 2 PM on June 2, 2020. Comments received will be read by City staff during the public comment portion of the meeting.

II. Roll Call

III. Presentations

1. Presentation of the 2019 Planning Commission Annual Report by Morgan Alban, Engineering Consultant.

Morgan Alban discussed the report which is required by the Annotated Code of Maryland on a yearly basis, and reviewed the 2019 key findings, which include data on building and demolition permits, housing units, adoption of the City's Comprehensive Plan, development patterns, and any changes in plans or permitting processes.

IV. Director's Reports

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

(A) Administrative Services

Administrative Services monthly report for March, 2020

V. Approval of Minutes

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

1. Approval of the Closed Session Minutes of April 21, 2020, and the Closed Session, Budget Work Session and Regular Session Minutes of May 5, 2020

V. Public Hearings

1. Public Hearing - presentation of preliminary data findings pertaining to the 2020 Analysis of Impediments to Fair Housing provided by Manuel Ochoa from the consultant firm LSA. The Analysis of Impediments report will provide a plan of action by which Community Development Block Grant (CDBG) funds and other resources will be leveraged to affirmatively further fair housing and to address impediments.

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The Hearing convened at 6:32 p.m.

Manuel Ochoa along with Lisa Sturdivant from LSA provided background on the Fair Housing Act, what it covers, and reviewed the different types of discrimination in housing, and protections set in place. Mr. Ochoa discussed Analysis of Impediments (AI), and how it relates to the Community Development Block Grant (CDBG) program and Housing and Urban Development (HUD) grants. He stated that Cumberland is completing its AI as a requirement to receive HUD funds, and reviewed what the AI that LSA is conducting will identify.

Ms. Sturdivant stated that the AI allows them to look at how housing issues intersect with employment, health issues, etc. She discussed their preliminary data findings, which include population and demographics, poverty rates, median household income (2017), stable housing, and racial segregation. Ms. Sturdivant stated that the senior population has declined in Cumberland, and discussed how access to housing for persons disabilities is critical, and stated that in Cumberland it's very much front and center. She discussed

the rising poverty rate in Cumberland, saying 25% of the population is at the poverty level, and discussed racial segregation, which HUD asks for, and how the AI shows where someone lives in the City restricts them from education. Ms. Sturdivant discussed how homeownership rates vary across the City, and stated there is a significant rental population, but a decline in rentals with very low rents.

Ms. Sturdivant reviewed the City's blighted properties, which are concentrated near the downtown and Rolling Mill areas. She discussed vacant properties and where housing opportunities may be. Ms. Sturdivant reviewed employment trends, stating that they have remained stable in the City over the last 7 years. She also discussed the School Proficiency Index, saying school quality is highest in the eastern and western parts of the City, and reviewed the Environmental Health Hazard Index, which measures air quality, respiratory, and neurological hazards.

Questions:

Councilwoman Marchini asked what are measurable for healthy neighborhoods. Ms. Sturdivant advised that it was developed by HUD in collaboration with the EPA, and is related to mostly air and water quality measures. She stated that everyone can have the same water, but it can be different in certain City areas due to infrastructure, and because of how the water comes through different water tables and levels of pollution in a neighborhood.

Councilwoman Marchini also inquired about the data for family homeowners and non-families. Ms. Sturdivant advised that 46% of households are non-families, which are people living alone, with seniors being ½ of that percentage.

Mr. Ochoa advised on two main strategies to dedicate CDBG funds – Place-based strategies and Mobility Strategies. He also provided a schedule of upcoming meetings and milestones, and advised that they continue to work closely with Lee Borrer, Community Development Specialist, on all of this.

The Public Hearing adjourned at 7:01 p.m.

VI. Unfinished Business

(A) Ordinances

Ordinance No. 3865 (*2nd and 3rd readings*) - providing for the closure of two (2) portions of a street known as Park Alley, in the vicinity of Williams Street and Cecelia Street, as requested by Cumberland Gateway Real Estate LLC, and authorizing conveyance of the closed portions to Cumberland Real Estate LLC, as adjoining property owner, with certain easements, reservations, and restrictions incorporated into the deed

Mr. Rhodes reviewed the Ordinance which will provide for the closure of two portions of Park Alley, and will authorize conveyance of the closed portions to Cumberland Gateway Real Estate LLC. He explained that this will be closing a little less than ½ of the northern portion of Park Alley between Emily and Cecilia Streets, and the entire length of Park Alley from Cecelia to Williams Streets.

2nd Reading - the Ordinance was presented in title only for its 2nd Reading. On a motion made by Councilwoman Marchini, seconded by Councilman Cioni, the 2nd Reading passed

on a vote of 5-0. The Mayor opened the floor for questions or comments. Being none, the Ordinance moved to its 3rd Reading.

