



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

AGENDA

M&CC Regular Public Meeting
City Hall Council Chambers

DATE: June 04, 2019

CLOSED SESSION - 5:45 P.M.

1. Convene in Open Session for the purpose of closing the meeting for an Executive Session pursuant to Section 3-305 (b) (1) of the General Provisions Article of the Annotated Code of Maryland to discuss an employee resignation
2. Executive Session

OPEN SESSION - 6:15 P.M.

1. Reconvene into Open Session

Pledge of Allegiance

Roll Call

Statement of Closed Meeting

1. Summary Statement of Executive Session

Presentations

1. Presentation from Western Maryland Delegate Michael McKay of the 90-Day Legislative Report

Director's Reports

(A) Public Works

1. Maintenance Division monthly report for April, 2019

(B) Police

1. Police Department monthly report for April, 2019

(C) Utilities - Treatment Plants

1. Utilities Division - Treatment Plants & Central Services monthly reports for April, 2019

Approval of Minutes

1. Approval of the Budget Work Session Minutes of April 16, the Work Session Minutes of May 1, and the Regular Session Minutes of May 7, 2019

Unfinished Business

(A) Ordinances

1. **Ordinance No. 3848** (*2nd & 3rd Readings*) - providing for the City Tax Levy for FY20 (Real Estate 1.0595 per \$100 of assessed value/Personal Property 2.648 per \$100 of assessed value)
2. **Ordinance No. 3849** (*2nd & 3rd Readings*) - providing for the annual appropriation for the General Fund for FY20
3. **Ordinance No. 3850** (*2nd & 3rd Readings*) - providing for the annual appropriation for the Water Fund for FY20
4. **Ordinance No. 3851** (*2nd & 3rd Readings*) - providing for the annual appropriation for the Sewer Fund for FY20
5. **Ordinance No. 3852** (*2nd & 3rd Readings*) - providing for the annual appropriation for the Special Purpose Funds for FY20
6. **Ordinance No. 3853** (*2nd & 3rd Readings*) - to repeal and reenact, with amendments, Section 24-86 of the City Code to provide for a water rate increase, effective July 1, 2019
7. **Ordinance No. 3854** (*2nd & 3rd Readings*) - to repeal and reenact Section 21-8.1 (a) of the City Code to provide for new rates for refuse collection effective July 1, 2019
8. **Ordinance No. 3855** (*2nd & 3rd Readings*) - to repeal and reenact with amendments Section 17-26 and 17-27 of the City Code regarding establishment of the Planning and Zoning Commission to correct references to the Annotated Code, clarify the role of the members, provide for an alternate member, include a residency requirement, and incorporate statutory provisions regarding removal of members

New Business

(A) Orders (Consent Agenda)

1. **Order No. 26,456** - authorizing the Chief of Police to accept funds from the Allegany County Board of Education received through the FY19 School Safety Evaluation grant in the amount of \$3,036.75 to provide overtime funding to be used conducting school safety evaluations.
2. **Order No. 26,457** - accepting the sole source purchase of a used 2009 GMC C5500 Aerial Lift Truck from Utility Auto Sales/Utility Lifts & Equipment for an amount not to exceed \$52,500.00
3. **Order No. 26,458** - authorizing the City Administrator to execute all FY20 Employment Agreements for part-time employees of the City of Cumberland

Letters / Petitions

- [1.](#) Letter from Lambda Car Club International requesting use of the top two levels of the George St. Parking Garage from June 18 through June 23, 2019, and to close a portion of Baltimore Street between George St. and Queen City Drive on Saturday, June 22, between the hours of 8 a.m. - 5 p.m., to host the 2019 Lambda Car Club International Grand Invitational

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

Item Attachment Documents:

1. Maintenance Division monthly report for April, 2019

MAINTENANCE DIVISION REPORT
April 2019

Street Maintenance Report

Parks & Recreation Maintenance Report

Fleet Maintenance Report

**PUBLIC WORKS/MAINTENANCE
STREET BRANCH
MONTHLY REPORT
APRIL 2019**

- **POTHoles AND COMPLAINTS**
 - Potholed 79 Streets & 14 Alleys using 82 tons of hot mix asphalt

- **TRAFFIC CONTROL SIGNS/STREET NAME SIGNS**
 - Installed/Repaired 45 Traffic Control Signs
 - Removed 2 Handicap signs
 - Installed/Repaired 2 Street Name Signs
 - Painted 7 curbs

- **STREET SWEEPING**
 - 455 miles
 - 47 loads

- **MISCELLANEOUS**
 - Completed 92 Work Orders
 - Cleaned Underpass, McMullen Bridge, Washington St Bridge, Fayette St Bridge, Cumberland St Bridge & Welch Ave. drainage ditch 4 times.
 - Picked up 7 dead animals
 - Completed tree and brush work in 3 areas
 - Picked up trash/discarded items on 3 occasions
 - Completed permanent patch @ 1018 Brown Ave as part of Domino's Paving for Pizza Program
 - Transported paver to company on the other side of Altoona, Pa for repairs
 - Worked with Roadsafe, Inc. painting lines on streets for 2 days
 - Replaced retaining wall in alley behind 47 Cresap St
 - Cleaned out ditch across from 1076 Braddock Rd
 - Setup & tear down of traffic control for Walk for Ole Greenway event and Fort Hill prom
 - Completed utility hole repair on US 220 near WCI for Water Dept.
 - Worked overtime with FSU volunteers @ Constitution Park, Sperry Terrace & S Central Ave
 - Cleaned Municipal Center, inside shop, around salt dome & parking lot

STREET MAINTENANCE - APRIL 2019		4/1-4/5	4/8-4/12	4/15-4/19	4/22-4/26	4/29-4/30	TOTAL
SERVICE REQUEST COMPLETED		18	34	15	14	11	92
PAVING PERFORMED	TONS						0
CONCRETE WORK	CY						0
UTILITY HOLES REPAIRED	WATER			1			1
	SEWER						0
	CY			0.50 y			0.50 y
	TONS						0
POTHOLES FILLED	STREETS	16	43	5	11	4	79
	ALLEYS		3	5	2	4	14
	DAYS	2	5	3	2	1	13
	Cold Mix						0
	TONS	12.5	31.0	17.5	14.0	7.0	82
PERMANENT PATCH	CY						0
	TONS			5			5
COMPLAINTS COMPLETED							0
	CY						0
	TONS						0
TRAFFIC CONTROL SIGNS REPAIRED/INSTALLED		30		2	5	8	45
STREET NAME SIGNS REPAIRED/INSTALLED		2					2
HANDICAPPED SIGNS REPAIRED/INSTALLED/REMOVED							0
							0
		1			1		2
PAINTING PERFORMED	BLUE			1	1		2
	YELLOW						0
	RED	3		1	3		7
PAVEMENT MARKINGS INSTALLED	No.						0
STREET CLEANING	LOADS	12	11	11	8	5	47
	Miles	113	115	93	91	43	455
SWEEPER DUMPS HAULED TO LANDFILL	TONS	40.0		1.0			41
SALT BARRELLS - PICK UP, FILL	DAYS						0
CLEANED BALTIMORE ST. UNDERPASS		1	1	1	1		4
CLEAN SNOW EQUIPMENT	Days						0
BRUSH REMOVAL/TREE WORK	Areas	1			1	1	3
Check Drains/Clean Debris	DAYS			1		1	2
LEAF PICK UP	Loads						0

Picked up trash/discarded furniture on 3 different occasions
Completed permanent patch @ 1018 Brown Ave as part of Domino's Paving for Pizza Program
Transported paver to company on other side of Altoona, PA for repairs
Worked with Roadsafe, Inc. painting lines on city streets for 2 days
Replaced retaining wall in alley behind 47 Cresap St.
Cleaned out ditch across from 1076 Braddock Rd/required flaggers, also
Picked up 7 dead animals
Cut & removed tree in alley beside Windsor Dr.
Setup & tore down traffic control for Walk for Ole Greenway event and Fort Hill prom
Completed utility hole repairs on US 220 near WCI for Water Dept.
Worked overtime with FSU volunteers @ Constitution Park, Sperry Terrace & Central Ave.
Cleaned Municipal Center, inside shop, around salt dome, parking lot

**PUBLIC WORKS/MAINTENANCE
PARKS & RECREATION
MONTHLY REPORT
APRIL 2019**

- Constitution Park and Area Parklets
 - Cleaned up garbage 3 times a week
 - Removed several fallen trees & brush in the Park

- Ball Fields
 - Drug Flynn Field 4 times
 - Lined Flynn Field 3 times for games
 - Drug Nonneman Field 2 times
 - Drug & lined Northcraft Field 2 times
 - Lined Galaxy Soccer Field 2 times
 - Drug Cavanaugh Field 5 times
 - Lined Cavanaugh Field 8 times
 - Drug Long Field 1 time
 - Drug & Lined JC Field 1 time

- Miscellaneous Work
 - Mowed parklets 7 days
 - Mowed ball fields 8 days
 - Mowed @ Mason's Complex 2 days
 - Mowed @ Constitution Park 4 days
 - Performed basic housekeeping @ Municipal Building
 - Cleaned the Craft House & Activities Building
 - Prepared Activities Building for rentals
 - Performed preventative maintenance on trimmers & blowers
 - Prepared feed & bedding for ducks & geese @ the Duck Pond
 - Cleaned & performed preventative maintenance on Park & Rec vehicles
 - Made repairs to bathrooms @ Mason's Complex, Constitution Park & JC Field
 - Worked overtime with FSU volunteers @ Constitution Park
 - Worked overtime 1 weekend picking up trash @ parks & parklets

Fleet Maintenance

April 2019

Total Fleet Maintenance Projects	136
Central Services	3
Code Enforcement	5
DDC	0
Engineering	3
Fire	8
Flood	4
Municipal Parking	0
P & R Maintenance	4
Police	28
Public Works	0
Sewer	6
Snow Removal	0
Street Maintenance	19
Vehicle Maintenance	14
Water Distribution	16
Water Filtration	0
WWTP	0
Scheduled Preventive Maintenance	23
Field Service Calls	3
Total Work Orders Submitted	47
Risk Management Claims	0
Fork Lift Inspections	0

Item Attachment Documents:

1. Police Department monthly report for April, 2019



City of Cumberland Department of Police

Monthly Report
April 2019

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

APRIL 2019

SWORN PERSONNEL: 47 SWORN OFFICERS

Administration	5 officers
Squad D1	7 officers
Squad N1	8 officers
Squad D2	8 officers
Squad N2	7 officers
C3I/C3IN	5 officers
School Resource	2 officers
Academy	3 officers
Military leave	2 officers

CIVILIAN EMPLOYEES: 7 full time, 11 part time

CPD Office Associate	1 full time
CPD Records Clerk	1 full time
Safe Streets Coordinator	1 full time*
CPD Patrol Assistant	1 full time
CPD Crime Analyst	1 full time*
CPD Drug Coordinator	1 full time*
CPD Maintenance	1 part time
C3I Office Associate	vacant
C3IN Office Associate	1 part time**
C3I Office Associate	1 part time **
MPA Supervisor	1 part time
Parking Meter Supervisor	1 full time
Parking Enforcement	2 part time
MPA Garage Attendants	2 part time
Code Enforcement	3 part time

* = Grant funded

** = Shared costs with other agencies

LEAVE REPORT

VACATION TAKEN: 811 HOURS
COMP TIME USED: 175 HOURS
SICK TIME USED: 128 HOURS

YEAR TO DATE (beginning 7/1/18): 8275 HOURS
YEAR TO DATE (beginning 7/1/18): 2313 HOURS
YEAR TO DATE (beginning 7/1/18): 1493 HOURS

OVERTIME REPORT

OVERTIME WORKED: 154 HOURS
HOSPITAL SECURITY: 83 HOURS
COURT TIME WORKED: 135 HOURS

YEAR TO DATE (beginning 7/1/18): 3284 HOURS
YEAR TO DATE (beginning 7/1/18): 1283 HOURS
YEAR TO DATE (beginning 7/1/18): 2027 HOURS

TRAINING

40 officers trained during 18 different sessions for a total of 332 hours

Item Attachment Documents:

