

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

AGENDA M&CC Regular Meeting City Hall

DATE: April 04, 2023

OPEN SESSION – 6:15 PM

Pledge of Allegiance

Roll Call

Statement of Closed Meeting

Presentations

1. Presentation of awards given in recognition of employee career milestones

Proclamations

1. Proclaiming April 2023 as Fair Housing Month in the City of Cumberland

Approval of Minutes

<u>1.</u> Approval of the Work Session Minutes of November 1, December 6, 20, and 27, 2022; and the Work Session Minutes of January 3 and 17, February 7, 14, and 21, 2023, and the Regular Session Minutes of March 7, 2023

Public Hearings

1. Second Public Hearing for the 2023 CDBG Annual Action Plan to present staff recommendations for funding

Public Comments - for Agenda Items Only

All public comments are limited to 5 minutes per person

New Business

(A) Orders (Consent Agenda)

- Order 27,211 authorizing the Mayor to execute the Concession License Agreement with Sharon Marvin for the "Operation of the Concession Stand at Constitution Park for the 2022 Season" in the amount of \$400 for the season for use of the Constitution Pool Concession Area through September 30, 2023
- 2. Order 27,212 authorizing the abatement of certain non-collectable personal property taxes for tax years 2011-2019 totaling \$28,375.89
- 3. Order 27,213 lifting Section 11-113 of the City Code on May 5, June 2 and July 7 from 5:00 PM through 11:00 PM to allow for the use of open containers of alcohol within certain areas of the downtown during the "Friday After Five" events; notwithstanding that open glass containers shall not be permitted
- 4. Order 27,214 authorizing parking incentives for the George Street Garage, including free parking for the first two hours in hourly parking spaces in the garage and a bulk monthly parking incentive for an individual or entity entering into a new 12 month lease for a minimum of five spaces and authorizing the City Administrator to execute future new parking leases

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

File Attachments for Item:

1. Proclaiming April 2023 as Fair Housing Month in the City of Cumberland



- **WHEREAS,** the City of Cumberland is proud to join the U. S. Department of Housing and Urban Development in celebrating the fifty-fifth anniversary of the Fair Housing Act of 1968; and
- **WHEREAS,** the 1968 Fair Housing Act, which guarantees the right of all Americans to dwell in the neighborhood of their choice, is one of the most important components of our national civil rights policy; and
- **WHEREAS,** although this non-discriminatory policy is the law of the land, its proper enforcement requires the continued cooperation of all levels of government as well as the real estate and homebuilding industries, and private citizens; and
- **WHEREAS,** throughout Maryland, this spirit of cooperation is being provided through the efforts of our state, federal and local governments and with the support of countless community and nonprofit organizations; and
- **WHEREAS,** equal housing opportunity has a dramatic impact on school integration and the acceptance and understanding of ethnic and racial diversity; and
- **WHEREAS,** promoting equal housing opportunity is essential to our larger mission of promoting justice in all areas of life for all citizens.

Now, Therefore, the Alayor and City Council of Cumberland, do hereby proclaim the month of April 2023 in the City of Cumberland as

"FAIR HOUSING MONTH"

Given under our Hands and Seals this 4th Day of April, in the Year 2023, with the Corporate Seal of the City of Cumberland Hereto Attached, Duly Attested by the City Clerk.

ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

Allison Layton City Clerk Raymond M. Morriss Mayor

File Attachments for Item:

1. Approval of the Work Session Minutes of November 1, December 6, 20, and 27, 2022; and the Work Session Minutes of January 3 and 17, February 7, 14, and 21, 2023, and the Regular Session Minutes of March 7, 2023



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

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room 57 N. Liberty Street Cumberland, MD 21502

Tuesday, November 1, 2022, 5:00 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Richard Cioni (by phone), Joe George, and Laurie Marchini. Eugene Frazier was absent.

ALSO PRESENT: Jeff Silka, City Administrator; Michael Cohen, City Solicitor; Allison Layton, City Clerk

Media: Greg Larry, Cumberland Times-News

I. AGENDA REVIEW - NOVEMBER 1, 2022

Mr. Silka advised on Ordinance 3934, saying that there was an official withdraw of the bid from the Sponaugles', so when it goes up for vote, nay votes are encouraged for the 2nd reading, which will in effect kill the ordinance.

Mr. Silka opened the floor for any other items to be discussed.

There was discussion on Order 27,116 regarding a grant for License Plate Readers. Mr. Silka advised that this order correlates with Orders 27,120 and 27,121, and said this will incur a 10% match from the City.

There was also discussion on Order 27,122 regarding a cost-sharing agreement with MD-SHA for materials testing and inspection for the Baltimore Street Access project. Mr. Silka advised that this is an 80/20 split – City's share 20% - and said this is stress testing for when concrete is poured.

Mr. Silka advised that the grant with Order 27,127 is for hiring a consultant to come in and produce the City's historic preservation plan, and stated that the City needs to have it, and it can't be done in-house.

II. AGENDA PROPOSED FORMAT CHANGES

Mr. Silka stated that he had spoken to the City Solicitor about the topic, and discussed the memo he had circulated regarding agenda structure and changes, and reviewed the suggestions on the memo he provided to everyone. , He discussed the proper protocol for discussing and moving an item from the Consent Agenda, prior to vote, to the regular agenda, and said the Consent Agenda should be voted on once as 1 complete item with no discussion.

Mr. Silka proposed having a separate Public Comment section prior to agenda items, instead of grouping those comments at the end of the meeting in the regular Public Comment section. He stated that the agenda comment section would also have its own separate sign-in sheet. Mayor Morriss stated that the changes make sense to him.

III. CONSTITUTION PARK SPLASH PAD DISCUSSION

Mr. Silka reviewed past discussions on the splash pad, and said that tonight he wants to solidify direction and get the order on the next meeting if it's going to get done in the spring. He discussed sole sourcing, and said it they want to go a different way chances are it won't be done in the spring. He discussed the question of 'can the project can be scaled down a bit?,' and said if it's scaled down any more, it's basically going to be buckets and hoses.

Mayor Morriss stated that although he has nothing against splash pads, he doesn't believe it would add enough value related to the cost, which, including site development, will be roughly \$850K. He discussed the upgrades that are already going to take place to the pool, the amphitheater, the pavilions, grills, tables, etc. M&CC discussed the cost of the splash pad, site construction, etc., but did acknowledge that the splash pad will last a considerable amount of time, and at this point the City is trying to attract young people to the area.

There was discussion on what else could be done, regarding recreation, with the money. A handicap swing and mountain bike trails were discussed. There was also discussion about putting the funds to Community Development. Mayor Morriss talked about the funds that are already going to be spent on the Baltimore Street project, the electrical rate increasing substantially during construction – a half million more than it is now - and the water lines on the South Side. He stated that he doesn't want the City to spend just because there's some money available right now.

Mr. Silva advised that they do have the \$850K, and explained how \$10M of the ARPA money was set aside in unrestricted funds/operations. He also explained the maintenance costs each year for the splash pad. Mayor Morriss talked about inflation rates and the economy, while Council Member George suggested putting aside money for maintenance for Parks and Rec, going forward. Council Member Marchini suggested taking some of the splash pad funds and putting it towards maintenance of the trails. There was also discussion about the ball fields.

Mayor Morriss stated that they were pretty much in agreement to move forward with just the park improvements.

IV. MAYOR & CITY COUNCIL UPDATES

Mayor Morriss commented on the recent Halloween Parade on Virginia Avenue which was last week, as well as Homecoming, and said these are 2 things that are great traditions in the City. The Mayor also mentioned Boo on the Bricks, and said the DDC knocked it out of the park. He discussed the grand opening of Allegany Junction last week, and the Western MD Food Bank pop-up food distribution.

Council Member George advised on the Planning and Zoning Commission, and said Morgan Alban has resigned, and had been working on the Community Plan, which is partially complete. Mr. Silka advised that it's nice that they have 2 ½ years to get this done, and said they are a little bit ahead of the curve.

Council Member Cioni advised on some changes in members in Parks and Rec.

Council Member Marchini advised on the last Baltimore Street group meeting, and discussed the proposed Town Hall meeting with merchants and property owners. She mentioned hoping to have a big bash down on the mall before construction starts, and discussed the window decorating contest for the holidays. She also stated that the Historic Preservation Commission is going well.

V. Adjournment

With no further business at hand, the meeting adjourned at 5:52 p.m.

Respectfully Submitted,



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

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room 57 N. Liberty Street Cumberland, MD 21502

Tuesday, December 6, 2022, 5:30 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Richard Cioni (by phone), Eugene Frazier, Joe George, and Laurie Marchini.

ALSO PRESENT: Jeff Silka, City Administrator; Michael Cohen, City Solicitor; Allison Layton, City Clerk; Mark Gandolfi, City Comptroller

Media: Greg Larry, Cumberland Times-News Bryan Gowans, WCBC Radio

I. AGENDA REVIEW – DECEMBER 6, 2022

Mayor Morriss opened the floor for comments or questions about tonight's agenda. There was discussion about Order 27,137 titled Splash Pad/Constitution Park Pool Renovations. Mr. Silka advised that this is a CDBG program and there was no way to eliminate Splash Pad from the name. He stated that the money will be spend for pool renovations, not a splash pad project.