3rd Reading – The Ordinance was presented in title only for its 3rd Reading and was passed on a vote of 5-0.

VII. New Business

(A) Ordinances

Mr. Rhodes reviewed Ordinances 3866 – 3871, explaining that they are the City's annual budget ordinances, and provided details on Ordinance 3866, City Tax Levy for FY21. Administrative Services Director Ken Tressler provided additional information on Annual Appropriations Ordinances 3867 – 3870, and Ordinance 3871, which will provide for a water rates increase for FY21, which is the last of three 5% increases set forth in 2018.

Ordinance No. 3866 (*1st reading*) - providing for the City Tax Levy for FY21. Real Estate tax rate to remain at \$1.0595 per \$100 of assessed value. Personal Property tax rate to remain at \$2.648 per \$100 of assessed value.

Ordinance No. 3867 (*1st reading*) - providing for the annual appropriation for the General Fund for FY21

Ordinance No. 3868 (*1st reading*) - providing for the annual appropriation for the Water Fund for FY21

Ordinance No. 3869 (*1st reading*) - providing for the yearly appropriation for the Sewer Fund for FY21

Ordinance No. 3870 (*1st reading*) - providing for the annual appropriations for the Special Purpose Funds for FY21

Ordinance No. 3871 (*1st reading*) - to provide for an increase in water rates effective July 1, 2020

1st Readings - The Ordinances were presented in title only for their 1st Reading. Motion to approve the 1st Readings and table until next meeting was made by Councilman Frazier, seconded by Councilman Cioni, and were passed on a vote of 5-0.

Ordinance No. 3872 (*1st, 2nd, and 3rd readings*) - to repeal and reenact with amendments Chapter 14 of the City Code, entitled "Nuisances"

Mr. Cohen provided background on the ordinance which will completely rewrite this section of the City Code. He advised that some new prohibitions are: leaf burning; fires subject to smoke complaints; and feeding or giving water to feral animals that would not normally be present in a home. He advised that this ordinance will greatly streamline the process of issuing citations and bringing them to court, and went over the key features of this ordinance.

Mr. Rhodes advised that they were proposing to have all three Readings this evening, to get this passed as quickly as possible. Mayor Morriss stated that this was a good re-write of this portion of the City Code, adding that it raises standards and streamlines processes.

1st Reading - The Ordinance was presented in title only for its 1st Reading. Motion to approve the 1st Reading was made by Councilman Cioni, seconded by Councilman Bernard, and was passed on a vote of 5-0. The Ordinance moved to its 2nd Reading.

2nd Reading – The Ordinance was presented in title only for its 2nd Reading. Motion to approve the 2nd Reading and move to the 3rd, after comments, was made by Councilwoman Marchini, seconded by Councilman Cioni, and was passed on a vote of 5-0.

Mayor Morriss opened up the floor for questions or comments. Councilman Cioni asked if the Ordinance will affect court time. Mr. Cohen replied not at all, because it's a state requirement. There being no other comments, the Ordinance moved to its 3rd Reading.

3rd Reading – The Ordinance was presented in title only for its 3rd Reading, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Mr. Rhodes reviewed the two consent agenda items. Motion to approve the Orders was made by Councilman Frazier, seconded by Councilman Cioni, and was passed on a vote of 5-0.

Order 26,647 - authorizing execution of a Quitclaim Deed to transfer all of the City's right, title, interest and estate pertaining to property at 12-14 Marion Street to 5 National Highway LLC for the sum of Ten Dollars (\$10.00)

Order 26,648 - authorizing execution of an Outdoor Dining Lease Agreement with Ristorante Ottaviani LLC detailing terms for the use of the public right-of-way immediately in front of and adjacent to 25 N. Centre Street for outside cafe dining for a one-year term effective June 1, 2020 through May 31, 2021

VIII. Public Comments

No Public Comments

Councilwoman Marchini wanted to give a shout-out to Chief Ternent and his officers, as well as the NAACP and the Women's Action Coalition, and everyone that participated in the peaceful protest. She advised that the NAACP is planning another march June 19, 2020 on Juneteenth, the oldest nationally celebrated commemoration of the ending of slavery in the United States. She thanked all for being civil to each other during these trying times.

Mayor Morriss agreed there is a lot of stress and anxiety across the nation, and said the group on Sunday did a good job in executing their 1st Amendment rights, and stated that they should be commended for that.

All public comments are limited to 5 minutes per person

IX. Adjournment

With no further business at hand, the meeting adjourned at 7:26 p.m.

Minutes approved on July 21, 2020

Raymond M. Morriss, Mayor

ATTEST: Marjorie A. Woodring, City Clerk