1. Utilities Division - Treatment Plants & Central Services monthly reports for April, 2019

CITY OF CUMBERLAND

MONTHLY REPORTS

Water Filtration Plant &

John J. Difonzo

Water Reclamation Facility

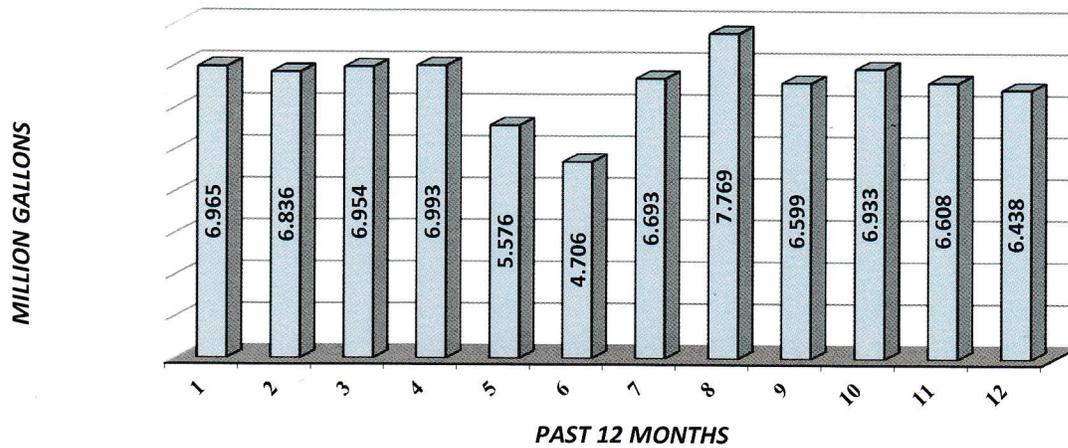
Central Services - April 2019

CITY OF CUMBERLAND'S WATER TREATMENT PLANT

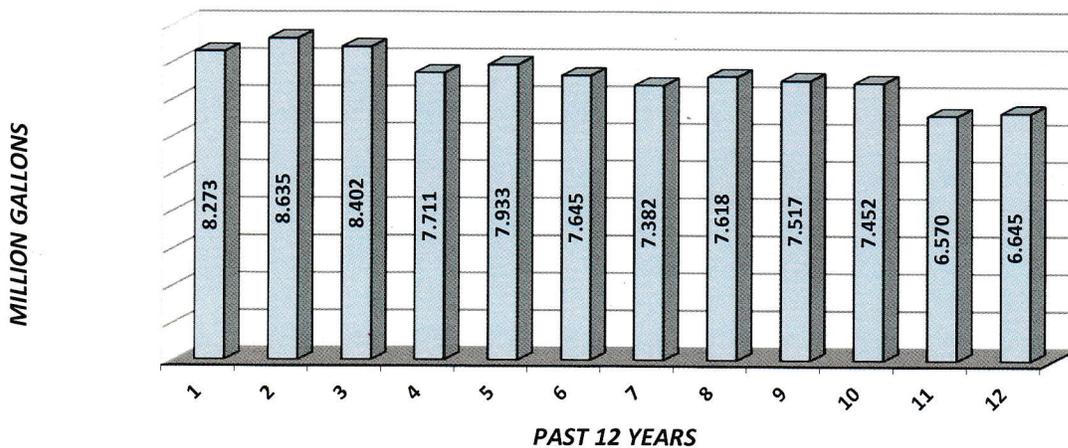
MONTHLY UTILITY REPORT

APRIL 2019

AVERAGE DAILY PRODUCTION



AVERAGE DAILY PRODUCTION



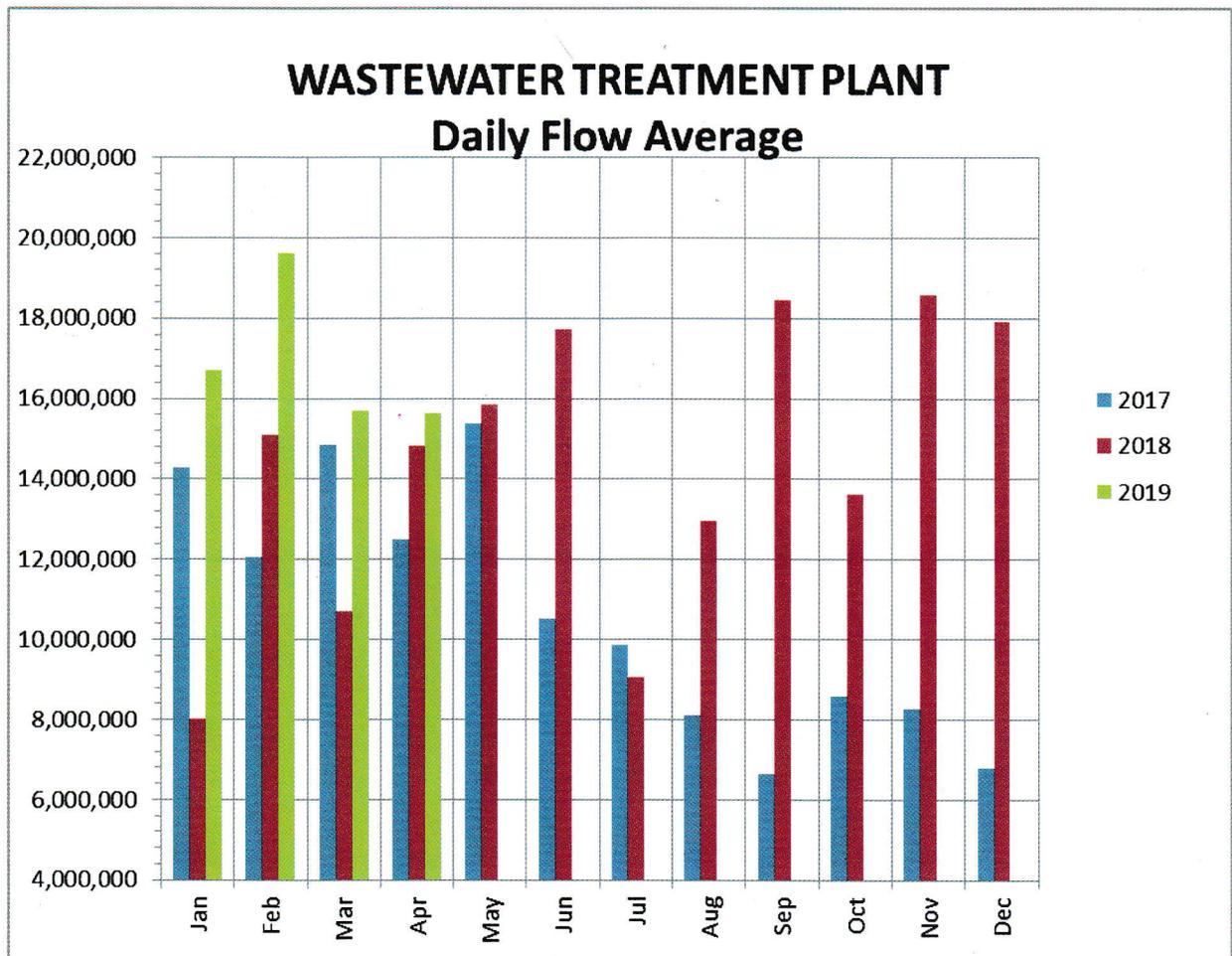
BRIEF LISTING of EVENTS

- > 100% COMPLIANCE WITH ALL FEDERAL & STATE DRINKING WATER REGULATIONS
- > OVER 100 PREVENTIVE MAINTENANCE TASKS COMPLETED/1,300 WATER ANALYSIS PERFORMED
- > TREATMENT PLANT, PUMPING STATIONS, TANKS AND RESERVOIRS OPERATED/MAINTAINED CONTINUOUSLY 365/24/7
- > CONTINUED UNREGULATED CONTAMINATE MONITORING ROUND 4
- > ANNUAL DEP NPDES PERMIT INSPECTION - 100% COMPLIANT
- > BOTH LAKE GORDON AND LAKE KOON AT 100% CAPACITY
- > FINALIZED NITRIFICATION CONTROL PLAN FOR PA DEP

Wastewater Treatment Plant – April 2019

OPERATIONS:

Treated 468,421,000 gallons @ an average of 15.614 million gallons per day. Removed 187,488 pounds of total suspended solids, 158,975 pounds of BOD, 43,357 pounds of total nitrogen, and 6,250 pounds of total phosphorous. Processed 807,912 gallons of sludge producing 93.34 Dry tons of Class “A” bio-solids. All Federal and State reporting requirements were in compliance. Monthly Flow Comparison Chart is attached.



Central Services – April 2019

- **City Hall:** Installed data cables to conference room in Community Development. Replaced lights on first floor and Community Development. Repaired toilet in Basement. Stared chiller units A/C. Bleed air from A/C system. Repaired flag pole light on roof. Replaced LEDs that were not working. Hung picture in rotunda top of first landing.
- **Municipal Service Center:** Repaired large garage door in back of shop by Flood Dept. Repaired skylights on roof over water dept.
- **Public Safety Building:** Made new wheel stop for Fire station #2 garage. Replaced rollers on garage door at Fire station #2. Started chiller units A/C. Installed data cable to two office on third floor from second floor data room. Repaired door on 3rd floor south east side not closing all the way. Replaced all conduit fitting on light poles in parking lot. Replaced LEDs that were not working.
- **Parks and Rec.:** Tested new water line just installed and new pressure pump at Park main pool building.
- **Traffic and Street Lights:** Reported street lights to be repaired to Potomac Edison. Replaced all traffic control equipment at Green St. and Allegany St. intersection. Repaired street light on Decatur St. that was falling over. Repaired and moved conduits for the Mechanic St paving project. Replace light pole on Decatur St. that was hit by car. Cut tree back from traffic light pole on corner of Centre St. and Queen City Dr. Replaced traffic cabinet and traffic light pole on Centre St and Queen City Dr. that was damaged in traffic accident.
- Load tested generators.
- Monthly Safety Meeting

Item Attachment Documents:

1. Approval of the Budget Work Session Minutes of April 16, the Work Session Minutes of May 1, and the Regular Session Minutes of May 7, 2019

Mayor and City Council of Cumberland

WORK SESSION

City Hall Council Chambers
57 N. Liberty Street
Cumberland, MD 21502

Tuesday, April 16, 2019
5:00 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Richard J. Cioni, Eugene Frazier, Laurie P. Marchini

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Ken Tressler, Comptroller; Marjorie Woodring, City Clerk

Mr. Tressler went through the presentation, noting that he would not go through everything, but would touch on the highpoints, and advised that his goal was to get the budget passed by the end of May, adding that he thinks the City is in pretty good shape.

I. FY2020 BUDGET HIGHLIGHTS

- Unassigned Surplus - \$141K
- Assessable Base – expected to increase 1.3%
- Health Ins. Rate increase – 11.6%
- Trash Fund Collection Contract – increase 33%. To break even – would need a Trash rate increase of 37%, including a Water rate increase of 5%
- MPA requires General Fund assistance of \$126K and DDC requires GF assistance of \$48K
- Four new positions requested
- Previously-issued debt earmarked for paving will be exhausted in FY2020, but enough to get through what's planned right now
- Capital assets requested will require new debt issue of \$2.5M

Mr. Tressler went over a snapshot of the Assessable Real Estate Property tax base, noting that the key points are the Constant Yield rate is \$1.046, and that keeping the same rate as FY19 represents a revenue increase of \$121K.

II. PERSONNEL COSTS AND STAFFING LEVELS

- COLA increase of 2% for non-union members and as dictated by union contracts
- Health insurance increase of 11.6% - no increase of deductibles or co-pays – have had 3 years in a row of increases

- Plan Option mix = 73 Individual; 66 Two-Party, 82 Family and 38 opt-outs
- General Fund personnel cost comprises 68.6% of expenditure budget
- New position requests: two firefighters; one customer service rep (Comm. Development) – expense to be spread out over General/Water/Sewer; and one Code Enforcement officer
- Staffing Levels – Full-Time & Elected – 6% below what was approved for the year due to retirements and other terminations
- Staffing Levels – Part-Time & Seasonal – requests for PT Mall Enforcement (already hired) and PT Admin. for the Police Dept.; requests for two Seasonal in the Plant

III. HEALTH INSURANCE COSTS

Mr. Tressler went over the snapshot of the Health Insurance costs. The FY20 projected health care increase will cost the City approximately \$540K, with \$367K being in the General Fund.