Mr. Gandolfi discussed budget amendments, saying that each year as they finalize the audit, they true-up the budget to actual expenditures, and said it has to be done by M&CC. He added that the variances are largely due to COVID, and are rather small. He also discussed the Messick Road acquisition, and said being \$4M under budget in capital expenditures is what caused the transfers, which he stated were largely due to delays in the Baltimore Street project.

There was discussion about Order 27,143. Mr. Silka advised that the CEDC got a \$420K grant for the Baltimore Street area and the City is putting cash into it because the grant didn't cover everything. He said DGS has given them permission to give cash in exchange for funding.

Mr. Gandolfi added that one of the things they've done is assign \$3.5M for capital expenditures to the unassigned fund balance.

Greg Larry inquired about improvements to the Constitution Park amphitheater. Mr. Silka advised that there will be upgrades on the stage and seating, and said there have already been some electrical upgrades to keep the lights and sound system working.

II. CARVER CENTER DISCUSSION

Mr. Silka advised that the Carver Center is now 501(c)3 statis. He explained that they have some outstanding grant funds, and said in order to keep things moving there needs to be upgrades done to the building; however, they need D&O insurance but Carver has no money to fund this right now. He stated that about \$25K is needed from M&CC to get things rolling, and advised that they have a grant they need to spend soon, but can't do it without electricity. He added that there needs to be an order from M&CC since this is not a City entity.

There was discussion about uses of grant money, and money that the City set aside for a match. Mr. Silka proposed a 6-month allocation to get the board empowered to start bringing in tenants. It was noted now that Carver is 501(c)3 status, the board can fundraise. Mr. Silka explained that \$25K will be enough to get the board moving, but said the City does not want to be the de facto owners of this project. He said this start-up capital gets us in the door and gets utilities on. He advised that a million in D&O coverage will cost \$1100 a year, and added that the elevator will be the first project.

III. ARPA GRANT FOR YMCA BUSES DISCUSSION

Mr. Gandolfi advised that this grant previously allocated \$210K for the purchase of 3 microbuses for \$70K each, and explained that with supply chain issues, the price has gone much higher, with each bus now coming in at \$90K each. He stated that the YMCA would like to purchase 2 microbuses, leaving \$25K in grant money to come back at a later date and possibly put that towards refurbishing an old bus.

Mayor Morriss advised to let the YMCA proceed, and said M&CC will look at a future date and see what the City can do for them then.

Mr. Gandolfi advised that he personally called around looking for microbuses. He explained that the City is earning about \$30K per month on ARPA funds that haven't been used yet, so another program could benefit from the interest.

IV. MAYOR & CITY COUNCIL UPDATES

Council Members Frazier and George had nothing new to report from their respective commissions.

Council Member Cioni discussed the LBC Christmas Luncheon and passed along thanks to City staff and M&CC for support. He noted that Parks and Rec had a new Director, Ryan Mackey, following Diane Johnson's retirement.

Council Member Marchini advised on the DDC and HPC meetings. She stated that she asked incoming MD Comptroller, Brooke Lehrman, to sit on her transition board, Elected Officials Committee. Values and goals, as well as policy platforms were discussed.

Mayor Morriss advised that the tree lighting went very well and drew a big crowd downtown. He added that Shop Small Business Saturday the next day got a good crowd as well. He advised on the Bob Kirk Invitational coming this weekend, which is sponsored by the City and County, and said this event brings in more visitors.

The Mayor noted that Fort Hill won a state championship in football, with the game going down to the wire, and said both schools represented themselves well.

There was discussion on the recent Governor Hogan ban of the platform TikTok, and whether it would impact the City. Mr. Silka advised that he believes that app is already blocked.

Greg Larry inquired about any potential tenants for the Carver Center. Mayor Morriss explained that there will be community-based tenants and organizations such as public services, job training, a community center, etc.

V. Adjournment

With no further business at hand, the meeting adjourned at 5:47 p.m.

Respectfully Submitted,



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 K. Layton

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room 57 N. Liberty Street Cumberland, MD 21502

Tuesday, December 20, 2022, 5:45 p.m.

PRESENT: Mayor Raymond M. Morriss; Council Members: Richard Cioni, Eugene Frazier, Joseph George, Laurie Marchini

ALSO PRESENT: Jeff Silka, City Administrator; Sherri Nicol, Assistant to the City Clerk; Michael Cohen, City Solicitor; Ken Tressler, Director of Administrative Services; Kevin Thacker, Code Compliance/Risk Manager; Denise Adams, Citizen Services Representative

Media: Bryan Gowans, WCBC Radio

Greg Larry, Cumberland Times-News

I. AGENDA REVIEW, DECEMBER 20, 2022

Mr. Silka opened the floor for any questions or comments on tonight's public meeting agenda.

Mr. Tressler reviewed Order 27144, which will amend the City's Municipal Dept Policy. He advised that this is basically a general housekeeping update due to a new release of technical terms, and said this will just make it official.

Mr. Tressler also reviewed Order 27155 which will amend the ARPA funding allocation previously approved. He stated that they have been seeing a lot more interest and activity in home improvement grants, and said most have been awarded – he's looking at 2 applications now. He said this order will request less popular money from ARPA be moved to home improvements.

Mr. Thacker provided a hand-out, and said they have awarded 10 deals already, and once completed he will provide a PowerPoint presentation. He reviewed the properties and their improvements, (all of which were on the hand-out with before and after photos). He stated that they've been having a hard time with contractors, and said most are booked through next year.

Mr. Tressler explained that the paperwork for the application takes a bit longer, said the City handles everything, there's lots to do, and it's difficult to administer.

Mr. Thacker stated that all rehabs, except for one, are from local people, investing back into our area

Mayor Morriss stated it makes perfect sense to transfer the money. He asked if there were any other questions on the agenda.

Council Member George asked for a summary of new equipment bought this past year, and said he understood all were in the budget except the fire trucks. Mr. Tressler advised that he will put something together.

II. MAYOR AND CITY COUNCIL UPDATES

Mayor Morriss called for any updates from Council.

Council Member Marchini discussed the window contest with DDC, Moonlight Madness, Girl Scout caroling, tech grants for Mainstreet, façade grants, and reviewed phases for the upper story residential development. Ms. Marchini also went over the sprinkler and broadband upgrade for downtown businesses, the surveillance grant, and New Year's Eve downtown.

Council Member George advised that there was nothing to report on Evitts Creek or P&Z.

Council Member Frazier advised there was nothing to report on HRC.

Council Member Cioni advised that he had introduced incoming Parks & Rec Director Ryan Mackey to the P&R board, and discussed Let's Beautify Cumberland's work at Riverside Park and Veteran's Park.

Council Member George thanked everyone for his time on Council and said he appreciated the opportunity. He stated that he's proud of Cumberland, and said staff and all departments are just tremendous. He acknowledged all the hard-working employees, and said citizens can be proud of staff as well, and noted that public safety in Cumberland is one of the best in the state.

Mayor Morriss and Council said it's been an honor to work with Mr. George, and said they made a great selection. He said they appreciate all he has brought to the table – lots of effort and hard work – and said Mr. George has made a real difference.

III. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:14 p.m.

Respectfully Submitted,



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

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room 57 N. Liberty Street Cumberland, MD 21502

Tuesday, December 27, 2022, 4:00 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Richard Cioni, Eugene Frazier, Joe George, and Laurie Marchini.

ALSO PRESENT: Jeff Silka, City Administrator; Allison Layton, City Clerk; Matt Miller, Executive Director-CEDC; Stu Czapski, Economic Development Specialist-CEDC

Media: Greg Larry, Cumberland Times-News

I. DOWNTOWN SURVEILLANCE PROJECT

Mr. Miller provided background on a grant application to the MD DHCD for enhanced security equipment for downtown, and said they were awarded \$100K. He advised that ARK Systems was selected for installation, which when complete, the CEDC will institute 11 new state-of-the-art cameras throughout the downtown area. A secure wireless network specifically for this infrastructure will be installed.

Mr. Miller advised that a portion of the funds was used to purchase surveillance cameras for interested merchants and building owners, and said they worked directly with Ring Security Company and purchased 60 new outdoor cameras, which have been hand-delivered over the past 2 weeks. He added that ARK will begin their process after the first of the year, and explained that the CEDC has submitted a request for a second round of funding from the same program. Mr. Miller also advised that, weather permitting, ARK's work has a completion date of 4-6 months, and stated that these cameras can be utilized by the CPD to go back and look at footage.

There was discussion about the capability for this system to be in patrol cars. Mr. Miller stated that the system is pretty sophisticated, with facial and license plate recognition, but said that would be a question for the CPD.

II. DOWNTOWN COMPREHENSIVE INVESTMENT PROGRAM – PHASE I

Mr. Miller advised that Phase I is complete. Mr. Czapski stated that the press release went out December 8th and an online application process was set up. He advised that they formed a committee of 5 to review applications, with the process opened October 17th and closed November 11th.

Mr. Czapski provided background on what Phase I included, and said it was open to everyone in the primary and secondary district. He stated that there are a number of projects in the works outside the district, and advised that over \$900K in total improvements is slated.

Mr. Czapski discussed Phase II - Infrastructure Upgrade Grant – to upgrade water and internet. He said that application process opens January 9^{th} and closes February 10^{th} .