IV. CAPITAL EXPENDITURES

- Significant multi-year projects are in process or planned.
- Still working to secure funding for design phase of Decatur Street waterline, bridges, Mill Race pipeline, and Baltimore Street access.
- Making really good progress on asset management plan.
 - Asset identification and GIS mapping of water distribution sewer collection systems
 - Water filtration and wastewater treatment plant – significant capital requirements identified
 - In process of prioritizing and scheduling maintenance upgrades

V. FY2020 CAPITAL EXPENDITURES

Mr. Tressler went over the snapshot of the FY2020 Capital Expenditures, saying the City will need to issue \$2.5M in debt from the MD CDA program to fund all the capital requests. He added that the City is at about 14% of its annual expenditures of the General Fund – something we need to keep an eye on, but it's good for now.

VI. FY2020 CAPITAL EQUIPMENT

Mr. Tressler went over some of the equipment requests:

- Ladder Truck – 1.2M, maybe 1.1M, with a 12-15 month lead time
- New chassis for “lemon” ambulance ‘box’ - \$195K
- Items highlighted in yellow were requested last year – debt already secured for those
- “Governmental” Capital Projects highlighted in blue are included in the new CDA debt
- “Proprietary Funds” Capital Projects highlighted in blue: 78” Pipeline – expected to receive funding with Bay Restoration fees (87.5%) and debt (12.5%)
- Optimization of Aeration System – Raquel Ketterman found grant funding available, submitted application and project is paid

VII. CITY –WIDE DEBT SERVICE REQUIREMENTS

- FY2020 Proprietary Fund principal amount includes \$6M in debt forgiveness associated with the 2009 American Recovery and Reinvestment Act (ARRA)
- Total debt service ranges from 5.5 to 5.9M over the next 5 years, with more than half being paid out of Proprietary Funds.

VIII. PROPRIETARY FUNDS BUDGET

- Increases in Trash and Water (budget assumes a 5% water rate increase and a 37% trash pick-up increase - \$4.08/month)
- \$126K from GF required to make MPA break even
- Large sewer profit primarily due to BRF Grant from State of MD, which is utilized on CSO projects – cash flow expected to be \$1.1M
- Proprietary Fund Rate Increase - Trash:
 - Due to significant increase in trash pick-up costs, trash fund will lose \$466K without a rate increase. Cash at beginning of FY2020 expected to be \$342K
 - Budget reflects a rate increase of 37.3% which is expected to be sufficient to avoid a loss over the next 3 years.
 - Scenarios of two consecutive increases of 20% or one increase of 28% would exhaust all remaining trash fund cash in 3 years
- Proprietary Fund Rate Increase – Water:
 - Suggested last year a rate increase of 5% for FY19, 20 and 21. FY2020 budget reflects the increase
 - Without the water rate increase the negative cash is \$632K
 - Expect the water to begin the year with \$4.6M in cash

IX. GOVERNMENTAL FUNDS BUDGET

- Major (General Fund & Housing Assistance), and Non-Major
- Housing Assistance always balances
- TIF (Tax Incremental Financing) District - Shades Lane Dev.- two years left on payments
- McCagh and Roberts, now also Hampton Inn – taxes generated off both
- Deficit in TIF District this year because County also contributed
- Over \$400K worth of Police Grants in Non-Major Gov. Funds

X. GENERAL FUND – FUND BALANCE

- Key item to look at - Unassigned Fund Balance - \$2.1M
- As of June 30, 2018, 7.7M fund balance - \$2.6M is non-spendable – pre-paid, but mostly injured workers deposits
- Restricted Fund Balance – debt restricted for specific projects

- Expecting FY19 surplus to be approximately \$424K; if this budget approved as is, and City hits that number, will be another surplus of \$141K, which will bring Unassigned Fund Balance, as of 6/30/20 to \$2.6M
- About \$3M short of target, or less than half

Mr. Tressler touched on the snapshot of the General FY2020 Revenue Budget, adding that taxes provide 55% of the total income of the General Fund.

XI. GENERAL FY2020 EXPENDITURE BUDGET

- Mayor and City Council approve expenditures at the activity level
- Once budget is approved for 2020, would approve General Government \$1,845M, not at the individual department level
- Public Safety – 53% of the total expenditures

XII. GENERAL FY2020 COMPARISON WITH FY2019

- Adopted FY19 budget after over nine months of activity, will end up approximately \$400K better than originally thought
- Comparing this budget with where FY19 should end up, the difference is approximately \$284K

Mr. Tressler advised City is in best shape in a while: City has a surplus, new positions in the budget, have managed expenses really well. He added that he is expecting an increase in Personal Property taxes, and feels good about the estimates in the budget. Mr. Rhodes added that this is the best budget the City has had at this junction in the past eight years; not where we need to be, but has gotten steadily better.

In regards to a question about personnel, Mr. Rhodes stated that there isn't a department in the organization that hasn't taken a hit – some more than others. Fire Department, Management ranks, Street Department is as small as it's ever been, and Utility plants run really lean 24/7, 365. He added that for the most part employees have responded to the challenge.

XIII. DECISIONS

- Tax rate – current rate or constant yield rate? (difference of \$121K)
- Consider Health Care changes? Employees do pay a percentage of premiums, so they will get an increase, but employee deductibles will not increase.
- Proceed with requested new hires? (2 firemen, 1 Code Enf., 1 CS position) Cost of new positions are included in the budget. When vacancies are not filled right away, does cause a favorable budget.
- Postpone any equipment purchases? Need a ladder truck – current is 27 years old
- Water rate increase 5%?

- Trash rate increase 37%? Not in favor of second scenario from Proprietary Funds Budget. Reminded that rates are competitive and City offers twice a week pick-up as well as recycling.
- Add to debt request to cover additional paving? Street improvement financing will be exhausted – have been spending at least \$500K a year on street repairs. If borrowed \$1M for street improvements, would cost \$47K in debt service, and would close on it in August. City would still be running a surplus, and would show citizens that streets are a priority. A lot of streets in sub-par condition, but City has made a lot of progress.

COLA was discussed. Last time employees received a COLA was last year. Last two or three years has been 1% or 2%. COLA is budgeted for non-union employees. AFSCME chose not to come to the table this year, so they won't receive anything. Fire Department is scheduled for 1%, by contract, and Police Department is scheduled for 2%, by contract. Both departments have longevity increases, as well.

Mr. Tressler advised that regarding the budget overall, there are some relatively minor changes, if any. He offered suggestions, and asked how Mayor and Council wanted to proceed with confirming the budget as is. Mayor Morriss is good with how it's proposed, and Cioni was also agreeable. Frazier stated he wanted a day or so to look at it, and would get back to him. Water and trash rate increases were also gone over again.

There was a consensus to go with the budget as is, with the debt added, then recirculate the information, and have the first reading on the May 7th public meeting. Frazier will call and confirm with Mr. Tressler in a day or two, with Marchini doing the same.

XIII. ADJOURNMENT

With nothing further, the meeting adjourned at _____p.m.

Respectfully submitted,

Marjorie A. Woodring
City Clerk

Minutes approved _____

Mayor and City Council of Cumberland

WORK SESSION

City Hall Council Chambers
57 N. Liberty Street
Cumberland, MD 21502

Wednesday, May 1, 2019
4:30 p.m.

PRESENT: Raymond M. Morriss, President; Council Members: Seth Bernard and Laurie P. Marchini

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Ken Tressler, Comptroller; Marjorie Woodring, City Clerk; Paul Kelly, CEDC Executive Director; Matt Miller, CEDC Economic Development Specialist

I. CUMBERLAND GATEWAY REAL ESTATE

Paul Kelly, Executive Director of the Cumberland Economic Development Corporation, gave a quick recap of timelines pursuant to the contract with Cumberland Gateway Real Estate, LLC regarding the Maryland Avenue Project area:

- Closing date: November 21, 2018
- File proposed development plan – within 6 months of closing
- Engineering and building permits submitted – within 12 months of closing
- Secure all government approvals – within 18 months of closing
- Phase I – occupancy permit – within 24 months of closing
- Each additional Phase – Completed with use and occupancy permits within 6 months

Mr. Kelly advised that there is a lot of time front-loaded in the beginning with the developer required to do a comprehensive stormwater management plan and overall development plan, i.e., aesthetic design, greenscape, etc. He stated that there have been a series of conversations and meetings, with the most recent being March 28, 2019 at the Engineering Department with himself, Bobby Smith, City Engineer and Paul DePalatis, Project Engineer; Dave Cox, Code Compliance Manager, and two gentlemen from the developer's civil engineering firm, where the aspirational master plan was outlined. The plan was laid out in a way that assumed they had amassed all the land, but in reality there are still some holdouts, and the developer is interested in negotiating with them. Mr. Kelly advised that the plan would have to change in regards to which pieces of the puzzle couldn't be acquired; however, the developer did report that the engineering plans were ahead of schedule.

Mr. Kelly further stated that the project overall is terribly complex with different ingress and egress issues getting into the development, stacking issues from I-68 to the light at Maryland Avenue and turnoff issues. He said the developer is very conscious of making sure the overall corridor is not negatively impacted, and made it clear they are looking to the City and staff for clear and concise direction. He added that the developer would like to have a document that spelled out and

identified any inspections, approvals and planning, and contact information for each step of the process, and would like names of those involved, costs along the way - to the extent that the City is able - notification of any interaction with government, and an anticipated timeline for approvals and inspections. Mr. Kelly advised that he supports their request, and suggested to the Mayor and Council and City Administrator that the document should be produced for the developer, saying it would eliminate any guesswork, and let the developer know of any problems that may affect cost. Mayor Morriss said he liked the idea of the timeframe, and asked if there was a template that could be used as a guideline to get the information together quickly for them. Mr. Kelly provided an example of a generic plan that was used in Frostburg, outlining approvals, permits and inspections, along with agency and estimated costs. He stated that this type of form is really helpful for an outsider like the developer, to let them know who to contact, and he will reach out to the County to see if they have similar forms.

II. DESTINATION BY DESIGN

Mr. Kelly spoke on the work to be performed by Destination by Design, starting with conversations with Secretary Holt in Lanham, MD, who suggested having a connectivity plan and identifying gateways, routing people where the City wants them to go, and making it super easy for people to get into the City. A \$50K Technical Assistance grant was offered by Secretary Holt through DHCD to get a comprehensive connectivity plan in place. After some research, Destination by Design was chosen, as the CEDC was impressed with work they had done as a subcontractor for the Allegany County.

Phase I.

- Connectivity (Amtrak, Bike Trail, Sidewalks)
- Why look at MD Avenue Study Area? (Identifies as opportunity site: close proximity to I68, low density residential properties to accumulate, flat topography, etc.)
- Create an Aspirational Urban Design Plan - Consider all contexts: historic relevance, tourism, gateways, all other existing plans, create a GIS database, and produce high-quality maps.
- Develop an illustrative Master Plan, to include transportation for automobiles and transportation routes, future building locations and orientation, in-fill opportunities, and parking.
- At end of process, recommendation would be made to Mayor and City Council as an Aspirational Plan to achieve in 5-10-15 years

Mr. Kelly stated that in terms of the process itself, he envisions it unfolding like the Baltimore Street Streetscape design – begin with a great consultant, then form a committee with representatives from the M&CC, Allegany County, Western MD Delegation, Arts Council, Cumberland Housing Alliance, larger organizations, building owners and stakeholders.

He added that in order to maintain the integrity of the product, and make sure voices are heard, he will need input from the M&CC in order to direct the group and give direction to Destination by Design. Mr. Kelly said in regards to the RKG plan, the area is going to be predominately commercial vs. residential, with the goal to have additional or new residential dwellings, for a work/live environment.