Mr. Miller advised on Phase III, which is a business attraction component that encourages new or existing businesses to locate or expand downtown, as well as a rental assistance program to facilitate businesses moving into the downtown. He added that the program has been very well received and said it was designed to focus on some of the smaller "mom and pop" shops who may not be able to afford the match.

Mr. Czapski advised that it's a reimbursement program with invoices required to be submitted to receive funds, and stated that they are given 18 months to complete the work.

There was discussion about researching grants for economic impact development programs for businesses impacted during the construction phase. Mr. Miller advised that they have looked but have not found any funds specific to that purpose. He said they will continue looking. Mayor Morriss stated that those businesses may be better off in years 4, 5, and 6 – maybe a loan program would be better.

Council Member Marchini gave kudos to Mr. Miller and Melinda Kelleher for the good job of promoting the online presence of businesses, online classes, etc. that have been offered.

Mr. Miller explained that COVID allowed businesses to adapt their model to help withstand walk-in traffic and rely more on internet business, and said hopefully that helps them through this process. He advised that the construction phase will not inhibit walk-in traffic for any length of time.

III. CEDC GENERAL BUSINESS

Mr. Miller provided an update on the Baltimore Street mitigation efforts, and said the meeting for interested stakeholders, businesses and residences who may be affected is scheduled for February 23rd at 6:00 PM at City Hall. He said that in conjunction, a marketing strategy plan is being produced with the DDC which will encourage people to come downtown for shopping and dining, to basically say "we are open, excuse the mess".

Mr. Miller provided information on the George Edwards Fund, and said the CEDC has been collaborating with ACED, having submitted 3 Notices of Intent (NOIs). He explained that the

program has been created by the State as a legacy for Edwards, with both private and public entities able to apply.

There was discussion on outreach from the public. Mr. Miller advised that he has gotten 3 right now, but anticipates several more. Mayor Morriss said that maybe with good publicity, there will be more interest from private industries. Mr. Miller explained it's a 1-page application, and said the infrastructure portion is \$50M in funding - \$20M the first year and \$10M in each of the next 3 years. He advised that this will economically benefit the immediate Western MD region specific to Allegany, Washington, and Garrett Counties. He added that if coupled with the Rural Economic Development Fund implemented by Governor Hogan, there's an additional \$10M. Mayor Morriss stated that job creation, expansion, or retention are things that will be rated by the board.

There was discussion on if people attend the Economic Development Group meetings. Mr. Czapski stated the good ones do. Mr. Miller stated that inquiries alone will inundate you. There was discussion on lots of free resources that help small businesses, that a percentage of people don't tend to know about. It was noted that there are only 2 businesses – BB&T and Peskin's on Baltimore Street - that are empty right now, which Council Member Marchini said is great considering where we were last year.

Greg Larry inquired how everything was going with funding. Mayor Morriss explained that it's going good, with a start date of April 3rd, and said it's all coming together one way or another. Mr. Larry asked if there were any steps left for the City to do. Mayor Morriss advised that it's all in the developer's hands now.

IV. ADJOURNMENT

With no further business at hand, the meeting adjourned at 4:46 p.m.

Respectfully Submitted,



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

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room 57 N. Liberty Street Cumberland, MD 21502

Tuesday, January 3, 2023, 5:30 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Richard Cioni, Eugene Frazier, Jimmy Furstenberg, and Laurie Marchini.

ALSO PRESENT: Jeff Silka, City Administrator; Allison Layton, City Clerk; Chuck Ternent, Chief of Police; Shannon Adams, Fire Chief; Robert Smith, Director of Engineering and Utilities; Ken Tressler, Director of Administrative Services

Media: Bryan Gowan, WCBC Radio

Media: Greg Larry, Cumberland Times-News

I. PERFORMANCE-BASED BUDGETING DISCUSSION

Mr. Silka advised starting this year, a 3-year process to complete functionality will be introduced, which is called Performance-Based Budgeting. He provided background on the process, and said it will encompass how the City provides services, what services are provided, what the staff is providing, and quantifying how the City spends its money.

Mr. Silka explained Core Services, Ancillary Services, and Supportive Services, and said the Directors will be looking at the services this year, as well as how staff and funds are allocated.

Mr. Silka stated questions looked at are:

- Are we deploying people correctly?
 - Maybe deploy people in different departments
 - What do we want to see as main objectives of each department?
 - For allocating funding, especially as funding gets tighter

- What do we want to see the City operate on?
 - What we can and cannot operate without

Mr. Silka explained this helps quantify by putting in performance measures and gives employees and management a bar to reach.

There was discussion about the DDC being independent of the City, but requesting help from other departments; for example, Mr. Silka advised that the City does share now, and advised that the Street Department helps out the DDC.

There was discussion about the experience Mr. Silka had in this model. He stated that at his last job, they were in Step 2 when he left, which was setting department goals.

II. AGENDA REVIEW – JANUARY 3, 2023

Mayor Morriss reviewed the agenda for the public meeting tonight. Regarding Employee Milestones, Ms. Layton advised that only 2 employees will not be in attendance.

Mr. Silka provided background on Resolution R2023-01, saying that it is an annual resolution, basically housekeeping, and just the City tailing-on to the County. There were no questions on any Consent Agenda items.

III. MAYOR AND CITY COUNCIL UPDATES

Mayor Morriss advised that Allegany Museum will be opening a new Traveling Smithsonian exhibit this Saturday.

Council Member Marchini advised on several upcoming events: January 7th benefit for Dave Broadwater at the Outdoor Club; workshop regarding the MD Historic National Register on January 5th at the Allegany County Library; and the Historic Preservation's tax credit seminar workshop – lunch provided – on February 9th.

Ms. Marchini advised that there needs to be a discussion soon regarding distribution of downtown assets – benches, bike racks, etc., and suggested starting with Parks and Rec to see what they can reuse.

Mr. Smith advised that in regards to old street lights, they have no salvage value to the contractor, but said they don't allow someone to ask for one and go away with it. He said if there is an organization interested in street lights, something probably can be worked out, though the street will need to be kept lit for as long as possible. He added that as soon as the contract was awarded, the City no longer maintained possession of the materials, so it is up to the contractor to dispose of them.

Mr. Smith also stated that bricks are not reusable, but other items are up for discussion, and said it should be done quickly as he knows of people who want these things. Mr. Silka stated that if they are going to be given away, it should be done now so as to avoid interfering with construction. Mr. Smith explained that Melinda Kelleher has a first-come-first-served list of those who requested items. He said he will have Derrik Grimm put an order on the next agenda providing a full list of items available, and declare them surplus.

Council Member Marchini advised that Matt Miller went over the CEDC grants and said the new website will be up and running soon. She added that a public meeting will be held February 23rd and ACM to go over mitigation plans.

Council Member Furstenberg advised that a City employee's father passed away recently who worked 30 years at the City, Bill Harris. He would like to have it mentioned and recognize Mr. Harris' service.

M&CC welcomed aboard new Council Member Jimmy Furstenberg, and said they look forward to working together.

IV. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:01 p.m.

Respectfully Submitted,



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

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room 57 N. Liberty Street Cumberland, MD 21502

Tuesday, January 17, 2023, 4:30 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Richard Cioni, Eugene Frazier, Jimmy Furstenberg, and Laurie Marchini.

ALSO PRESENT: Jeff Silka, City Administrator; Allison Layton, City Clerk; Mark Gandolfi, City Comptroller; Shannon Adams, Fire Chief; Ruth Davis-Rogers, Historic Planner/Preservation Coordinator; Representatives from Clock Tower Ventures, Aaron Peteranecz, and Shelly McIntyre, Hagerstown City Council Member.

Media: Bryan Gowan, WCBC Radio

I. CABLE FRANCHISE RENEWAL AGREEMENT DISCUSSION

Mr. Silka reviewed the City's cable franchise agreement, saying it gives the company the right to occupy the right-of-way, and allows the City to charge a franchise fee. He said contrary to what some people think, the City has no control over price, channel selection, or employees. He noted, however, that it is governed by the Federal Communications Act, and therefore must have a certain level of customer service.

Mr. Silka advised that he would like to have Cohen Law Group from Pittsburgh work with the City on this issue, to engage with Breezeline and do a cable franchise audit, check billing for fees owed and those paid to the municipality. He strongly recommended to go with a telecommunications firm to do this, and advised that the flat fee is \$13,500. He stated that they work exclusively with the cable companies, and said there will have to be a Public Hearing to allow the public to comment.

Council Member Marchini inquired about options if Breezeline continues to provide bad service. Mr. Silka said there is a contract that would define bad service, explaining that

cable service is typically the worst customer service. He stated, however, there is action under the contract the City can take.

There was discussion on Breezeline's office being closed since COVID, when it was still called Atlantic Broadband. Mr. Silka explained that they need to provide an office within a reasonable distance. Mr. Cohen said it could be remedied by taking the agreement away and telling them to take their equipment out of the City's roads.

Mayor Morriss stated that more and more will go to streaming if this continues, with many already cutting the tie to cable. He stated it's a good move to bring in the law firm to determine what the City can do.

II BOND ISSUE ORDINANCE

Mr. Silka stated that he wants to deviate from the agenda and talk about the bond issue ordinance. He opened the floor to Mr. Gandolfi.

Mr. Gandolfi discussed the ordinance and said \$4.25M was approved by the Bond Council in coordination with the Finance Committee. He explained that these will be 3 different sections of the bond: \$583K in 7-year bonds; \$1.2M in 10-year bonds, and \$2.45M in 20-year bonds. He provided a list of the budgeted items that were planned when the budget was passed in June. He stated that the ordinance will be introduced tonight, with the public hearing to be held February 7th with the 2nd and 3rd readings that same night. He encouraged M&CC and staff to look at the new debt issue sheet for reference, which lists projects incorporated in each of the categories.

Mr. Gandolfi opened the floor for questions.

Mr. Cohen inquired about the rates given now on bonds. Mr. Gandolfi replied they are between 4.6 and 5.7%, and said a year ago it was less than half of that. He said they will look to refinance in the future if the opportunity is there, but stated that's the going rate. Mr. Silka advised that the City does not have a debt ceiling. Mr. Gandolfi stated this is done every year, and said they try to be as conservative as they can going forward.

II. CLOCK TOWER VENTURES – 19 FREDERICK STREET DISCUSSION

Mr. Silka welcomed representatives from Clock Tower Ventures, and introductions were made all around. Aaron Peteranecz, architect and developer, and Shelly McIntyre, Hagerstown City Council Member.

Mr. Peteranecz provided a PowerPoint presentation, and said his team is very interested in the Cumberland area. He advised that they have done projects in Frederick and Hagerstown. He said he uses his own crew as a core, and pulls local specialties in as needed.

Mr. Peteranecz described his team's approach, and said it was hands-on, which keeps the cost down and allows projects to happen and still make money. He advised that they have 9 full-time crew members who do the bulk of the work, and said the work is done incrementally, week by week. He explained they have zero overhead, and are not paying a general contractor to oversee the project

Time frame for completion was discussed. Mr. Peteranecz advised that it's about a 3-year project, doing 1 floor at a time. He explained that they use specialty trades for HVAC and plumbing, and said those things happen right away, not incrementally.

Mr. Silka stated that he and staff toured multiple facilities, and said this is not a new entrepreneur jumping in.

Mr. Peteranecz talked about uses and businesses they intend for 19 Frederick Street

1 st Floor:	Alpine Plant Bar – cocktail bar that sells houseplants. Office space also.
2 nd Floor:	Event space – The Courthouse in name. Big, spacious, easy to renovate.
3 rd Floor:	2 AirBnBs – has a project manager that handles this side of things. More of a hotel feel than just a standard AirBnB. Upscale.

Mr. Peteranecz explained it's not a huge job-creator-between 15-20 people needed. As for the Alpine Plant Bar, he stated that they do grow some of their own plants, but said they also have contracts with greenhouses. He added that they are excited to get started.

There was discussion on next steps to be taken. Mr. Silka advised if Council approves, they will do up a sales agreement, and work towards a final deed transfer.

Mayor Morriss said it's an interesting concept, and commented on Clock Tower Ventures' history of doing refurbs on similar and bigger buildings. He said it's nice and exciting to have someone from out of town.

III. AGENDA REVIEW – JANUARY 17, 2023

Mayor Morriss called for any questions or comments on tonight's reports or minutes. Being none, Mr. Gandolfi reviewed the bond ordinance once again.

Mayor Morriss reviewed Order 27160, surplus property at 766 Maryland Avenue, as well as Order 27161 declaring computer equipment as surplus.

Mr. Silka advised that Orders 27167 and 27168 are 1-year extensions on the trash and landfill contracts. He stated that Burgmeier's offered a 6% renewal, which is very competitive. He said this will be the last time the landfill will take the City's trash, and said they did a 3% renewal, which was very fair. He advised that Burgmeier's is working on a transfer station out by Love's, but it will need to be annexed into the City.

IV. MAYOR AND CITY COUNCIL UPDATES

Council Member Marchini advised that the Historic Preservation Commission had interviews for the vendor for the strategic plan, and said the decision was very easy, and was unanimous in 2 minutes. She gave kudos to Ruth Davis-Rogers for pulling it all together.

Ms. Davis-Rogers said it was great that they had input from all the different department heads. She said they had a great foundation already, thanks to Kathy McKenney, which gives them a path to move forward.

Council Member Marchini advised that Cumberland was the first "Main Street Maryland" program in the entire State of Maryland. She advised that they received the 2nd grant for surveillance cameras downtown, which was \$50K. She stated that the Town Hall Meeting for the Baltimore Street renovation is at Allegany HS on February 23rd. Ms. Marchini also mentioned the downtown Farmers Market, Friday After Five, and the Groundhog Day celebration coming up. She stated that the window decoration contest went very well, with 22 contestants. She noted that the new Maryland Comptroller Brooke Lehrman was sworn in, and said she attended the inauguration

Mayor Morriss mentioned PACE coming up this Thursday and Friday, and said it's going to be a good event – networking with the new Governor and Comptroller, and great meetings set up in the afternoon before the reception.

The Mayor advised on the URM meeting last Thursday at the library, and said he and Council Member Furstenberg attended. He stated that Pastor Ziler did a good job of explaining with the URM will be doing going forward, and said these meetings will continue every 2 months.

Mayor Morriss reviewed the CEDC meeting, and said they entered into an agreement to sell the Memorial Hospital site to RAZ Development, who is planning market-rate housing projects, apartments, and townhomes.

The Mayor also mentioned the Dave Broadwater fundraiser, and said there was great community turnout for one of the officers in need of help after a heart attack. He mentioned the new Allegany Museum exhibit, and said the George Fund board is working their way through applications.

Council Member Frazier stated that the HRDC met last week, and said the HRC meets next Monday, with topics of the Fair Housing event and National Night Out. He advised that he took a tour of the McMullen building, and said it's going to make the downtown impressive. He stated that the grand opening will maybe be in April.

Mayor Morriss stated that with what is being done on the McMullen and Rosembaum buildings, things are going in the right direction.

Council Member Cioni advised that he did not get to meet with the new director of Parks and Rec last week, but said Mr. Mackey had a good agenda, and added that he's an impressive guy with lots of good ideas.

Mr. Cioni mentioned that they want to make improvements to the Day Camp at Constitution Park. He said they have about 65 kids a year, and would like to not have to turn kids away.

V. ADJOURNMENT

With no further business at hand, the meeting adjourned at 5:51 p.m.

Respectfully Submitted,



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

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room 57 N. Liberty Street Cumberland, MD 21502

Tuesday, February 7, 2023, 5:00 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Richard Cioni, Eugene Frazier, Jimmy Furstenberg, and Laurie Marchini.

ALSO PRESENT: Jeff Silka, City Administrator; Michael Cohen, City Solicitor; Allison Layton, City Clerk; Ken Tressler, Director of Administrative Services

Media: Bryan Gowans, WCBC Radio

I. PUBLIC MEETING AGENDA REVIEW FEBRUARY 7, 2023

Mayor Morriss reviewed the Public Hearings on the Bond Issuance and the CDBG 2023 Annual Action Plan, and reviewed Ordinance 3938 regarding the Bond Issuance, up for its 2nd and 3rd readings. There were no questions on any of the Consent Agenda items.

II. HOMES FOR CUMBERLAND PILOT PROGRAM EXTENSION

Mr. Tressler provided background on the program and noted that it is expiring in the coming year. He said the intent is not for the credit to last into perpetuity, and said they are also asking the County for a rebate. He advised that the City's recommendation is not to extend.

Mayor Morriss advised to check with the County on their recommendation and get back to M&CC. Mr. Tressler agreed to come back with a recommendation for the 31 properties.

There was discussion about the properties and the PILOT period, and it was noted that they get generous lengths of time for their credits. In response to a question from Council, Mr. Tressler advised that he will send out a list of the 31 properties. He said if the City doesn't extend, they will get a full tax bill on July 1st.

III. NEW TAX AND UTILITY PAYMENT PROCESSING AND PROCEDURES

Mr. Tressler advised that the new system is a sleek, more modern process, and can accept all kinds of payment methods, including Venmo, PayPal, etc., and will encourage online payment methods. He explained that this will save a lot of processing and mail postage, and added that the City will no longer accept credit cards over the phone

Mr. Tressler stated the Tax and Utility Department will discontinue taking calls at City Hall, and explained there will be an interactive voice system associated with the program that will accept the utility payments. He said customers paying by credit card will be assessed a 2.5% fee that goes directly to the credit card processor, not to the City. He noted that this will mean approximately \$150K in savings a year in credit card processing fees. Mr. Tressler added he is planning to send out a press release, with the new system becoming effective some time around the end of March.

IV. MAYOR AND CITY COUNCIL UPDATES

Council Member Cioni advised that the Parks and Rec board met last night He mentioned that Shelly Minnigh from the YMCA is on the board, and gave kudos to the new Parks and Rec Director Ryan Mackey. He said staff has already been lined up for P&R Day Camp, and stated they may request some Bower Fund money to make enhancements to the Day Camp facility. Mr. Cioni also mentioned they are looking for individuals to do educational presentations for 7–11year-olds.

Council Member Cioni advised on Let's Beautify Cumberland, commenting on how good Giarritta Park looks and the work that's been done there. He noted that the Day of Caring and Sharing will be May 19th, and said they are looking for projects.

There was discussion about planters and "work in progress" signage for on the approaches to the bridges to make them more visually appealing. Council Member Furstenberg mentioned cleaning up the trash on the Maryland Avenue exit, and said he would join that group. Mr. Cohen suggested pulling weeds on Kelly Road.