Mayor Morriss advised that from what he has heard, and from seeing the RKG report, (commercial, mixed-use, residential, office), the City needs to be realistic and see what is the best use of the corridor and gateway, and openly understand that it's a long-term aspirational goal that can be modified at certain times as necessary.

Councilwoman Marchini asked if there had been any work towards contracts in the larger area of the development. Mr. Kelly advised that there has been lots of speculation, but nothing concrete to his knowledge. He added that if anyone has any concerns after the meeting today, to give the CEDC a call, or email them, as this is a living, breathing process first and foremost.

Mr. Kelly stated that they would like to have at least two from the M&CC on the committee to give continued input. He also wanted to emphasize that nobody is suggesting using the power of eminent domain to acquire large areas of property, and the idea is to try to find the easiest way to develop the area, to attack the blight that's there and perhaps improve the properties. He added that there are roughly eight owners holding out, but there are several more properties, one owner is deceased with the property in estate, and negotiations are ongoing with some.

Mr. Kelly advised that he and Matt Miller had met with Wendy Peters, special secretary from Smart Growth, and asked for her support, as well as the support from the Department of Planning. They will also be meeting with Secretary Holt later in May to outline all that's in the works, and this particular plan, and to let them know demolition money will be asked for.

There was a discussion on blight removal in the development area, and if projects that were in the works before this development plan were going to be put on hold, such as one in the 600 block of Maryland Avenue now. Mr. Rhodes said the City has acquired a number of blighted properties in the area, and inquired if the idea is to just let them set and keep sending someone to board them up, saying the City's focus has always been on single – site blight removal. Mr. Rhodes provided background on the Housing Authority (Alliance) and the City's work with Steve Kesner who is involved with some of the blighted properties in that area. Mayor Morriss offered that the City doesn't need to make any decisions yet on the 600 block of Maryland Avenue at this time. Mr. Kelly advised that the committee is all for taking down as much blight as they can in that area. Councilwoman Marchini asked if the properties acquired by the City on Maryland Avenue were for a plan, or just for blight removal. It was mentioned that the enhancement funding for the demolition stated that some type of plan had to be in place, and when the funding is forthcoming, they will move right into the demolition. The Mayor suggested talking with the County to see if they were ok with the demolition even though the plan was not completely solid yet. He stated that the main discussion is about which funding is used for specific parts of the blight removal, and about certain things the County could pay for, leaving State funding for the actual demolition, in an effort to maximize what funding the City does acquire.

There was discussion on having more meetings and talking on a regular basis, as well as going forward having Mr. Rhodes and Ms. Woodring being an integral part of what's going on. Mr. Rhodes mentioned that they used to have staff meetings regularly, and Ms. Marchini asked could they be started up again. Mr. Rhodes said they could look into it.

Mr. Kelly stated that the issue of what to do with the 600 Block of Maryland Avenue and the community enhancement money has been a discussion of the CEDC's for at least nine months, and there was never an answer out of the staff meetings. He said he prefers the Work Sessions where the Mayor and Council can direct the CEDC, and then they can act accordingly. Mayor Morriss said Work Sessions will be continued going forward.

III. COMPREHENSIVE HOUSING ANALYSIS

Mr. Kelly advised that the CEDC has applied to the DHCD for another technical assistance grant of \$50K, and have spoken again with Special Secretary Peters and Bill Atkinson of ARC, who are anticipating the CEDC's application of another \$50K grant. Mr. Kelly said the CEDC has also coordinated with Lee Borrer, Community Development Specialist, with her requirements with CDBG components, which includes a housing analysis, and so they can kill two birds with one stone by gathering the data she needs through their housing analysis.

Goal of Housing Analysis:

- To gain a very analytical or scientific understanding of what we have in the City
- Types of housing, conditions, age
- Know some information, but need to fill in the picture
- Eventually come out of analysis with clear ideas about short and long-term needs
- Things to address right away: utilization of Memorial Hospital site, Destination by Design area, downtown Baltimore Street, etc.
- Have consultant advise what to do on a much longer plan; housing for Millennials, unassisted senior living, etc.

Mr. Kelly discussed problems with people finding adequate housing in Cumberland, saying that's where a consultant can come in and assist. He added that he will send out to Mayor and Council the scope of work that the CEDC has mocked up for the study, saying it was pretty comprehensive and was vetted by the CEDC, Lee Borrer and the CDBG, Allegany County, and the Department of Planning. He quickly reviewed the scope of the study. He added that they are looking to take the recommendations that they get and dovetail them with the Baltimore Street and Maryland Avenue areas to have one comprehensive plan.

III. MEDIA

Greg Larry, Cumberland Times-News, stated that regarding the Cumberland Gateway parcel he remembered seeing Ed Scott's map of it with a hotel and quadrants laid out, and asked if he given any indication, since no additional signings of properties has happened, with the Master Plan due at the end of 6 months, that one of the quadrants that could start yet. Mr. Kelly advised that he could not confirm or deny whether they have acquired any additional properties, but knows they have been rigorously negotiating. He is optimistic that there have been more properties that have been closed on.

Mr. Kelly added that when it comes to the Master Plan itself, he advised that it had been changed a bit from what was presented to the Mayor and Council, but not in a material way, and would have to be tweaked for any remaining homeowners. He advised that the first stage would be the low-hanging fruit, which is the corner adjacent from Chick-fil-A, but can't speak on which particular entity would be there.

Mr. Larry asked if Destination by Design was going to focus on the Maryland Avenue corridor or the Memorial Hospital site. Mr. Kelly stated that as part of their contract, they could be involved in a Phase II, which would be to go from a 3,000 foot view and look to the Memorial Hospital site and the Roses Plaza area to make a recommendation on how best to proceed. This would be after housing was completed.

Mr. Larry wanted to confirm that Community Enhancement was a County program, which Mr. Kelly confirmed, saying it can be used for what they see fit, but is used predominantly for blight removal. Mr. Rhodes advised that the history of the Community Enhancement program was that the City had encouraged the County to participate in the Maryland Avenue project, and it became a spin-off of that, to help address the blight in the County.

Mr. Larry asked if the housing study would be bid out, or did the CEDC have somebody lined up. Mr. Kelly replied they had nobody in mind right now, but have vetted a number of folks at the State level, and used their relationships with them to make recommendations.

Mr. Rhodes asked if Mr. Kelly knew of any needs or requirements that Ms. Borrer has with CDBG to please let him know. He also asked if the housing study was going to be bid out. Mr. Kelly replied it would depend on funds, but may dictate that they have to, and would also see if a Sole Source would make sense with Thomas P. Miller, because they are doing a much broader look for the County.

The Mayor and Council agreed to continue joint meetings.

IV. ADJOURNMENT

With nothing further, the meeting adjourned at 6:45 p.m.

Respectfully submitted,

Marjorie A. Woodring
City Clerk

Minutes approved _____



MAYOR

Raymond M. Morriss

CITY ADMINISTRATOR

Jeff Rhodes

CITY SOLICITOR

Michael Scott Cohen

COUNCIL

Seth D. Bernard

Richard J. "Rock" Cioni

Eugene T. Frazier

Laurie P. Marchini

CITY CLERK

Marjorie A. Woodring

MINUTES

DATE: May 7, 2019

I. Closed Session

1. 5:30 p.m. - Convene in open session for the purpose of closing the meeting for an executive session pursuant to Section 3-305 (b) (7) of the General Provisions Article of the Annotated Code of Maryland to obtain legal advice regarding a forthcoming ruling of the Board of Zoning Appeals

Mayor Morriss convened the meeting in open session. Motion to move into closed session was made by Frazier, seconded by Cioni, and was passed on a vote of 4-0.

2. Executive Session

II. Open Session

1. 6:15 p.m. - Reconvene into open session

Mayor Morriss reconvened the meeting in open session at 6:15 p.m.

III. Pledge of Allegiance

IV. Roll Call

PRESENT: Raymond M. Morriss, President; Council Members Richard J. Cioni, Eugene Frazier, and Laurie P. Marchini. Councilman Seth Bernard was absent.

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk; Charles Hinnant, Chief of Police; Donald Dunn, Fire Chief

V. Statement of Closed Meeting

1. **Summary statement of closed meeting**

Mayor Morriss announced that a Closed Session had been held on May 7, 2019 at 5:30 p.m. and read into the record a summary of that session, 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.

VI. Presentations

1. **Presentation from Kathy McKenney, Community Development Programs Manager, on project recommendations to be submitted to the Department of Housing and Community Development for 2020 Community Legacy Funding**

Kathy McKenney, Community Development Programs Manager, provided background on the Community Legacy Program, funded by the State of Maryland, now in its 19th year, and presented this year's application recommendations. The three projects on the recommendation list; Phase I Improvements - Center City Parking Garage; YMCA Desert Aire Equipment Replacement; and Neighborhoods Matter - Designated Historic Districts, come to a cumulative total of \$540,000. Ms. McKenney provided information on the next steps of the program, and application submittal, and answered questions.

VII. Director's Reports

(A) Public Works

1. **Utilities Division -Treatment Plants, and Central Services monthly reports for March, 2019**

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

VIII. Approval of Minutes

1. **Approval of the Closed Session minutes of February 5 and 19, 2019, the Work Session minutes of March 19, 2019, and the Regular Session minutes of March 19, 2019**

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

IX. New Business

(A) Orders (Consent Agenda)

Mr. Rhodes reviewed each item on the Consent Agenda and Mayor Morriss called for questions or comments. (Additional remarks below under appropriate item.) Motion to approve Consent Agenda Items 1-10 was made by Cioni, seconded by Marchini, and was passed on a vote of 4-0.

1. Order approving allocations of 2019 hotel / motel funding to various community organizations

Edward Taylor, Jr. asked that all Hotel/Motel funding amounts on the first Consent Agenda Order be read. Mayor Morriss read the amounts allocated to each organization.

ORDER NO. 26,440

2. Order accepting the report of the City Administrator advising that, with regard to the proposed public right of way closure at Locust Alley, he observed no damages caused to the adjacent property owners, ARC Cumberland, LLC and First Peoples Community FCU as a result of the closure, and any added value would be formally determined by the MD Department of Assessments and Taxation

ORDER NO. 26,441

3. Order accepting the proposal from U. S. Cellular to provide a Fleet Management and Vehicle Tracking System for the initial equipment cost of \$11,200 with monthly recurring costs of \$2,045.50, which shall be paid on a month to month basis based on continued evaluation of the effectiveness of the system

ORDER NO. 26,442

4. Order authorizing the Chief of Police to accept a GOCCP FY20 grant entitled "Community Grant" in the amount of \$13,200.00 for police overtime to conduct neighborhood foot and bike patrols and attend community events. Funding is also provided to purchase promotional items to be distributed during community events, and program supplies.

ORDER NO. 26,443

5. Order accepting the proposal of Carl Belt, Inc. for the Water Reclamation Facility Aeration Blower Replacement Project (23-18-WWTP) in the estimated unit cost of \$1,329,800 contingent upon the Maryland Department of the Environment approval

ORDER NO. 26,444

6. Order amending the bid award for Weimer Chevrolet, passed April 16, 2019 by Order No. 26,434, for the provision of four (4) new 3/4 ton service/utility body trucks from \$167,100 to \$169,080 to correct the pricing to include one (1) fuel tank for one (1) vehicle, which was part of Weimer's original bid

ORDER NO. 26,445

7. Order accepting the proposal of C&T Mechanical for the City Hall HVAC Piping Repair Project (6-19-M) in the estimated unit cost of \$109,690 and rejecting all other bids

ORDER NO. 26,446

8. Order accepting the sole source proposal from Gwin, Dobson & Foreman to provide engineering services for City Project "Filter Building Pilot Study" (7-19-WFP) in an estimated cost of \$67,000

ORDER NO. 26,447

9. Order authorizing execution of a Donation Agreement with Brandy A. McCloud for the transfer of 119 Pennsylvania Avenue (Tax Acct. No. 04-026438) to the City for the sum of \$1.00, authorizing acceptance of the deed, and providing authority for the City's execution of documents necessary for the transfer

ORDER NO. 26,448

10. Order declaring certain electronic equipment as surplus and authoring it for disposal

ORDER NO. 26,449

(B) Letters, Petitions

1. Letter from the City Administrator advising that the Planning and Zoning Commission approved a resolution at its April 22, 2019 regular meeting to recommend approval of Zoning Map Amendment No. 12-04, requested by First Peoples Community FCU to rezone six (6) parcels at Elm and Spring Streets from R-U to B-C to allow for the construction of a free standing single story credit union, and advising that a public hearing will be scheduled to receive public comment on the proposed change

The letter was accepted and entered into the public record.

X. Public Comments

Edward Taylor, Jr., 400 S. Allegany Street, extended an invitation to Mayor and Council, along with everyone attending the public meeting for the Cumberland Historic Cemetery Organization's annual Memorial Day service at Sumner Cemetery on May 26, 2019 at 2:00 p.m. Mr. Taylor also expressed his concern on the Luke Mill's closing and the effects it will have on Allegany County. Mayor Morriss advised that the City is working with the Western MD Delegation to make sure it does all it can on a State level, and had a meeting with Congressman Trone last week to make sure it also does everything it can on a Federal level as well.

Leslie Willing, 604 W. Industrial Blvd., speaking on behalf of 53 home owners through Twigg Realty, Inc., wanted to thank Councilman Cioni for helping them bring their request to attention to have the City collect water security deposits on tenants; however, she understands it is not happening any time soon. Ms. Willing gave examples of cities that incorporate this practice, and asked the City to reconsider.

Nick Gelles, 317 Pearl Street, asked if there were any new developments on the Pine Avenue parking on the street issue. He spoke of safety concerns because of cars and an

RV parked on the street that limits visibility when coming around the curve. He suggested having the resident's garage moved back, or having him get rid of all the vehicles. Mayor Morriss said they would have the Traffic Group look at no parking on that entire side of the street, but Mr. Gelles' recommendation may affect the whole neighborhood. Mr. Rhodes addressed Mr. Gelles and advised that after they spoke the day before, the City had done some parking enforcement in the area, and eight parking citations were issued. Also, the school bus driver was interviewed, and they've asked the Police Dept., in conjunction with the Traffic Group, to see what could be done at that location.

Carey Walker, Massachusetts Avenue, a resident of the City for 51 years, expressed his displeasure lately with how things have changed in the City, and how he can no longer be an advocate for people to live in the City. He complained of water bill issues due to an outside faucet freezing, overgrown grass on properties, snow shoveling off sidewalks not enforced, the trash rate increase, alleys impassable because they are overgrown or full of holes, and the delay on the Rolling Mills project.

Kenneth Wilmot, 513 Fort Avenue, said Cumberland needed to be beautified, and said the underpass on Virginia Avenue is an eyesore.

Jose Taylor, 4 Crestwood Drive, said he manages about a hundred properties in this area, and said the City has gone down, and wants the City to look at putting tenants' water bills in their names, as he said is done in WV.

Ed Taylor, 400 S. Allegany Street, asked had "un-incorporating" the City ever been on the table, stating that it appeals to him and other property owners.

Margie Hartman, 724 Dale Avenue, wanted to comment about the trash service, stating that they are doing a great job, and wanted to clarify that now there will be co-mingled plastic recycling every week, along with paper. Mayor Morriss advised that one of the pick-up days per week would be co-mingled, and the other pick-up day would be paper.

All public comments are limited to 5 minutes per person

XI. Adjournment

With no further business at hand, the meeting adjourned at 7:17 p.m.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

Mayor and City Council of Cumberland

Closed Session Summary

May 7, 2019 at 5:30 p.m.

Second Floor Conference Room, City Hall

On May 7, 2019, the Mayor and City Council met in closed session at 5:30 p.m. in the second floor conference room of City Hall to obtain legal advice regarding a forthcoming ruling of the Board of Zoning Appeals. Authority to close the session was provided by the General Provisions Article of the Annotated Code of Maryland, Section 3-305 (b) (7).

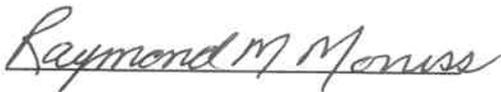
Persons in attendance included Mayor Raymond Morriss; Council Members Richard Cioni, Eugene Frazier, and Laurie Marchini;

City Administrator Jeff Rhodes, City Solicitor Michael Cohen, City Clerk Marjorie Woodring

Council Member Seth Bernard was absent.

On a motion made by Council member Frazier and seconded by Council member Cioni, Council voted 4-0 to close the session.

No actions were voted upon and the meeting was adjourned at 6:25 p.m.



Raymond M. Morriss, Mayor

Entered into the public record on MAY - 7 2019

Item Attachment Documents:

- 1. Ordinance No. 3848** (*2nd & 3rd Readings*) - providing for the City Tax Levy for FY20 (Real Estate 1.0595 per \$100 of assessed value/Personal Property 2.648 per \$100 of assessed value)

ORDINANCE NO. 3848

An Ordinance of the Mayor and City Council of Cumberland, Maryland, entitled, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND PROVIDING FOR THE CITY TAX LEVY FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the levy for the Fiscal Year 2020 for the City of Cumberland shall be as follows:

	Net Assessable	Tax Rate Per	
Property Taxes	Base	\$100	Tax Levy
Real Estate	\$ 890,093,682	1.0595	\$ 9,430,543
Personal Property			
Individual	1,699,396		
Corporation	92,145,015		
	93,844,411	2.648	2,485,000
Penalties and Interest			400,000
Tax Credits			(200,000)
Total Tax Levy			\$ 12,115,543
Other Revenues			
Other Taxes	575,458		
Licenses & Permits	127,600		
Intergovernmental	3,643,261		
Charges for Services	1,579,425		
Fines, Forfeitures & Interest	66,100		
Miscellaneous	618,800		
Total Other Revenue			6,610,644
Total Revenue			\$ 18,726,187
Other Financing Sources			
Transfers-in			\$ 1,976,352
Capital Financing			3,207,500
Utilization of Restricted Fund Balance			(96,186)
Total Other Financing Sources			\$ 5,087,666
Total Revenue and Other financing Sources			\$ 23,813,853

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this _____ day of June, 2019.

Raymond M. Morriss, Mayor

ATTEST:

Marjorie A. Woodring
City Clerk

Item Attachment Documents:

- 2. Ordinance No. 3849** (*2nd & 3rd Readings*) - providing for the annual appropriation for the General Fund for FY20

ORDINANCE NO. 3849

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND PROVIDING FOR THE ANNUAL APPROPRIATION FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the following sums of money be and they are hereby appropriated for the respective purposes of the City of Cumberland for the Fiscal Year beginning July 1, 2019, and ending June 30, 2020, to-wit:

General Government	\$ 1,850,672
Public Safety	12,717,910
Public Works	2,925,181
Recreation	986,579
Community Development	1,372,088
Debt Service	2,801,865
Transfer Out	1,065,431
Total General Fund Appropriation	\$ 23,719,726

SECTION 2: AND BE IT FURTHER ORDAINED, that the appropriations made herein are continuing in nature and shall not lapse at the end of the fiscal year (June 30, 2019) if legally encumbered but shall continue in full force and effect until the encumbrance has been completed or until modified by the Mayor and City Council.

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this _____ day of June, 2019.

Raymond M. Morriss, Mayor

ATTEST:

Marjorie A. Woodring
City Clerk

Item Attachment Documents:

- 3. Ordinance No. 3850** (*2nd & 3rd Readings*) - providing for the annual appropriation for the Water Fund for FY20

ORDINANCE NO. 3850

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND TO PROVIDE FOR AN APPROPRIATION FOR THE WATER FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the following operating budget is hereby appropriated for the respective departments and purposes of the City of Cumberland Water Fund for the Fiscal Year beginning July 1, 2019, and ending June 30, 2020, to-wit:

Water Administration	\$ 1,230,785
Water Distribution	2,872,979
Water Filtration	2,164,716
Interest Expense	416,059
Principal Payments	1,041,247
Capital Expenditure	1,111,700
Total	\$ 8,837,486

SECTION 2: AND BE IT FURTHER ORDAINED, that there shall be levied and collected Service Charges in accordance with rates set forth in Section 24-86 of the Code of the City of Cumberland, and as the same may be from time to time amended, to produce sufficient revenue to enable the City of Cumberland to defray the cost of operating, maintaining, repairing and otherwise improving the Water System, and pay the maturing principal and interest on the bonded debt for the Fiscal Year ending June 30, 2020.

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this _____ day of June, 2019.

Raymond M. Morriss, Mayor

Attest:

By : _____
Marjorie A. Woodring
City Clerk

Item Attachment Documents:

- 4. Ordinance No. 3851** (*2nd & 3rd Readings*) - providing for the annual appropriation for the Sewer Fund for FY20

ORDINANCE NO. 3851

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MD, ENTITLED, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND TO PROVIDE FOR AN APPROPRIATION FOR THE SEWER FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the following sums of money be and are hereby appropriated for the respective departments and purposes of the City of Cumberland Sewer Fund for the Fiscal Year beginning July 1, 2019, and ending June 30, 2020, to-wit:

Wastewater Treatment Plant	\$ 5,776,011
Sanitary & Storm Sewer	1,795,071
Flood Control	685,756
Interest Expense	179,438
Principal Payments	996,690
Capital Expenditures	15,775,321
Total	\$ 25,208,287

SECTION 2: AND BE IT FURTHER ORDAINED, that there shall be levied and collected Service Charges in accordance with rates set forth in Section 27-9 of the code of the City of Cumberland to defray the cost of operating, maintaining, and repairing and otherwise improving the Sanitary and Storm Sewer system, and pay the maturing principal and interest on the bonded debt for the Fiscal Year ending June 30, 2020.

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this _____ day of June, 2019.

Raymond M. Morriss, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk

Item Attachment Documents:

- 5. Ordinance No. 3852** (*2nd & 3rd Readings*) - providing for the annual appropriation for the Special Purpose Funds for FY20

ORDINANCE NO. 3852

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND TO PROVIDE APPROPRIATIONS FOR VARIOUS SPECIAL PURPOSE FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the following sums of money be and are hereby appropriated for the respective funds and purposes of the City of Cumberland for the Fiscal Year beginning July 1, 2019, and ending June 30, 2020, to-wit:

Housing Assistance	\$ 2,192,573
Downtown Development Commission	255,242
Communit Development Block Grant	943,019
Police Grants	444,769
Community Legacy	328,500
TIF District - Shades Lane	32,780
Capital Projects	1,851,750
Street Improvements	1,044,696
Municipal Parking Authority	542,458
Trash Removal	1,814,709
Total	\$ 9,450,496

SECTION 2: AND BE IT FURTHER ORDAINED, that the appropriations made herein are continuing in nature and shall not lapse at the end of the Fiscal Year (June 30, 2020) but shall continue in full force and effect until the project for which the appropriation has been made is completed or until modified by the Mayor and City Council.

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this _____ day of June, 2019.

Raymond M. Morriss, Mayor

Attest:

By: _____
Marjorie A. Woodring
CITY CLERK

Item Attachment Documents:

- 6. Ordinance No. 3853** (*2nd & 3rd Readings*) - to repeal and reenact, with amendments, Section 24-86 of the City Code to provide for a water rate increase, effective July 1, 2019

ORDINANCE NO. 3853

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND REENACT, WITH AMENDMENTS, SECTION 24-86 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION), PROVIDING FOR A SCHEDULE OF WATER RATES."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, That Section 24-86 of the Code of the City of Cumberland (1991 Edition) be and hereby repealed and reenacted, with amendments, to read as follows:

Section 24-86 Schedule

Effective July 1, 201~~8~~9, the rates and charges for the use of water supplied by the Water Department shall be as follows, and no abatement or release therefrom is permitted:

(a) EQUIVALENT DWELLING UNIT (EDU). The minimum meter charges shall be determined by the Equivalent Dwelling Unit (EDU), which shall be determined by the size of the meter servicing the customer. The following table sets forth the EDU multiplier for each meter size:

Meter size (inches)	EDU
¾ and below	1
1	2.5
1-1/2	5
2	8
3	16
4	25
6	50
8	80

(b) MINIMUM METER CHARGE FOR INSIDE CITY. The minimum charge for residential and industrial meter customers within the City shall be Four Dollars and ~~Sixty-Six~~Eighty-Nine Cents (~~\$4.66~~ 4.89) per month per EDU, for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section.

(c) MINIMUM METER CHARGE FOR OUTSIDE CITY. The minimum charge for residential and industrial meter customers outside the City shall be ~~Six~~Seven Dollars and ~~Ninety-Nine~~Thirty-Four Cents (~~\$6.99~~ 7.34) per month per EDU for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any quarter, such excess shall be

charged for in accordance with the schedule of rates as set forth in subsection (f) of this section.

(d) MINIMUM METER CHARGE FOR WATER COMPANIES. The minimum charge for water companies shall be ~~Thirty-Two~~Thirty-Three Dollars and ~~Sixty-Two~~ Cents (\$ ~~32.02~~ 33.62) per month per EDU for single Water Company accounts such water company has with the City for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds the consumption in excess of capacity fee, in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section, as appropriate.

(e) Flat rates. There shall be no flat rate customers and the consumption of any customer found not to have a meter shall be estimated and such customer shall be charged double the rates set forth in subsection (b) of this section. All water customers outside the City shall be meter customers, and it shall be unlawful for the Water Department to furnish customers outside the City on a flat rate basis.

(f) CONSUMPTION RATES. The rates per month for residential and industrial water customers shall be as follows:

Class	Consumption	Rates WITHIN CITY LIMITS	RATES OUTSIDE CITY LIMITS
1	First 100 cubic feet	\$4.66 <u>4.89</u>	\$6.99 <u>7.34 per EDU</u>
2	Next 900 cubic feet, per cubic foot	0.0425 <u>0.446</u>	0.0637 <u>0.0669</u>
3	Next 199,000 cubic feet, per cubic foot	0.0340 <u>0.0357</u>	0.0475 <u>0.0499</u>
4	Next 1,134,000 cubic feet, per cubic foot	0.0269 <u>0.0282</u>	0.0404 <u>0.0424</u>
5	Next 1,166,000 cubic feet, per cubic foot	0.0122 <u>0.0128</u>	0.0122 <u>0.0128</u>
6	All over 2,500,000 cubic feet, per cubic foot	0.0030 <u>0.0032</u>	0.0030 <u>0.0032</u>

(g) WATER COMPANIES. Companies purchasing in excess of 140,000 cubic feet of water from the City on a monthly basis and reselling that water shall pay the following monthly rates for each account such water company has with the City.

(1) Water Company. Any wholesale water company purchasing water from the City in excess of 140,000 cubic feet per month shall pay both a capacity fee plus a charge based upon consumption in excess of the capacity fee.

(2) Capacity Fee. Each water company shall pay a fixed capacity fee based on the number of EDU's calculated multiplied times the per month per EDU charge. The EDU amount is calculated annually determined by a percentage

(70%) of its highest months usage in the previous fiscal year calculated as follows:

$$\frac{\text{PEAK MONTHLY USE} \times 0.7}{30} / 33.42$$

(3) Consumption in Excess of Capacity Fee.

Consumption in excess of the capacity fee shall be billed at the rate for customers located outside the City.

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect July 1, 20189.

Passed this _____ day of June, 20189.

Brian K. Grim, MAYOR

ATTEST:

CITY CLERK

1st reading: _____
2nd reading: _____
3rd reading: _____
Passed: _____

Item Attachment Documents:

- 7. Ordinance No. 3854** (*2nd & 3rd Readings*) - to repeal and reenact Section 21-8.1 (a) of the City Code to provide for new rates for refuse collection effective July 1, 2019

Category 1: \$ 4.33 (40-50 lbs.) [\$ 3.15]
Category 2: \$ 8.66 (50-150 lbs.) [\$ 6.30]
Category 3: \$ 26.00 White Goods [\$18.90]

AND BE IT FURHTER ORDAINED, That commercial, industrial or tax exempt customers with a valid Dumpster Permit issued by the Director of Administrative Services shall be exempt from paying the trash fee contained in this ordinance.

SECTION 4: AND BE IT FURTHER ORDAINED, That this Ordinance shall be in full force and effect as of July 1, 2019.

Passed this ___ day of June ___, 2019.

MAYOR

ATTEST:

CITY CLERK

[] deleted

_____ new

ORDINANCE NO. 3855

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND RE-ENACT WITH AMENDMENTS SECTIONS 17-26 AND 17-27 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION) REGARDING THE ESTABLISHMENT, COMPOSITION, APPOINTMENT, COMPENSATION AND TERM OF OFFICE OF MEMBERS OF THE PLANNING AND ZONING COMMISSION IN ORDER TO CORRECT REFERENCES TO THE ANNOTATED CODE OF MARYLAND, CLARIFY THE ROLE OF MEMBERS, PROVIDE FOR AN ALTERNATE MEMBER, INCLUDE A RESIDENCY REQUIREMENT FOR MEMBERS, AND INCORPORATE STATE STATUTORILY MANDATED PROVISIONS REGARDING THE REMOVAL OF MEMBERS."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that section 17-26 of the Code of the City of Cumberland (1991 Edition) be and is hereby repealed and reenacted with amendments, to read as follows:

Sec. 17-26. - Established; composition; appointment of members.

- (a) *Establishment.* In accordance with Title 2, Subtitle 1 of the Land Use Article of the Annotated Code of Maryland, there is hereby established a planning and zoning commission.
- (b) *Membership.* The planning and zoning commission shall consist of five (5) members who shall be appointed by the city council. The city council may also appoint an alternate member who shall sit on the said commission in the absence of a member. In addition, one (1) city councilperson shall serve as an ex-officio, non-voting, member of the said commission.

SECTION 2: AND BE IT FURTHER ORDAINED, that section 17-27 of the Code of the City of Cumberland (1991 Edition) be and is hereby repealed and reenacted with amendments, to read as follows:

Sec. 17-27. - Compensation of members; term of office; removal of members.

- (a) *Compensation.* Each of the members of the planning and zoning commission shall serve as such without compensation.
- (b) *Term of office.* The term of the ex-officio member shall be the term of that individual's tenure on the city council. tenure on the council. The term of each of the other members shall be five (5) years, or until the member's successor takes office.
- (c) *Removal of Members.* The Council may remove a member for:
 - (i) incompetence;
 - (ii) misconduct;
 - (iii) failure to attend 50% of the meetings during any consecutive six (6) month period; or
 - (iv) once the appeal period has expired, the conviction or entry of a plea of nolo contendere as to any crime that is a felony or is a misdemeanor related to the member's public duties and responsibilities and involves moral turpitude for which the penalty may be incarceration in any penal institution. The members duties on the commission shall be suspended until such time as the charges are resolved.

The city council shall provide the member with a written statement of charges setting forth the grounds for removal. The member shall be entitled to a public hearing to contest the charges. The request must be made within thirty (30) days of the date of the statement of charges.

(NOTE: Redlined versions of the City Code sections being amended are attached hereto as Exhibit A. State law references for these sections of the City Code are Md. Land Use Code Ann. § 2-102 and Md. State Gov. Code Ann. §§ 8-501 and 8-502.)

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this ____ day of _____, 2019.

Raymond F. Morris, Mayor

ATTEST:

Marjorie E. Woodring, City Clerk

EXHIBIT A

Sec. 17-26. - Established; composition; appointment of members.

- (a) Establishment. Pursuant to the requirements of Ann. Code of Md. art. 66B In accordance with Title 2, Subtitle 1 of the Land Use Article of the Annotated Code of Maryland, there is hereby established a planning and zoning commission.
- (b) Membership. The planning and zoning commission shall consist of five (5) members who shall be appointed by the ~~mayer and~~ city council. ~~The city council may also appoint an alternate member who shall sit on the said commission in the absence of a member.~~ In addition, one (1) city council ~~person member~~ shall serve as an ex-officio, non-voting, member of the ~~planning and zoning commission, said commission.~~

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- (c) Removal of Members. ~~Members may, after a public hearing, be removed by the council for inefficiency, neglect of duty, or malfeasance in office. The Council may remove a member for:~~
 - (i) ~~incompetence;~~
 - (ii) ~~misconduct;~~
 - (iii) ~~failure to attend 50% of the meetings during any consecutive six (6) month period; or~~
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Item Attachment Documents:

- 8. Ordinance No. 3855** (*2nd & 3rd Readings*) - to repeal and reenact with amendments Section 17-26 and 17-27 of the City Code regarding establishment of the Planning and Zoning Commission to correct references to the Annotated Code, clarify the role of the members, provide for an alternate member, include a residency requirement, and incorporate statutory provisions regarding removal of members

ORDINANCE NO. 3855

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND RE-ENACT WITH AMENDMENTS SECTIONS 17-26 AND 17-27 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION) REGARDING THE ESTABLISHMENT, COMPOSITION, APPOINTMENT, COMPENSATION AND TERM OF OFFICE OF MEMBERS IN ORDER TO CORRECT REFERENCES TO THE ANNOTATED CODE OF MARYLAND, CLARIFY THE ROLE OF MEMBERS, PROVIDE FOR AN ALTERNATE MEMBER, INCLUDE A RESIDENCY REQUIREMENT FOR MEMBERS, AND INCORPORATE STATE STATUTORILY MANDATED PROVISIONS REGARDING THE REMOVAL OF MEMBERS."

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(NOTE: Redlined versions of the City Code sections being amended are attached hereto as Exhibit A. State law references for these sections of the City Code are Md. Land Use Code Ann. § 2-102 and Md. State Gov. Code Ann. §§ 8-501 and 8-502.)

SECTION 3: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this ____ day of _____, 2019.

Raymond M. Morris, Mayor

ATTEST:

Marjorie E. Woodring, City Clerk

EXHIBIT A

Sec. 17-26. - Established; composition; appointment of members.

- (a) ~~Establishment.~~ Pursuant to the requirements of Ann. Code of Md. art. 66B In accordance with Title 2, Subtitle 1 of the Land Use Article of the Annotated Code of Maryland, there is hereby established a planning and zoning commission.
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Item Attachment Documents:

- 1. Order 26,456** - authorizing the Chief of Police to accept funds from the Allegany County Board of Education received through the FY19 School Safety Evaluation grant in the amount of \$3,036.75 to provide overtime funding to be used conducting school safety evaluations.

Council Agenda Summary

Meeting Date: June 4, 2019

Agenda Item Number: FY19 School Safety Evaluation Grant

Key Staff Contact: Lt. Andrew Tichnell

Item Title:

Authorize the Chief of Police to accept funds from the Allegany County Board of Education received through the FY19 School Safety Evaluation grant in the amount of \$3,036.75 to provide overtime funding to be used conducting school safety evaluations.

Summary:

The Police Chief recommends acceptance of these funds from the Allegany County Board of Education received through the FY19 School Safety Evaluation grant in the amount of \$3,036.75 to provide overtime funding to be used conducting school safety evaluations.

Issues and Considerations:

<i>Fiscal Impact:</i>	
Is this item budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Budget:	
Value of award:	\$3,036.75
If item is not budgeted, does the budget need to be appropriated? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is there grant funding being used? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If grant funding is being used, does it require a City match? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Match provisions:	
Is this a sole source purchase? <input type="checkbox"/> Yes <input type="checkbox"/> No (If so, attach department recommendation and approval from City Administrator.)	

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 26,456

DATE: June 4, 2019

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

THAT, the Chief of Police be and is hereby authorized to accept funds from the Allegany County Board of Education received through the FY19 Safe Schools Fund grant made available through the Subcabinet of the Maryland Center for School Safety (MCSS), in the amount of Three Thousand, Thirty-six Dollars and Seventy-five Cents (\$3,036.75) for the award period 7/1/2018 – 6/30/2019, to provide overtime funding to be used for conducting school safety evaluations.

Mayor Raymond M. Morriss



Maryland Center for School Safety

A Safer School Begins with You

3/29/19

LOCAL SCHOOL SYSTEM SAFETY EVALUATION GRANT – FY2019

PREMISES

The Maryland Center for School Safety (“Center”) administers the Safe Schools Fund grants set forth in Md. Code Ann., Education Art. §7-1512. For FY2019, \$2,500,000 was appropriated to the general funds specifically to provide grants to local school systems to complete the safety evaluations required under Md. Code Ann., Education Article §7-1510, which provides:

§7-1510

- a. **On or before June 15, 2019**, and regularly thereafter, each local school system shall conduct a safety evaluation of each public school under the local school system’s jurisdiction to:
 1. Identify and, and if necessary, develop solution for physical safety concerns, including issues with building security; and
 2. Identify and evaluate any patterns of safety concerns on school property or at school-sponsored events.
- b. In performing the safety evaluations, each designated safety coordinator shall:
 1. Consult with the Center for guidance
 2. Coordinate with the Interagency Commission on School Construction’s facility assessment process, established under §5-310 of this article in identifying issues with public school facilities that could impact school safety; and
 3. Submit a summary of the completed safety evaluations to the Center.

The Center issued funding for the School Safety Evaluation grant based on the following criteria: the total funding availability approved by the legislature and the total number of public schools in each local school system in the 2018/2019 school year.

GRANT AWARD

The Center has approved a grant in response to your School Safety Evaluation Grant application in the amount of **Thirty Eight Thousand, Eight Hundred Ninety Six dollars and Seventy-Five cents [\$38,896.75]** based on the criteria outlined above. This grant award, issued to **Allegany County Public Schools** (“Grantee”) must be used to fund projects that align specifically with the Education Article §7-1510 (mentioned above). The funds may not be used for projects that fall outside of this scope.



Maryland Center for School Safety

A Safer School Begins with You

If your institution agrees to these terms, please have an authorized representative sign and return one copy of this letter. The Maryland Center for School Safety appreciates your leadership on school safety issues and the implementation of the Maryland Safe to Learn Act of 2018.

Sincerely,

Kate Hession
Executive Director

I certify that the institution named above accepts the terms outlined in this letter:

Signature:

Name:

Matt Marlowe

Title:

Interim Coordinator, Student Support Services

Date:

4/5/19

Maryland Center for School Safety Representative:

Gifty Quarshie – Fiscal & Grants Analyst

Tel: 410 281 2336

Email: gifty.quarshie4@maryland.gov

mcss.mcss@maryland.gov

Maryland State Department of Education

NOTICE OF GRANT AWARD

Grant Name: School Safety Evaluation Grant FY2019

Grant #: 191506

General Information

New Award or Amendment: New Award

Federal Employer ID #: 1526000868

DUNS #: _____

Amendment #: 0

Mail Code: 000

Organization Name: Allegany County Public Schools

Street Address: 108 Washington Street / P.O. Box 1724

Grant Period:

City & State: Cumberland, MD

Zip+4: 21502

Start Date: 7/1/2018

Program Manager: Matt Marlowe

End Date: 6/30/2019

Phone: 301-759-2410

Amount of Current Action: \$38,896.75

Amount Previously
Awarded this grant: \$0.00

Total Grant Award: \$38,896.75

MSDE Division Information:

Division Name: A0602 - Maryland Center for School Safety

Program Manager: Gifty Quarshie

Program Phone: 410-281-2335

Email: gifty.quarshie4@maryland.gov

Additional Information:

This grant is to support local school systems in completing the safety evaluations required under Md. Code Ann., Education Article §7-1510(a)-(b).

Reporting and Reimbursement Requirements

(a) The Center's offer of this grant is subject to your assent to the following:

1. The Grantee shall retain bills and/or third party vendor invoices, and related supporting documentation for any expenses that are covered in whole or in part by any grant funds, and any other information related to Grant activities for at least three years from the date the Grantee receives final reimbursement from the Center.
2. The Grantee shall allow the Center and its affiliated agencies, the Maryland State Department of Education, the Department of Budget and Management, the State Comptroller, and the Legislative Auditor; to examine and audit this supporting documentation on request and at any reasonable time within the retention period.
3. The Grantee shall allow the Center access to those records to verify grant expenditures and activities upon receipt of written request.
4. All budget and programmatic changes to this grant require **PRIOR** written approval from the Center.
5. Grant funds shall be used as specified in the approved grant proposal.

(b) The Center shall obligate the grant funds for this award upon issuance of the Notification of Grant Award (NOGA).

(c) **Reimbursement Request:** Grantee shall submit complete information concerning work for which Grantee is requesting reimbursement, including detailed description of work completed and costs incurred. Please note:

1. **Final invoices** or request for reimbursement related to this grant **must** be submitted no later than **45 days** after the end of the duration of this grant. The Center will not reimburse any invoices or reimbursement requests submitted **beyond** this date.
2. No grant monies will be funded for costs or obligations incurred, or work performed, **PRIOR** to the effective date of this agreement.
3. Invoices and reports submitted to the Center cannot contain personally identifiable information (PII) or sensitive information.

(d) Provide written acknowledgement of receipt of payments of funds.

(e) Refrain from use of the funds for any purpose prohibited by law.

(f) Comply with reasonable requests for information about program activities.

Federal Awarding Agency: _____ Federal Award ID

Passthrough Entity: Maryland State Department of Education Federal Award Number (FAIN): _____

Note: MSDE does not pass-through funds related to federal Research and Development.

Federal Award Date: _____ Latest Approved Federal Indirect Cost Rate: _____

Federal Award Project Description: _____

MSDE ACCOUNT CODE INFORMATION BY LINE:

Line #	PCA	AOBJ	Amount	Fund	State /Fed	Payment Schedule	CFDA #	CFDA or Sub program Name	Grant End Date	% Match Req	AFR Req
--------	-----	------	--------	------	------------	------------------	--------	--------------------------	----------------	-------------	---------

1	06069	1205	\$38,896.75	1009	S	(1) Mo	N/A	N/A	6/30/2019	0.00	Y
2											
3											
4											
5											
6											
7											
8											
9											

gjt Quarshie

3/25/2019

MSDE Program

Date

HKH

3/25/2019

MSDE Assistant Superintendent / Office Head

Date

Nicholas Conroy

3/28/2019

MSDE Financial Representative

Date

Vernon Koger

4/1/2019

MSDE Accounting Office

Date

RECIPIENT ASSURANCES

By receiving funds under this grant award, I hereby agree, as grantee, to comply with the following terms and conditions:

1. Programs and projects funded in total or in part through this grant shall operate in compliance with State and federal statutes and regulations, including but not limited to the 1964 Civil Rights Act and amendments, the Code of Federal Regulations (CFR) 34, the Elementary and Secondary Education Act, Education Department General Administrative Regulations (EDGAR), the General Education Provisions Act (GEPA) and the Americans with Disabilities Act (ADA). Vendors, subgrantees, and/or consultants; including officers and employees shall comply with the Family Educational Rights and Privacy Act at all times (20 U.S.C. §1232g).
2. Grantee shall assure that its facilities are accessible to individuals with disabilities as required by the ADA and applicable regulations. The grantee shall not discriminate against individuals with disabilities in the provision of its services and programs unless to do so would be an undue burden or result in fundamental alteration in the program as those terms are used in the ADA and its implementing regulation. The State reserves the right to inspect the grantee's facilities at any time to determine if the grantee is in compliance with ADA. The grantee shall bear sole responsibility for assuring that its programs conform to the section 501c. of the ADA (42 USC 12201) as a bona fide benefit plan. To the extent allowed by laws of the State of Maryland and the opinions of the State Attorney General, and subject to an appropriation of funds by the Maryland General Assembly for the purpose contemplated in the paragraph, the grantee shall indemnify and hold the State harmless in any administrative proceeding or action brought pursuant to the ADA for all damages, attorneys' fees, litigation expenses and costs, if such action or proceeding arises from the acts of grantee, grantee's employees, agents or subgrantees relating thereto and rising out of or in connection with the negligent acts or omissions of the grantee under this agreement.
3. By accepting federal funds, the recipients certify that they have complied with Federal Executive Order 12549, Debarment and Suspension set forth in 2 CFR §180, and that, a signed Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion form has been filed with Maryland State Department of Education Project Monitor.
4. Grantee shall establish and maintain fiscal control, fund accounting procedures by fund, as set forth in 2 CFR §200 and in applicable statute and regulation. By accepting federal funds, the recipient agrees that the amount of the grant award is contingent upon the receipt of federal funds. Grantee shall retain all records of its financial transactions and accounts relating to this grant for a period of five years, or longer if required by federal regulation. Such records shall be made available for inspection and audit by authorized representatives of MSDE.
5. Entities expending federal funds of \$750,000 or more in a single fiscal year, must have an annual financial and compliance audit in accordance with 2 CFR Subpart F 200.500 et. seq.
6. The Maryland State Department of Education (MSDE) may, as it deems necessary, supervise, evaluate and provide guidance and direction to grantee in the conduct of activities performed under this grant. However, MSDE's failure to supervise, evaluate or provide guidance and direction shall not relieve grantee of any liability for failure to comply with the terms of the grant award.
7. Grantee shall adhere to MSDE reporting requirements, including the submission of all required reports. Failure to submit complete, accurate, and timely progress and final reports may result in the withholding of subsequent grant payments until such time as the reports are filed.
8. Grantee must receive prior written approval from the MSDE Program Monitor before implementing any programmatic changes with respect to the purposes for which the grant was awarded. Unless a division implements a stricter policy, grantee must receive prior written approval from the MSDE Program Monitor for any budgetary realignment of \$1,000 or 15% of total object, program or category of expenditure, whichever is greater. Grantee must support the request with the reason for the requested change. Budget realignments must be submitted at least 45 days prior to the end of the grant period.
9. Requests for grant extension, when allowed, must be submitted at least 45 days prior to the end of the grant period.
10. Grantee shall insure that programs and projects that offer web-based or technology based instructional products or programs which are funded in total or in part through this grant will operate in compliance with Section 508 of the Federal Rehabilitation Act of 1973 as amended and Section 7-910 of the Education Article, Annotated Code of Maryland.
11. Grantee shall repay any funds that have been determined through the federal or State audit process to have been misspent, misapplied, or otherwise not properly accounted for, and further agrees to pay any collection fees that may subsequently be imposed by the federal and/or State government. The repayment may be made by an offset to funds that are otherwise due the grantee.

I further certify that all of the facts, figures and representations made with respect to the grant application and grant award, including exhibits and attachments, are true and correct to the best of my knowledge, information, and belief.

Superintendent of Schools/Head of Grantee Agency

Date

Safe Schools Fund Grant Budget Narrative

SUPPLIES AND MATERIALS

Item	Description	
iPad Pro	8 x iPad Pro with pencil, keyboard, case	\$7,760.00
SUPPLIES AND MATERIALS TOTAL:		\$7,760.00

CONTRACTED SERVICES

Agency	Project	Cost
Cumberland Police	School Safety Survey Overtime	\$3,036.75
Allegany Sheriff	School Safety Survey Overtime	\$6,700.00
Frostburg City Police	School Safety Survey Overtime	\$1,100.00
Custodian overtime	School Safety Survey Overtime	\$6,800.00
Emergency Management	School Safety Survey Overtime	\$11,000.00
CONTRACTED SERVICES TOTAL:		\$28,636.75

OTHER CHARGES

Item	Description	
CPTED Training for Security Surveys	Training costs and travel expenses to train 1 ACPS employee	\$2,500.00
OTHER CHARGES TOTAL:		\$2,500.00

TOTAL GRANT: \$38,896.75

Item Attachment Documents:

2. Order accepting the sole source purchase of a used 2009 GMC C5500 Aerial Lift Truck from Utility Auto Sales/Utility Lifts & Equipment for an amount not to exceed \$52,500.00

Council Agenda Summary

Meeting Date: June 4, 2019

Agenda Item Number:

Key Staff Contact: Brian Broadwater

Item Title:

Order Accepting Sole Source Purchase of Used 2009 GMC C5500 Aerial Lift Truck from Utility Auto Sales/Utility Lifts & Equipment LLC, 97 Penn Bern Road, Bernville, PA 19506 for an amount not to exceed \$52,500.00

Summary:

Requesting an order to accept the sole source purchase of a used 2009 GMC C5500 Aerial Lift Truck from Utility Auto Sales/Utility Lifts & Equipment LLC for an amount not to exceed \$52,500.00, in accordance with Section 2-171 (c) (v) of the City Code.

Issues and Considerations:

The cost of the truck is \$50,000.00, and the cost to sandblast and apply black bed liner to the bed is \$2,500.00.

<i>Fiscal Impact:</i>	
Is this item budgeted? Yes (001.068.64000)	
Budget:	
Value of award:	\$52,500.00
If item is not budgeted, does the budget need to be appropriated? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is there grant funding being used? No	
If grant funding is being used, does it require a City match? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Match provisions:	
Is this a sole source purchase? Yes (If so, attach department recommendation and approval from City Administrator.)	

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 26,457

DATE: May 21, 2019

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

THAT, the sole source proposal from Utility Auto Sales / Utility Lifts & Equipment, LLC, 97 Penn Bern Road, Bernville, PA 19506, to provide a Used 2009 GMC C5500 Aerial Lift Truck for an amount not to exceed Fifty-Two Thousand, Five Hundred Dollars (\$52,500.00) be and is hereby accepted; and

BE IT FURTHER ORDERED, that this sole source purchase be and is hereby authorized pursuant to Section 2-171 (c) (v) of the City Code.

Raymond M. Morriss, Mayor

Budgeted purchase

Utility Auto Sales/ Utility Lifts & Equipment LLC
97 Penn Bern Rd
Bernville, PA 19506
(610) 750-1831
utilitylifts@gmail.com

Invoice

BILL TO
Mayor and City Council of
Cumberland, MD
57 N. Liberty St. Cumberland
Cumberland, MD

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1296	05/29/2019	\$52,500.00	05/29/2019	Due on receipt	

ACTIVITY	QTY	RATE	AMOUNT
Sales 2009 GMC C5500 VIN#1GDE5C3999F403578 C/W Altec AT37G	1	50,000.00	50,000.00
Sales Sandblast and apply black bedliner to bed.	1	2,500.00	2,500.00

BALANCE DUE **\$52,500.00**

CITY OF CUMBERLAND MARYLAND

DEPARTMENT OF PUBLIC WORKS

May 29, 2019

Mayor and City Council of
Cumberland, MD
57 N. Liberty St.
Cumberland, MD 21502

Dear Mayor and City Council,

I recommend that we move forward with the sole source purchase of a Used 2009 GMC C5500 Aerial Lift Bucket Truck for \$50,000 from Utility Auto Sales/Utility Lifts & Equipment LLC, in accordance with Section 2-171 (c) (v) of the City Code. This truck was budgeted by the Central Services Department for \$50,000. I also recommended to Ken Tressler that we pay to have the bed sandblasted and re-coated with a protective bed liner in the amount of \$2,500, which Ken approved. The truck is in great shape and has 35,000 miles on it. The total cost of this would be \$52,500.

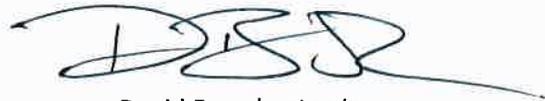
MAYOR
RAYMOND M. MORRISS

COUNCIL
SETH D. BERNARD
RICHARD J. CIONI, JR.
EUGENE T. FRAZIER
LAURIE P. MARCHINI

CITY ADMINISTRATOR
JEFFREY D. RHODES

**PW OPERATIONS
MANAGER**
BROOKE CASSELL

Sincerely,



David Broadwater Jr
Fleet Maintenance Coordinator



MEMBER MARYLAND
MUNICIPAL LEAGUE (MML)

215 BOWEN STREET, CUMBERLAND, MD 21502 www.cumberlandmd.gov
VOICE (301)759-6620 • FAX (301)759-6632 • TDD (800)735-2258



Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Bucket Truck

6 messages

Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Wed, May 29, 2019 at 7:28 AM

To: Ken Tressler <ken.tressler@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Greg Snyder <greg.snyder@cumberlandmd.gov>

Ken,

We looked at a Bucket Truck yesterday that we would like to move forward with. The truck is in great shape and is \$50,000. How would you like to proceed? They would like to know by noon today. They said they would hold the truck with no deposit until Mayor and City Council Approval.

Thanks,
Brian

--

David Brian Broadwater Jr*Fleet Maintenance Coordinator*

City of Cumberland, MD

W: (301) 759-6627 | C: (240) 920-2079

215 Bowen St. | Cumberland, MD 21502

**Cumberland**
*Maryland***Ken Tressler** <ken.tressler@cumberlandmd.gov>

Wed, May 29, 2019 at 8:18 AM

To: Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Greg Snyder <greg.snyder@cumberlandmd.gov>

Hello Brian,

I am assuming it is used. I'll talk to Jeff but used trucks do not require a formal bid process and it is in the budget. I think we'll be able to move forward. Do you have pics? Does it do what Greg needs?

[Quoted text hidden]

--

Ken Tressler, CPA

City Comptroller

57 N. Liberty Street

Cumberland, MD 21502

Office (301) 759-6406

Cell (304) 813-6470

Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Wed, May 29, 2019 at 8:23 AM

To: Ken Tressler <ken.tressler@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Greg Snyder <greg.snyder@cumberlandmd.gov>

<https://utilitylifts.com/listings/2009-gmc-c5500-bucket-truck/>

That is the listing but Garhet (Mechanic) and Greg went up yesterday to check it over. Garhet checked everything mechanically. Greg used the bucket to check for any issues. Both stated everything was in great shape. The only thing Greg said was it could use a new coat of Line X in the bed. But I figure that to be around \$1,000. This truck new was probably close to \$200,000. Greg said it does everything he needs it to do. Let me know what you think!

Thanks,

Brian

[Quoted text hidden]

Ken Tressler <ken.tressler@cumberlandmd.gov>

Wed, May 29, 2019 at 9:29 AM

To: Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Greg Snyder <greg.snyder@cumberlandmd.gov>, Jeff Rhodes <jeff.rhodes@cumberlandmd.gov>

Hello Brian,

I discussed with Jeff and we are good to let the vendor know we want the truck subject to M&CC approval. I can't imagine they will not approve.

[Quoted text hidden]

Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Wed, May 29, 2019 at 9:30 AM

To: Ken Tressler <ken.tressler@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Greg Snyder <greg.snyder@cumberlandmd.gov>, Jeff Rhodes <jeff.rhodes@cumberlandmd.gov>

Ken,

OK, I will get the process rolling!

Thanks,

Brian

[Quoted text hidden]

Ken Tressler <ken.tressler@cumberlandmd.gov>

Wed, May 29, 2019 at 9:32 AM

To: Brian Broadwater <brian.broadwater@cumberlandmd.gov>

Cc: Brooke Cassell <brooke.cassell@cumberlandmd.gov>, Greg Snyder <greg.snyder@cumberlandmd.gov>, Jeff Rhodes <jeff.rhodes@cumberlandmd.gov>, Margie Woodring <margie.woodring@cumberlandmd.gov>

Make sure you get it on next Tuesday's agenda.

[Quoted text hidden]

Item Attachment Documents:

3. Order authorizing the City Administrator to execute all FY20 Employment Agreements for part-time employees of the City of Cumberland

Council Agenda Summary

Meeting Date: June 4, 2019

Agenda Item Number: Enter Text Here

Key Staff Contact: Jeff Rhodes, City Administrator

Item Title:

Order authorizing the City Administrator to execute all FY20 Employment Agreements for part-time employees of the City of Cumberland

Summary:

This Order authorized the City Administrator to execute all part-time employment agreements that will be effective through June 30, 2021. Each agreement has the option to be extended upon the written approve of both parties for an additional term of two (2) months upon the same terms and conditions set forth in the original agreement.

Issues and Considerations:

Enter Text Here

<i>Fiscal Impact:</i>	
Is this item budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Budget:	Enter Text Here
Value of award:	Enter Text Here
If item is not budgeted, does the budget need to be appropriated? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is there grant funding being used? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If grant funding is being used, does it require a City match? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Match provisions:	Enter Text Here
Is this a sole source purchase? <input type="checkbox"/> Yes <input type="checkbox"/> No (If so, attach department recommendation and approval from City Administrator.)	

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. 26,458

DATE: June 4, 2019

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

THAT, the City Administrator be and is hereby authorized to execute all FY20 Employment Agreements for part-time employees of the City of Cumberland.

Raymond M. Morriss, Mayor

Item Attachment Documents:

1. Letter from Lambda Car Club International requesting use of the top two levels of the George St. Parking Garage from June 18 through June 23, 2019, and to close a portion of Baltimore Street between George St. and Queen City Drive on Saturday, June 22, between the hours of 8 a.m. - 5 p.m., to host the 2019 Lambda Car Club International Grand Invitational

Tri-Valley Region, LCCI
443-564-7268 12100 Blake Lane, Cumberland MD 21502



May 15, 2019

City of Cumberland
57 North Liberty Street
Cumberland, Md 21502

Dear Mayor & City Council

I am writing to you as chairperson of the 2019 Lambda Car Club International Grand Invitational, my non-profit car club's annual car show, to request permission of use of the top two levels of the George St. parking garage from June 18th through June 23rd; and to close the portion of Baltimore Street between George St and Queen City Drive on Saturday, June 22nd between the hours of 8am-5pm.

The Lambda Car Club International; which is the largest LGBT collector car organization in North America. National membership is at 2,200, and there are 32 active regions throughout the U.S. All vehicles of any age or condition are welcome at club events. Regionally we are the second largest region with 119 member and one of the most active regions. As you know we have chosen Cumberland to host our annual Grand Invitational Car Show. It is expected this show will attract 200-250 attendees and around 150 vehicles.

I am requesting use of the George St. Parking Garage for two purposes. First, I am requesting permission to use the top two levels as our primary parking location Tuesday, June 18th through Sunday, June 23rd. Having access to the garage would provide for a covered and secluded place that members can park their vehicles while visiting Cumberland. We have contracted with Scottie's Security to patrol the area from mischief and to protect against vehicle damage. Providing this access will help ensure that these guest to our city feel secure and leave the City of Cumberland without the negative experience of having their vehicles damaged while visiting with us. Use of the covered area of the parking garage will also be needed as a backup rain location in case of increment weather during our public show June 22nd.

Second purpose to obtaining use of the top of the parking garage is to host our Wednesday Night Welcome Party, to which you all are invited. Specifically this event is organized to welcome the members and to highlight the taillights and great lighting features of our city skyline. It will be held Wednesday, June 19th from 7pm to 10pm. It would include music, an ice cream sundae bar, perhaps some entertainment from the Cumberland Pride Committee, and a cash bar. The cash bar is being provided by Friends Aware, and is being used as a fundraiser for that organization. Friends Aware is responsible for obtaining a one day event liquor license and all other responsibilities associated with providing cash bar at the event. This Welcome Party is a private event and is only open to invited guest and identifications and credentials will be checked prior to event entrance. LCCI's insurance provider has reviewed the city's special event insurance requirements and agrees to all terms of the requirements.

My request to close the public roadway of Baltimore Street between George Street and Queen City Drive on June 22nd between 8am to 5pm is to extend the auto show display area. Primarily our display area will be hosted on the Baltimore Street Mall and the cross streets of Liberty and Center Streets, but with 150 vehicles I will have to extend up this small portion of public roadway and into the ground lot of the Ramada Parking Lot. I have already requested that the DDC close Liberty and Center Streets. In addition, the DDC has also obtained the City's Parks and Rec Department's portable stage that will be used at the Baltimore Street/Queen City Drive Intersection as our second stage during the event.

I hope that you vote in the affirmative to provide my organization use of the George Street Parking Garage and the closure the mentioned portion of Baltimore Street for the above detailed event. If more information needed or if you have any specific questions I will gladly answer them. I look forward to working with you on this event and the upcoming events. Sincerely yours,

Sincerely,

Kyle P. Blake

2019 Grand Invitational Chairman
Lambda Car Club International