Council Member Furstenberg advised that he will get with Joe George to get up to speed on the Planning and Zoning Commission.

Council Member Frazier said he had nothing right now.

Mayor Morriss talked about the PACE Reception in Annapolis recently, which he and Council Member Marchini attended. He said he felt that this was one of the most productive PACE receptions ever. He mentioned that incoming Comptroller Brooke Lehrman, Director of the Office of Inter-Governmental Affairs Molly Byron, and Darrell Anthony from the state DNR were in attendance. He said the meetings were informative and said it was a chance to develop good relationships. The Mayor also mentioned that the Canal Place board also set-up meetings and the big focus was the Cumberland River Park. He discussed the amount of funding Ms. Lehrman was trying to get for this project, and said it finally has some wind behind it. He also mentioned a lobbyist working with them to review proposed bills for the City.

Mayor Morriss discussed the Senator George Edwards Fund, saying the 1st order deadline was January 31st. He advised there were lots of requests from all the Western Maryland counties, with

the funds to be distributed over a 2-year period. He mentioned that the match would be either 10% or 20% depending on the scope of the project, and said awardees will be notified at the end of March, and again after July.

The Mayor advised the Hooley Plunge is March 4th for anyone who wants to take the plunge or support others doing so.

Council Member Marchini advised this Thursday is the Luncheon/Information session for the HPC Cumberland Tax Incentives from 11:30 - 2:00, and said registration is required. She mentioned that representatives from the CEDC and several historical organizations will be in attendance.

Ms. Marchini mentioned the final Party on the Bricks has been decided against due to an Easter event the following weekend. She advised that the mural on the Board of Ed building is complete, and said the ribbon cutting will be soon. She also mentioned that Jacob from the DDC has resigned, and Melinda is advertising the opening, and added that there will be an event for those most affected by the Baltimore Street construction, on February 23^{rd} at Allegany HS from 6:00 p.m. – 7:30 p.m., with Triton Construction representatives in attendance.

V. ADJOURNMENT

With no further business at hand, the meeting adjourned at 5:47 p.m.

Respectfully Submitted,



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

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room 57 N. Liberty Street Cumberland, MD 21502

Tuesday, February 14, 2023, 4:00 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Richard Cioni, Eugene Frazier, Jimmy Furstenberg, and Laurie Marchini.

ALSO PRESENT: Jeff Silka, City Administrator; Michael Cohen, City Solicitor; Allison Layton, City Clerk; Matt Miller, CEDC Executive Director; Representatives from Raz Development, Zach Elyasi and Paul Kelly

Media: Bryan Gowans, WCBC Radio

Greg Larry, Cumberland Times-News

I. RAZ DEVELOPMENT PRESENTATION – MEMORIAL HOSPITAL SITE

Mr. Miller made introductions all around, and went over the purpose of this meeting, which was to reach out to RAZ regarding the Memorial Hospital site. He advised that the contract is fully executed as of February 1, 2023, and said they are officially in their due-diligence period. He provided some background on Zach Elyasi of RAZ, along with an additional partner, Paul Kelly, and mentioned projects they have worked on together. Mr. Miller talked about how the Memorial Hospital site was just what RAZ was looking for, and said the parking garage already there will fit in nicely with the 250 apartment units housed in two buildings Mr. Elyasi has in mind for the property. He added that they will be geared towards retirees or starter-homes.

Mr. Elyasi provided background on his company and said it's not all about money, and said what makes the difference is what is to be done with the money. He explained their concept is the funds they make, they take to the community to help the poor, and said they just finished an orphanage for 300 children.

Mr. Elyasi said he's excited about this community, and said this project has come a long way. He explained that he wants to mold the project so that it draws people to the area. He said he's happy to answer questions about the budget, and the look and feel of the project.

Mayor Morriss stated that they are anxiously awaiting the true proposal, and wants to see drawings. He added that it's a fabulous opportunity for that piece of property.

Mr. Elyasi discussed average construction cost and timeline, due diligence period - looking underground, electric, water, fiber optics, and surveying. He reviewed the development period, the look and sizing of units, etc., and said they will apply for permits by September 2023, explained that he's hopeful to have an expedited permitting process in order to begin construction.

Mayor Morriss advised that the City's permitting process is more streamlined that Montgomery or Prince Georges Counties, and explained that a staff member will be assigned to this to ensure the project is moving as quickly as possible.

Mr. Elyasi fielded several questions from Council. He advised that typically a building goes up in 18 months, which doesn't include roads, etc. which take longer than a building. He stated that their biggest projects in DC have been in the 150–200-unit range, but said key construction costs are higher. He said for the Memorial Hospital site, they need to see what falls within the 4-story limit, and advised that as of now they have over 400 units in the development project, and said this would make it over 600, so size-wise, this is one of the bigger projects -10 acres.

Mr. Elyasi discussed considering using local talent for construction, but said roads will take time. He advised that they envision a community park, pool, maybe some small retail space such as a small grocery store, but no heavy retail components. Maybe a coffee shop. He said they will be seeing what fits, and said they don't want to over-promise.

Mr. Elyasi stated that amenities will be in the design phase – community center with pool, dog park, something to bring people outside together.

M&CC expressed their excitement to have RAZ Development here, and said they are looking forward to them being a member of the community, and also looking forward to working with them on this project.

II. ADJOURNMENT

With no further business at hand, the meeting adjourned at 4:38 p.m.

Respectfully Submitted,



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

Mayor and City Council of Cumberland

WORK SESSION

City Hall 2nd Floor Conference Room 57 N. Liberty Street Cumberland, MD 21502

Tuesday, February 21, 2023, 4:00 p.m.

PRESENT: Council Members: Richard Cioni (via phone), Eugene Frazier, Jimmy Furstenberg, Laurie Marchini

Absent: Mayor Raymond Morriss; Council Member Laurie Marchini presiding

ALSO PRESENT: Jeff Silka, City Administrator; Allison Layton, City Clerk

Media: Bryan Gowans, WCBC Radio

Greg Larry, Cumberland Times-News

I. HOTEL/MOTEL TAX PROCEDURE DISCUSSION

Mr. Silka reviewed the Hotel/Motel tax process, advising that the budget has crept up incrementally over the years, with about \$400K earmarked. He proposed formalizing the process so that funding is included in the new fiscal year budget. He also suggested implementing a May 1st deadline this year – with letters and applications mailed out in April, allowing people a month to turn in their paperwork.

Mr. Silka explained that the application is a combination of the County's application and certain other information he himself wanted to include. He reviewed the stipulations contained in the application.

Mr. Silka advised that funds will be available as of July 1st and reviewed in detail the different sections of the application. He discussed the financial section and which documents will be acceptable, adding that he wants to see their organizational budget information. He also advised that City Hall resources **will not** be available to help organizations with their financials, saying the organizations should know this information.

There was discussion on which organizations usually submit for funding, and what they do with it. Mr. Silka mentioned ACIT, the scenic railroad, Canal Place, Heritage Days, etc. He stated that Council needs to come up with a process to validate this – to make it transparent. He added that it may take 1-2 years for organizations to get into the habit, but by year 3 it should be understood.

II. AGENDA REVIEW – FEBRUARY 21, 2023

Mr. Silka advised that it is a light agenda tonight, and called for any questions or comments. There was discussion on the 1st reading of the Frederick Street Ordinance, No. 3939, for the RAZ Development Agreement.

There was discussion about Order No. 27188, Greenway Ave. Capital Improvement Fund for an advertising panel. Council Member Cioni advised that Senator Edwards has helped with this a lot, over \$1M, and said the cost is reasonable for a 10-year advertisement.

Greg Larry had questions about 19 Frederick Street and Clock Tower Ventures. Mr. Silka advised that the ordinance starts selling the property, with a purchase price of \$1. He stated that there are certain benchmarks, and if they do not fulfill the terms of the agreement, the City can revert the sale. Mr. Silka advised that they have to do everything to code, and it's all their own money invested. He said that after doing a tour of their facilities in Hagerstown, he wholeheartedly endorses this project.

III. MAYOR AND CITY COUNCIL UPDATES

Nothing from Council Members Frazier and Furstenberg

Council Member Cioni advised that he and Ryan Mackey are working with DNR at Constitution Park, checking the soil, and discussing which types of trees will grow there.

Council Member Marchini advised on the Town Hall Meeting this Thursday at Allegany HS, said it's in-person as well as virtual, and it will be live-streamed on Facebook. She noted that the Baltimore Street project will begin on April 3rd, with setting up equipment, and actual digging will begin April 10th. March 17th is the ceremonial groundbreaking, and Ms. Marchini said e-invites will be coming soon.

She noted that requests for free parking are starting to come in, and explained that the project does not take away any parking. Mr. Silka advised that there will be a global parking presentation at the next work session.

Council Member Marchini talked about the Hooley Pub Crawl and other events. She gave kudos to Ruth Davis-Rogers for setting up the tax incentive workshop last week, which had over 50 attendees.

Mayor and Council discussed the NAACP dinner.

IV. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:09 p.m. Respectfully Submitted,



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, Cumberland, MD

DATE: March 07, 2023

- I. OPEN SESSION 6:15 p.m.
- II. Pledge of Allegiance
- III. Roll Call

PRESENT:

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

Also Present: Jeffrey Silka, City Administrator; Allison Layton, City Clerk

IV. Statement of Closed Meeting

Mayor Morriss announced that a closed meeting had been held on March 7, 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

<u>Motion</u> to approve the reports was made by Council Member Frazier, seconded by Council Member Cioni, and was passed on a vote of 5-0.

(A) Utilities - Flood, Water, Sewer

1. Utilities Division Water/Sewer/Flood monthly report for February 2023

VI. Public Comments – Agenda

Mayor Morriss called for any questions or comments regarding the agenda. There were no sign-ups for discussion.

All public comments are limited to 5 minutes per person

VII. Unfinished Business

(A) Ordinances

1. **Ordinance 3939** (2nd and 3rd readings) - authorizing the execution of an agreement of sale and a development agreement with Clock Tower Ventures, LLC for the sale of the property at 19 Frederick Street

SECOND READING: The ordinance was submitted in title only for its second reading. <u>Motion</u> to approve the second reading and move to the third after comment was made by Council Member Furstenberg, seconded by Council Member Marchini, and was passed on a vote of 5-0.

Mayor Morriss called for any questions or 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 a vote of 5-0.

VIII. New Business

(A) Ordinances

1. Ordinance 3940 (*1st reading*) - authorizing the transfer of 13 W. Clement Street to Richard Pravlik for the purchase price of \$7,500

FIRST READING: The ordinance was submitted in title only for its first reading. <u>Motion</u> to approve the first reading and table until next meeting was made by Council Member Frazier, seconded by Council Member Cioni, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda. <u>Motion</u> to approve all items was made by Council Member Marchini, seconded by Council Member Furstenberg, and was passed on a vote of 5-0.

Order 27,189 - declaring vehicles and equipment to be surplus and authorizing them for sale or trade in

Order 27,190 - appointing Micheal Harris to the Downtown Development Commission

Order 27,191 - authorizing the acceptance of a FY23 Strategic Demolition Fund Grant in the amount of \$325,000 to assist with the McMullen Building Upper Story Redevelopment Project

Order 27,192 - approving the procedure and application form for the Hotel/Motel Tax Grant program

Mr. Silka advised that this will move to May, with a standardized application process, and the money being available in July.

Order 27,193 - accepting the bid from Belt Paving, Inc. for the milling and paving project on Avondale and Kentucky Avenues (City Project 2023-02-PVG) in the amount not to exceed \$633,029

Order 27,194 - authorizing the sole source proposal from Freeman Industries, Inc. to upgrade the existing cathodic protection controllers for five water tanks in the City water distribution system in an amount not to exceed \$37,500

Mr. Silka explained that cathodic protection prevents corrosion.

Order 27,195 - accepting the bid from Civil & Environmental Consultants, Inc. for the generation of a preliminary engineering report for the River Park and North Branch Potomac Industrial Dam Removal project (City Project 2022-39-FPM) in the amount not to exceed \$87,100

Order 27,196 - approving the proposal from FESCO Emergency Sales to provide two (2) 2024 International Ambulances for a total delivered price not to exceed \$799,404

Order 27,197 - authorizing a change in name for the International Association of Firefighters Local #1715, hereinafter known as International Association of Firefighters Local #203; and, executing an Addendum to the collective bargaining agreement as it pertains to Articles 6, 7 and 20

Order 27,198 - authorizing execution of a Donation Agreement with Kevin Kniseley, Personal Representative of the Estate of Robinhood Constitution, AKA Mark Anthony Shryock, for the donation of three properties on Gephart Drive: Lots 9-11 (Tax ID 06-003443), Lots 21-22 (Tax ID 06-003478) and Lots 22-23 (Tax ID 06-015123) to the City, and authorizing the City's acceptance of the deed and execution of documentation to effect the transfer

Order 27,199 - adopting the Code of Conduct for Working with Children

Mr. Silka advised that this code came about from the training that staff took part in at Jane's Place, and said it basically sets guidelines for individuals who work closely with children.

IX. Public Comments

Chris Myers, 15 S. Liberty Street, discussed financial relief for those businesses affected by the upcoming Baltimore Street redesign project. He suggested putting a hold on the Special Taxing District tax to provide relief during the construction phase.

Mayor Morriss stated that they will take it into consideration.

Ed Taylor, 400 S. Allegany Street, discussed owners and residents not maintaining their homes to standard codes. He stated that groups like LBC have worked hard to make the City beautiful, and said declining homeowners are making property values drop. He said a lot are rentals that have become junked up. He wants Code Enforcement pushed to do their job and start fining offenders.

Mayor Morriss stated that he will have a conversation with Code Enforcement.

Tamar Clarke, 811 Memorial Avenue, gave her opinion on fluoride in the water and discussed health issues. She stated Cumberland should stop adding fluoride to the water system.

Allysan McDaniel, 50 Wempe Drive, also spoke about fluoride. She wants consideration in removing fluoride from water.

Carla Rigger, 112 N. Walnut Place, also discussed fluoride, and said she agrees with the other speakers. She also discussed chickens in the City, and a neighbor that raises rabbits in cages. She said the smell is horrible, and chickens would be worse. She suggested denying chickens in the City.

Mayor Morriss advised that the City is not moving forward with the chickens, saying they had decided this evening.

All public comments are limited to 5 minutes per person

X. Adjournment

With no further business at hand, the meeting adjourned at 6:51 p.m.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison Layton, City Clerk _____
File Attachments for Item:

. Order 27,211 - authorizing the Mayor to execute the Concession License Agreement with Sharon Marvin for the "Operation of the Concession Stand at Constitution Park for the 2022 Season" in the amount of \$400 for the season for use of the Constitution Pool Concession Area through September 30, 2023

- ORDER of the Mayor and City Council of Cumberland MARYLAND

ORDER NO. <u>27,211</u>

DATE: <u>April 4, 2023</u>

ORDERED, By the Mayor and City Council of Cumberland, Maryland,

THAT, the Mayor be and is hereby authorized to execute a Concession License agreement with Sharon Marvin for the operation of the concession area on the second floor of the Casino Building at Constitution Park Pool from May 1, 2023, through September 30, 2023, with a license fee of Four Hundred Dollars (\$400.00).

Raymond M. Morriss, Mayor

CONCESSION LICENSE AGREEMENT

THIS CONCESSION LICENSE AGREEMENT ("Agreement"), made this _____

day of _____, ___, by and between the **Mayor and City Council of Cumberland** (the "City"), a municipal corporation of the State of Maryland, and Sharon Marvin ("Licensee"), of Allegany County Maryland.

WITNESSETH:

1. <u>Grant of License</u>. That for and in consideration for the Licensee's payment of the his/hereinafter-described license fee, the City does his/hereby grant unto Licensee, the right and privilege to exclusively operate the Concession Area (the "Concession") on the second floor of the Casino Building in Constitution Park (the "Park") in the City of Cumberland, Maryland, and she shall have the privilege of selling in said Concession all articles of merchandise commonly sold at concession stands in public parks as well as the privilege to operate at that location such pinball machines, arcade-style games and similar devices authorized by the laws of the State of Maryland and the Code of the City of Cumberland as are approved by the Director (the "Director") of the City's Department of Parks and Recreation (the "Department"). Notwithstanding anything to the contrary his/herein, Licensee shall not be permitted to sell or offer for consumption beers, wines or alcoholic beverages of any kind in the Park.

The City hereby agrees to permit Licensee to operate the Concession as concession stand. Licensee shall be solely responsible for providing all furnishings, trade fixtures and equipment he/she needs in order to operate the Concession and the City shall have no obligations in regard to the same. At the end of the term of this Agreement, Licensee shall have a right to remove such furnishings, trade fixtures and equipment as he/she may purchase and install in said Concession, except those which are so fixed as to be permanent additions to the building. Any damages caused to the Concession as a result of Licensee's removal of his/her furniture, trade fixtures and equipment shall be repaired by Licensee at his/her expense, said repairs to be effected in a good and workmanlike manner, restoring the Concession as good or a better condition than it was in as of the effective date of this Agreement.

During the term of this Agreement, Licensee shall be responsible for repairing and maintaining the equipment and appliances installed by the City at the Concession and keeping it in good and properly working order. Licensee shall be responsible for returning it to the City in good and properly working order upon the termination of this Agreement or upon the expiration of its term.

2. <u>Cleanliness</u>. Licensee shall be responsible for keeping the Concession in a clean and sanitary condition throughout the term of this Agreement. At the conclusion this/hereof, Licensee shall surrender possession of the premises to the City in a "broom-clean" condition. Throughout the term of this Agreement, Licensee shall keep the area surrounding the Concession free of trash and debris.

3. <u>License Fee</u>. In exchange for the license his/herein granted, Licensee shall pay the City a license fee in the amount of Four Hundred Dollars (\$400.00), payable and paid in one installment by May 1, 2023. Said payment shall be made at the City's Finance Department in City Hall, 57 N. Liberty Street, Cumberland, MD 21502. The license fee shall not be abated for any reason.

4. <u>Exclusivity</u>. Although Licensee shall have the exclusive right to operate the Concession, nothing herein contained shall prevent other concessionaires from selling

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concessions elsewhere in the Park. Further, this Agreement shall not be interpreted to confer any rights upon Licensee other than those expressly granted his/herein.

5. <u>Laws and Regulations</u>. The rights herein granted shall be subject to the City's ordinances, its Code and Charter, the rules and regulations of its Department of Parks and Recreation (the "Department") and other laws and regulations as may be applicable, and the business to be conducted under the terms of this Agreement shall at all times be conducted in conformity with the foregoing.

The Department shall have the right to regulate advertising materials used in or upon any of the buildings in the Park or distributed therein. Further, no signage shall be permitted at the Concession other than that which is approved by the Director, said approval not to be unreasonably withheld.

No items vended by Licensee shall be sold in excess of standard market prices. Licensee shall close the Concession and cease to operate the same as the said Park shall officially be closed unless the Director grants Licensee permission in writing to operate at such times when the Park is officially closed.

6. <u>Term of Agreement</u>. It is specifically understood that the rights granted herein are granted as to the period of time commencing May 1, 2023, and concluding September 30, 2023. Notwithstanding the foregoing, Licensee shall not be permitted to conduct business at the Concession until such time as the Allegany County Health Department issues a permit for the conduct of those operations. The Concession shall be well stocked and kept open for business starting May 26, 2023, and continuing through the end of the term of this Agreement.

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7. <u>No Alterations</u>. Licensee shall not make any alterations, modifications or improvements at or in the Concession or the Casino Building without the written permission of the Director, said permission to be granted or withheld for any reason or no reason at all.

8. <u>Limitations on License</u>. Licensee shall not engage in any commercial activities at the Park (like selling concessions at other locations or showing movies) other than those expressly authorized by the terms of this Agreement unless the Director grants Licensee written permission to do so. This prohibition extends to activities like operating concessions at locations other than the Concession and showing movies.

9. <u>Relationship between the Parties</u>. The relationship between the City and Licensee is that of an independent contractor and a contracting entity. Nothing herein contained shall be construed to give Licensee any interest as an employee, joint venturer, or partner of or with the City. During the term of this Agreement, Licensee shall conduct his/her business operations at the Concession as an independent contractor and she shall have control of and shall be exclusively responsible for said operations.

10. <u>Indemnification</u>. Licensee will defend, indemnify and hold the City harmless from and against any and all claims, actions, damages, liabilities and expenses (including, but not limited to, reasonable attorneys' fees) in connection with the loss of life, bodily injury, or damage to property or business arising from, related to, or in connection with the conduct of the business operations which are the subject of this Agreement occasioned wholly or in part by any act or omission of Licensee, his/her agents, employees, representatives, sublicensees, contractors, or subcontractors, or any agents or employees of the foregoing. Licensee's indemnification obligations as set forth in this section

include, but are not limited to, the obligation to indemnify the City for its attorneys' fees, court costs and any litigation expenses it may incur. The provisions of this section shall survive the termination or earlier expiration of this Agreement.

11. Insurance. Throughout the term of this Agreement, Licensee shall, at its expense, maintain (i) comprehensive general public liability insurance covering personal injury and property damage in the amount of One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) in the aggregate, and (ii) workers' compensation insurance in no less than the statutorily required minimum amounts. Licensee shall furnish the City with a certificate of insurance prior to or contemporaneously with the execution of this Agreement. Thereafter, Licensee shall deliver certificates of renewal for each insurance policy not less than thirty (30) days in advance of the expiration date of the policy, bearing verification from the agent of the company issuing the certificate that the premiums have been paid in full. Each policy shall provide that it shall not be subject to cancellation, material change, or non-renewal without thirty (30) days prior written notice to the City. Each policy shall name "Mayor and City Council of Cumberland" as an additional insured.

12. <u>Miscellaneous</u>.

12.1 <u>Remedies for Breach of Agreement</u>. Notwithstanding any provisions in this Agreement to the contrary, the parties his/hereto reserve the right to seek any remedies available in equity or law upon a breach of the terms of this Agreement. In the event of a breach of the terms of this Agreement, the breaching party shall pay the reasonable attorney's fees, court costs and other expenses incurred by the non-breaching party as a result of the breach.

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12.2 <u>Severability</u>. If any provision of this Agreement or the application thereof to any party or circumstance is held invalid or unenforceable, the remainder of this Agreement and the application of such provision to other parties or circumstances will not be affected this/hereby, and to this end, the provisions of this Agreement are declared severable.

12.3 <u>Captions</u>. The captions and titles to the paragraphs, sections and subsections of this Agreement are for convenience purposes only and are not in aid of the interpretation of this Agreement, and to this end, shall not limit, restrict or expand the provisions hereof.

12.4 <u>Time is of the Essence</u>. Time is of the essence in with respect to the provisions of this Agreement.

12.5 <u>**Binding Effect**</u>. This Agreement shall be binding upon and inure to the benefit of the parties his/hereto, and their respective heirs, personal representatives, successors and assigns.

12.6 <u>Governing Law</u>. This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Maryland. It shall be enforceable with an action commenced in the Circuit Court for Allegany County, Maryland or the District Court of Maryland for Allegany County, and the parties hereto agree to be subject to the jurisdiction of such Courts and further waive any claim that any action or proceeding arising out of or relating to this Agreement and commenced in such courts in commenced in an inconvenient forum or one that lacks proper venue. This provision shall be construed to proscribe any action or remedy being brought or asserted by either party in any other forum located in any other jurisdiction unless the Circuit Court of Allegany County, Maryland, or the District Court of Maryland for Allegany County determine that the action must be transferred to another jurisdiction.

12.7 <u>Waiver</u>. Neither the City's nor Licensee's waiver of the breach of any covenant, term or condition of this Agreement will be construed as a waiver of the breach of any other covenants, terms or conditions or as a waiver of a subsequent breach of the same covenant, term or condition.

12.8 <u>Definitions</u>. Whenever used in this Agreement, the singular shall include the plural; any gender shall include the other gender, and vice-versa.

12.9 <u>Entire Agreement</u>. This Agreement contains the final and entire agreement between the parties his/hereto with reference to the provisions his/hereof, and neither they nor their agents shall be bound by any terms, conditions or representations not contained his/herein.

12.10 Jury Trial. The parties waive their right to a jury trial in a proceeding brought by any party based upon or arising out of or as an incident to this Agreement.

IN WITNESS WHIS/HEREOF, the parties his/hereto have executed this

Agreement the day and year first above written.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

By:

Allison K. Layton City Clerk Raymond M. Morriss Mayor

(Witness)

(Licensee signature)

File Attachments for Item:

. Order 27,212 - authorizing the abatement of certain non-collectable personal property taxes for tax years 2011-2019 totaling \$28,375.89

- Order of the Mayor and City Council of Cumberland MARYLAND

ORDER NO. <u>27,212</u>

DATE: <u>April 4, 2023</u>

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the amounts due on the non-collectable Personal Property Tax Accounts specified on the attached list for the tax years 2011-2019 and totaling Twenty Eight Thousand Three Hundred Seventy Five Dollars and Eighty Nine Cents (\$28,375.89) be and are hereby abated.

Raymond M. Morriss, Mayor

Tax Account	Та	ix Amount	Owner Name
			Tax Year 2011
W10711281	\$	500.47	AMERICA XPRESS RENT A CAR LLC
F03146230	\$	2,176.13	CAPITOL ENTERTAINMENT MANAGEMENT COM
2011 Total	\$	2,676.60	

Tax Year 2012

W10711281	\$ 1,000.94	AMERICA XPRESS RENT A CAR LLC
F00488585	\$ 3.97	MIDDLE DEPARTMENT INSPECTION AGENCY
F03146230	\$ 4,352.25	CAPITOL ENTERTAINMENT MANAGEMENT COM
W05072947	\$ 184.83	THE LAW OFFICE OF GLENN J. ROBINETTE
W10632537	\$ 71.76	QUEEN CITY WIRELESS, LLC
W12453759	\$ 204.96	JIDDS, LLC
Z11421823	\$ 162.59	CULINARY ADVANTAGE, LLC
L06792949	\$ 20.65	MCKENZIE, TERRANCE L.
2012 Total	\$ 6,001.95	

Tax Year 2013

D00515999	\$ 298.96	ROBUSTIANO J. BARRERA, JR., M.D.,P.A
D03631959	\$ 16.68	PHENIX SERVICES CORPORATION
F14589501	\$ 1.18	ZYNEX MEDICAL, INC.
L08297723	\$ 37.07	PUROHIT, VINNE B.
L14643571	\$ 229.05	HERRING CHRISTINE L,,,
W12097556	\$ 3,468.88	RED'S BILLARDS, LLC
W13178736	\$ 589.44	E AND B HARPER, LLC
Z13033931	\$ 2.97	COOL BEANS PODS LLC A/K/A CRYSTAL R
D13302732	\$ 84.47	RDH, INC.
L13911748	\$ 213.43	CLAUS, LISA K
W10632537	\$ 71.50	QUEEN CITY WIRELESS, LLC
W12453759	\$ 170.80	JIDDS, LLC
Z11421823	\$ 122.07	CULINARY ADVANTAGE, LLC
2013 Total	\$ 5,306.50	

Tax Year 2014

D00109165	\$ 1,188.69	GILL-SIMPSON, INC.
D00515999	\$ 597.92	ROBUSTIANO J. BARRERA, JR., M.D., P.A
D02075281	\$ 8.66	ALLEGANY COUNTY EDUCATIONAL SERVICES
F07571458	\$ 454.93	ABM JANITORIAL SERVICES - MID-ATLAN
F14589501	\$ 58.79	ZYNEX MEDICAL, INC.
L07315351	\$ 39.46	FOREMAN, TRACY L.
L08286981	\$ 217.67	MICHAELS, WILLIAM R
L08297723	\$ 37.07	PUROHIT, VINNE B.
L08330839	\$ 79.44	TRANS-LUX
L15062813	\$ 915.15	RANDALL MARLIN E
W04871562	\$ 544.43	EYE-TECH, LLC
W13178736	\$ 505.24	E AND B HARPER, LLC

Z13033931	\$ 9.53	COOL BEANS PODS LLC A/K/A CRYSTAL R
W15070717	\$ 21.45	GATES LAW OFFICE, LL,,,
W15168032	\$ 467.90	RUTH ELAINES LLC
D13302732	\$ 72.82	RDH, INC.
F12437034	\$ 41.04	SIEMENS HEALTHCARE DIAGNOSTICS INC.
L05531124	\$ 17.82	WORKMEISTER, LINN
L13911748	\$ 266.92	CLAUS, LISA K
W12453759	\$ 341.59	JIDDS, LLC
W12945416	\$ 370.19	THE CUMBERLAND KEEP, LLC
W15047707	\$ 6.61	SAUDER SOFTWARE, LLC

2014 Total \$ 6,263.32

Tax Year 2015

D00109165	\$ 1,066.61	GILL-SIMPSON, INC.
D02075281	\$ 15.62	ALLEGANY COUNTY EDUCATIONAL SERVICES
F04777439	\$ 11.11	EVERCOM SYSTEMS, INC,,,
F13916275	\$ 19.70	PURE HEALTH SOLUTIONS, INC.
L08286981	\$ 435.33	MICHAELS, WILLIAM R
L08297723	\$ 37.07	PUROHIT, VINNE B.
L08330839	\$ 158.88	TRANS-LUX
L15062813	\$ 1,830.30	RANDALL MARLIN E
L16219677	\$ 132.40	BUTLER ROBERT H
W10690048	\$ 62.23	WESTERN MARYLAND MEDICAL SUPPLY, LL
W11886181	\$ 7.15	H&H MDRP LLC
Z13033931	\$ 6.36	COOL BEANS PODS LLC A/K/A CRYSTAL R
L06501829	\$ 47.13	MARTIN, MARYELLEN
W15070717	\$ 16.42	GATES LAW OFFICE, LL,,,
D00087940	\$ 17.48	HOMEBUILDERS ASSOCIATION OF WESTERN
F15366560	\$ 3.92	FINANCIAL PACIFIC LEASING, INC.
F16143265	\$ 19.07	CUSTOM AIR MECHANICAL INC.
L05531124	\$ 80.76	WORKMEISTER, LINN
W07074362	\$ 658.82	MD EDUCATIONAL SERVICES, LLC
W12945416	\$ 740.38	THE CUMBERLAND KEEP, LLC
Z11231511	\$ 14.30	CATALINA HEALTH RESOURCE LLC
2015 Total	\$ 5,381.04	

Tax Year 2016

L08286981	\$		MICHAELS, WILLIAM R
L08330839	Ş	198.60	TRANS-LUX
L13797733	\$	33.89	JACKMAN, RONALD J,,,
D1 5787286	\$	136.64	CAPE FEAR NEW HORIZONS
W15070717	\$	11.39	GATES LAW OFFICE, LL,,,
F05634175	\$	895.02	GUITAR CENTER STORES, INC.

2016 Total \$ 1,819.70

Tax Year 2017

Z11724572 \$	7.41	TRM COPY	CENTERS, LLC
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	\$	7.68	LUCAS QUEST, LLC
D04886255	\$	28.33	IBRAHIM-SMILEKEEPERS DENTAL, P.C.
D11160280	\$	97.60	AN AID TO LIFE, INC.,,,
D1 5787286	\$	119.42	CAPE FEAR NEW HORIZONS
W10513224	\$	59.58	CORNER GRILLE, LLC
W16737447	\$	15.62	DISHONG ENTERPRISES, LLC
Z16106189	\$	10.70	M5 NETWORKS, LLC
2017 Total	\$	346.34	
			Tax Year 2018
D1 5787286	\$	102.48	CAPE FEAR NEW HORIZONS
W11946480	\$	231.70	KELLY REAL ESTATE HOLDINGS, LLC
W13968946	\$	6.62	LUCAS QUEST, LLC
W16737447	\$	14.03	DISHONG ENTERPRISES, LLC
2018 Total	\$	354.83	
			Tax Year 2019
F18280727	\$	72.82	Tax Year 2019 JSA HOMECARE, INC.
F18280727	\$	72.82	
F18280727 2019 Total	\$ \$	72.82 72.82	
		72.82	JSA HOMECARE, INC.
2019 Total	\$	72.82	JSA HOMECARE, INC. Tax Year 2020
2019 Total	\$ \$	72.82	JSA HOMECARE, INC. Tax Year 2020
2019 Total D02032233	\$ \$	72.82 152.79	JSA HOMECARE, INC. Tax Year 2020
2019 Total D02032233	\$ \$	72.82 152.79	JSA HOMECARE, INC. Tax Year 2020
2019 Total D02032233	\$ \$	72.82 152.79	JSA HOMECARE, INC. Tax Year 2020

File Attachments for Item:

. Order 27,213 - lifting Section 11-113 of the City Code on May 5, June 2 and July 7 from 5:00 PM through 11:00 PM to allow for the use of open containers of alcohol within certain areas of the downtown during the "Friday After Five" events; notwithstanding that open glass containers shall not be permitted

- Order of the Mayor and City Council of Cumberland MARYLAND

ORDER NO. <u>27,213</u>

DATE: <u>April 4, 2023</u>

ORDERED, By the Mayor and City Council of Cumberland, Maryland,

THAT, the provisions of Section 11-113 of the City Code, entitled "Open Containers of Alcohol," be and are hereby lifted for the "Friday After Five" events to be held May 5th, June 2nd and July 7th, 2023 from 5:00 PM until 11:00 PM on those days within the confines of the following area:

- Mechanic at Bedford Street south to Harrison Street;
- Harrison Street east to Queen City Drive;
- Queen City Drive north to Baltimore Street;
- Baltimore Street west to George Street;
- George Street north to Butler Alley;
- Butler Alley to Frederick and Bedford Streets by way of Centre Street;

BE IT FURTHER ORDERED, that, notwithstanding the foregoing, open glass containers shall not be permitted in the area defined above and Section 11-113 (a) of the City Code shall remain in force and effect as to glass open containers of alcoholic beverages in that area.

Raymond M. Morriss, Mayor

*Map attached

Open Container Area



File Attachments for Item:

. Order 27,214 - authorizing parking incentives for the George Street Garage, including free parking for the first two hours in hourly parking spaces in the garage and a bulk monthly parking incentive for an individual or entity entering into a new 12 month lease for a minimum of five spaces and authorizing the City Administrator to execute future new parking leases

- Order of the Mayor and City Council of Cumberland MARYLAND

ORDER NO. <u>27,214</u>

DATE: _____ April 4, 2023

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the City Administrator be and is hereby authorized to offer parking incentives, including free parking for the first two hours in hourly parking spaces in the George Street Garage and a bulk monthly parking incentive for an individual or entity entering into a new twelve (12) month lease for a minimum of five (5) spaces in the George Street Garage; and

BE IT FURTHER ORDERED THAT, the City Administrator be and is hereby authorized to execute future new parking leases.

Raymond M. Morriss, Mayor

Council Agenda Summary

Meeting Date: April 4, 2023

Key Staff Contact: J F. Silka

Item Title:

George Street Parking Garage Downtown Parking Incentive

Summary of project/issue/purchase/contract, etc for Council:

George Street Parking Garage Downtown Parking Incentive

- A. Hourly Parking (Construction Special) To encourage patronage of downtown businesses during the Baltimore Street Improvement Project the first two hours of hourly parking will be free. All parkers will be required to check in and out at the kiosk.
- **B. Monthly Parking** To encourage the development of both business and residential use of the downtown area a "bulk" monthly parking incentive rate is proposed. The George Street Garage Has over 180 vacant spaces not producing any income. The monthly rate is \$55 per month. The proposed incentive is to offer a reduced rate to an individual or entity that enters into a twelve-month lease for a minimum of five (5) spaces:
 - 1. A block of a minimum of five (5) spaces must be leased for a period of twelve months.
 - 2. This incentive is for new leases and not available for renewed leases or customers currently paying monthly for a bulk number of spaces.
 - 3. For an existing lease or bulk payer to gain the incentive their lease or spaces must be lapsed for a period of twelve (12) months.
 - 4. The monthly rate for the first lease period will be \$25/space. The lease can be renewed for additional twelve-month terms at a month rate of \$35/space. Any renewal rate after the first renewal will be at the discretion of Mayor and City Council
 - 5. This will be a master lease with a single payer.
 - 6. Once a lease is signed the base number of spaces reserved cannot be reduced during the term. Additional spaces may be added to the lease, but the term will not extend.
 - 7. The lease can provide for specific reserved spaces for an additional single fee of \$25/space.

8. Payment in arrears of thirty days will void the lease.

This was discussed at the March 21, 2023 Work Session.

Amount of Award: Budget number: Grant, bond, etc. reference: