



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

AGENDA

M&CC Regular Meeting
City Hall, Cumberland MD

DATE: March 21, 2023

OPEN SESSION – 6:15 PM

Pledge of Allegiance

Roll Call

Statement of Closed Meeting

Presentations

1. Presenting PFC James Beck with the 2022 Cumberland Police Department Officer of the Year Award

Director's Reports

(A) Administrative Services

1. Administrative Services monthly report for February 2023

(B) Public Works

1. Maintenance Division monthly report for February 2023

(C) Fire

1. Fire Department monthly report for February 2023

(D) Police

1. Police Department monthly report for February 2023

Approval of Minutes

1. Approval of Regular Session Minutes - October 20, November 1 & 15, and December 6 & 20, 2022; January 3 & 17, February 7 & 21, 2023, and the Work Session Minutes of October 20, 2022 and November 15, 2022

Public Comments – For Agenda Items Only

All public comments are limited to 5 minutes per person

Unfinished Business

(A) Ordinances

1. Ordinance 3940 (*2nd and 3rd readings*) - authorizing the transfer of 13 W. Clement Street to Richard Pravlik for the purchase price of \$7,500

New Business

(A) Resolutions

1. Annexation Resolution R2023-01 ANNEX (*1st reading*) - to annex land located on the south side of Maryland Route 144 in Allegany County, MD, Election District No. 22, consisting of 8.848 acres +/- and owned by the Ali Ghan Club, Inc.

(B) Orders (Consent Agenda)

1. Order 27,200 - declaring the second floor of City Hall, including Council Chambers and the 2nd floor Conference Room to be dedicated work space and not open to the general public, with the exception of regularly scheduled public meetings
2. Order 27,201 – authorizing a pay adjustment of 11% for all non-union full-time and part-time employees, effective April 2, 2023
3. Order 27,202 - executing a memorandum of understanding with the AFSCME Local #553 with regard to a one-time pay adjustment
4. Order 27,203 - executing a memorandum of understanding with the IAFF Local #203 regarding a one time pay adjustment
5. Order 27,204 - executing a memorandum of understanding with the United Food and Commercial Workers Local 1994 MCGEO with regard to a one-time pay adjustment
6. Order 27,205 - approving the sole source purchase of Body Worn Cameras from Utility Associates, Inc. in an amount not to exceed \$449,475, to be broken down over five years consisting of \$179,790 for the first year (100% grant funded) and \$67,421.50 for years 2-5 (General Fund or grant funded)
7. Order 27,206 - authorizing the Chief of Police to accept the State bids from Hertrich Fleet Services Inc. for two (2) road ready 2023 Ford Police Interceptor Utility police vehicles at \$49,778 each and one (1) 2023 Ford Police Interceptor Utility police vehicle at a cost of \$46,710, for a total cost of \$146,266
8. Order 27,207 - authorizing an agreement with The Kensington Senior Living Community allowing the City of Cumberland and their vendor, Multivista, LLC, to install a construction camera on the roof the building at 1 Baltimore Street
9. Order 27,208 - authorizing the execution of Change Order No. 3 with Carl Belt, Inc. for the Decatur Street 24" Crosstown Water Main Replacement (City Project 31-17-W) to add nineteen calendar days for the substantial completion, bringing the substantial

completion date to October 19, 2022 and decreasing the final contract price by an amount of \$301,071.17

- [10.](#) Order 27,209 - authorizing the execution of Change Order No. 1 with Carl Belt, Inc. for the WWTP Influent Screening System Upgrades Project (City Project 2-21-WWTP) increasing the final contract price by an amount \$11,256.25

Public Comments

All public comments are limited to 5 minutes per person

Adjournment

File Attachments for Item:

1. Presenting PFC James Beck with the 2022 Cumberland Police Department Officer of the Year Award

Council Agenda Summary

Meeting Date: March 21, 2023

Key Staff Contact: Chief Chuck Ternent

Item Title: CPD Officer of the Year Award

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

Present PFC James Beck with the 2022 Cumberland Police Department Officer of the Year Award.

Amount of Award:

Budget number:

Grant, bond, etc. reference:

File Attachments for Item:

. Administrative Services monthly report for February 2023

Administrative Services Monthly Report for February 2023

March 21, 2023

Honorable Mayor and City Council
City Hall
Cumberland, Maryland 21502

Dear Mayor and City Council Members:

The following report is submitted by the Department of Administrative Services for the month of February 2023.

Information Technology Department

February 2023

Johnna Byers, Director

Statistics

150 new help desk requests

144 help desk requests resolved

Activities

Major department initiatives in the past month include:

- Continue making changes to update our network environment and improve security
- Continue working on police mobile data terminal updates
- Continue WebEx cloud phone migration/upgrade project
- Continue investigating replacement property tax software
- Work with vendor to replace aged cameras in City Hall and Public Safety
- Assist with move to Invoice Cloud

Parks and Recreation

February 2023

Ryan Mackey, Director

- Meetings attended:
 - Monthly Parks and Rec Advisory Board Meeting on 2/6/23
 - Allocation funds towards new equipment for day camp
 - Discussed issues with fields
 - Meeting with Local ag extension

- Meeting purpose for me was to plan for the upcoming Easter egg hunt
- Events:
 - Groundhogs' day celebration
 - Parks and Rec handed out and collected coloring sheets for children k-5th grade to enter in to a coloring competition
 - Park Renovations and clean up
 - 22 Pavilion Reservations were received totaling \$2,200.00
 - Pool deck has been removed
 - Guard shack has been partially renovated
 - Amphitheater construction has started
 - Multiple tree stumps have been removed along with old rotting logs throughout the park
- Upcoming:
 - Easter Egg Hunt – Friday the 7th of April
 - Constitution Park easter egg hunt will be held with help from the local Ag/4H groups and city employees
 - Arbor day – 11th and 12th of April
 - Parks and Rec along with help of the after-school program and the master gardeners will put on a two-day celebration for arbor day
 - Next parks and rec meeting will be held Monday March 6th at city hall.

Community Development Report

February 2023

Kevin Thacker, Code Compliance Manager

CODE COMPLIANCE

Noted Activity:

- One Home Renovation Grant Rehabilitation was completed at 459 Columbia St.
- Round 6 of City's Surplus Property Sale was posted 2/24/23 with 7 new properties available.
- Sale of City Surplus Property at 13 W. Clement St.
- A permit was issued for \$150,000 in site improvements to 22 Queen City Drive (McDonald's).

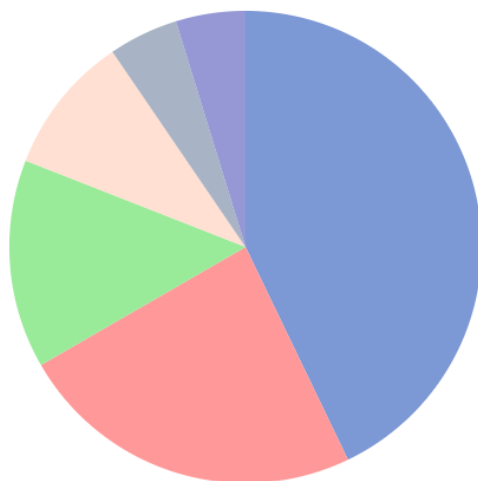
Code Compliance Activity:

40 new cases received – 22 of those are still open

21 violations were found

28 cases have been resolved

Open Date From: 02/01/2023
Open Date To: 02/28/2023



Violations by Violation Type			
	Dwellings, yards and lots to be kept clean	9	42.9%
	Licensing of rental dwelling units	5	23.8%
	Cutting of weeds	3	14.3%
	Duties of owner and operator	2	9.5%
	Registration of agents	1	4.8%
	Standards for good repair and safe condition	1	4.8%

Permits/Reviews & Rental Licenses:

29 Total Permits/Reviews were issued.

47 Rental Inspections were completed

Building

Residential..... 1
Commercial..... 2

Miscellaneous

Residential4
Commercial1

Occupancy

Residential2
Commercial2

Signage

Commercial 4

Electrical

Residential..... 6
Commercial..... 3

Plumbing

Residential0
Commercial0

Utility

Residential0
Commercial0

Demolition

Residential..... 0
Commercial..... 0

Public ROW

Res./Comm..... 2

Rental Licences

Issued.....53

Rental Inspections

Pass47
Fail.....0

Lien/Citations

Fines Paid 0
Liens Paid 0

Plans, Reviews, Amendments and Appeals

(ZA, RPR, SR, ZMA, ZTA, SRA)

Zoning Map Amendment0

Certificates of Appropriateness

Issued.....2

Request for Change/Amendment

Issued.....0

Revenue from 'Issued' Permits/Reviews:

Building Permits..... \$1,489.00
Miscellaneous Permits..... 75.00
Occupancy Permits 90.00
Sign Permits 161.00
Utility Permits..... 0.00
Plan reviews, Amendments & Appeals..... 0.00
Zoning Classification (information request) 0.00
Municipal Infractions (citations)..... 0.00

Certificates of Appropriateness 60.00
 Rental Licenses (new & renewals) 4,950.00
 Paid Rental Inspection Requests00
TOTAL \$6,825.00

Demolition Bonds Collected \$0.00
 Lien Collected \$.00

Community Development Programs

February 2023

Lee Borrer, Senior Community Development Specialist

Community Development Block Grant (CDBG) Monthly Activity	February 2023 Report	Original Budget	Lifetime Funds Exp	Remaining Balance
Baltimore Street Redesign	2020	\$402,700.00	\$0.00	\$402,700.00
Const Pk Inclu Playground Ph 2 guard station		\$37,184.62	\$4,200.00	\$32,984.62
AYEPS Youth Center Facil Rehab	2020	\$4,753.75	\$0.00	\$4,753.75
2020 Grant Totals		\$444,638.37	\$4,200.00	\$440,438.37
Balt Street Redesign/Queen City/South Str	2021	\$232,721.00	\$0.00	\$0.00
Queen City project break away	2021	\$59,692.50	\$59,692.50	\$0.00
South Street project break away	2021	\$173,028.50		\$173,028.50
HRDC Rental Rehabilitation	2021	\$19,300.00	\$11,195.00	\$8,105.00
Admin	2021	\$126,426.00	\$89,789.16	\$36,636.84
Ind Cost	2021	\$15,120.00	\$9,477.00	\$5,643.00
Fair Housing	2021	\$8,454.00	\$8,037.87	\$416.13
YMCA GilcrisHVA Repl Ph 2	2021	\$48,520.00	\$48,519.00	\$1.00
Targeted Foot & Bike Patrol	2021	\$3,961.00	\$3,959.57	\$1.43
Const Pk/Splashpad	2021	\$87,750.00	\$87,750.00	\$0.00
2021 PI credits				\$5,839.08
2021 Grant Totals		\$774,973.00	\$318,420.10	\$229,670.98
2022 PI credits	2022 hud yr			\$2,068.98
Balt Street Redesign/ South Street	2022	\$188,384.50	\$0.00	\$188,384.50
South Street project break away	2022	\$48,007.50	\$0.00	\$48,007.50
AYEP Youth Center Rehab	2022	\$10,000.00	\$0.00	\$10,000.00
Admin	2022	\$101,000.00	\$30,471.85	\$70,528.15
Ind Cost	2022	\$16,000.00	\$5,745.10	\$10,254.90
FH	2022	\$13,000.00	\$2,388.38	\$10,611.62
YMCA Gilcris Gymnasium Roof	2022	\$36,000.00	\$0.00	\$36,000.00
AHEC Dental	2022	\$3,000.00	\$2,110.00	\$890.00
Long Term	2022	\$6,000.00	\$1,364.00	\$4,636.00

Short Term	2022	\$6,000.00	\$1,364.00	\$4,636.00
JFV Sidewalk Installation	2022	\$40,000.00	\$0.00	\$40,000.00
FCRC IPV	2022	\$10,500.00	\$1,873.61	\$8,626.39
Targ Foot /Bike Patrols	2022	\$4,960.00	\$2,091.59	\$2,868.41
Jane's Place Inc.	2022	\$5,000.00	\$612.98	\$4,387.02
YMCA Food Program	2022	\$7,000.00	\$2,016.38	\$4,983.62
Const Pk Improvements/former Splashpd	2022	\$278,000.00	\$50,836.09	\$227,163.91
Gilchrist Security for Transi Housing	2022	\$30,820.00	\$0.00	\$30,820.00
2022 Grant Totals	2022	\$803,672.00	\$100,873.98	\$702,798.02
July 2022 program income		\$4.61	2021 IDIS	
Aug 2022 program income		\$4.61	2021 IDIS	
September 2022 program income		\$2,059.76	2021 IDIS	
October 2022 program income		\$23.94	begin 2022 PI	
November 2022 program income		\$11.86	2022 IDIS	
December 2022 program income		\$19.24	2022 IDIS	
Total			Total All Yrs	\$1,380,815.43
Total PI to 2022 EN begins Oct 2022 drw		\$55.04		
February 2023 Report 2/14/23				
Balances:	Year	IDIS grant rpt		
\$440,438.37	2020	\$443,926.95	due to \$76.80 from 2021 PI	
\$231,739.96	2021	\$331,396.38	due to \$76.80 from 2021 PI	
\$702,853.06	2022	\$798,404.36	\$55.04 PI added since Oct draw	
\$672,178.33	OLD 20 21			
\$1,375,031.39	Total All			
February 14 CDBG Monthly Report from Staff				

CARES ACT CDBG Monthly Report		Amount Fun	Expended	Funds Rema	IDIS #	Not funded
CV Associated Charities Emergency Homeless Prevention		\$21,768.22	\$7,614.48	\$14,153.74	1763	
CV Broadband & Technology Accessibility EXPANDED		\$172,456.00	\$84,348.30	\$88,107.70	1758	increase
CV YMCA Gymnasium Roof (Gilcrst) NEW		\$40,600.00	\$0.00	\$40,600.00	1787	
CV Family Crisis Resource Center COVID hotline/Hepa new		\$84,544.00	\$15,731.74	\$68,812.26	1788	
CV3 AYEP Youth Center Rehabilitation SEE FUNDS ADDED		\$190,050.73	\$113,014.28	\$77,036.45	1764	increase
TOTAL CDBG CV BALANCE			\$220,708.80	\$288,710.15		\$ -
B20MW24001 Award (1st rd)		\$476,251.00				
B20MW24001 Award (3rd rd)		\$119,910.00				
Updated	2/14/2023	\$596,161.00				
Post September 22 draw						
Post Oct 2022 draw				52% expended		
Post Nov 2022 draw						
Post Dec 2023 draw						
Post January 2023 draw						

Historic Planning/Preservation

February 2023

Ruth Davis-Rogers, Historic Planner/Preservation Coordinator

In addition to serving the public and answering daily questions and inquiries I did the following:

Historic Preservation Commission Meeting (HPC)

- Prepared and administered the Historic Preservation Meeting on February 15th
- Reviewed and administered Certificate of Appropriateness permits

Meetings & Events

- Reviewed proposals for Cumberland Historic Preservation Plan
- Attended Leadership Allegany class
- Attended virtual workshop for National Alliance of Preservation Commissions
- Attended ALLCON board meeting
- Held Tax Incentive Workshop
- Attended 1st Amendment Auditor Training
- Attended Carver board meeting
- Attended DDC Marketing Committee Meeting
- Presented at ALLCON Adult Continuing Education Class
- Attended Town Hall Meeting

Grants, Tax Credits and Section 106 reviews

Administered/managed funding/grants for:

- Residential Accessibility Improvement \$50,000.
- Roof Replacement Program \$50,000.
- Conducted Section 106 Reviews (as needed) for various projects.
- Answered questions (as needed) regarding tax incentives from both current and potential building owners.

Comptroller's Office

Financial Activity Report

February 2023

Mark Gandolfi, City Comptroller

Cash Flow:

Attached for your review is a Cash Flow Summary for the month of February 2023.

On February 1, 2023, the City had a cash balance of \$15.0 million (\$12.9 million invested in a value money market program and \$2.1 million participating in a sweep program at First United Bank). Receipts exceeded disbursements by \$1.3 million resulting in a cash balance of \$16.4 million at February 28, 2023

(\$14.6 million invested in a value money market program and \$1.8 million participating in a sweep program at First United Bank).

As of February 28, 2023, the significant tax receivable balances were as reflected in the table below.

Taxes receivable (General Fund)						\$ 3,693,371
	Beg Balance	New Billings	Adjustments/ Abatements	Collections	Bad Debt	Ending Balance
FY 2023	\$ 1,960,414	\$ 921,310	\$ (437)	\$ 186,301	\$ -	\$ 2,694,986
FY 2022	598,944	6,832	(11)	36,096	\$ -	569,669
FY 2021	212,950	7,361	(11)	-	-	201,792
FY 2020	79,725	-	(70)	-	-	79,655
FY 2019	27,504	-	(11)	-	-	27,493
FY 2018	36,545	-	(11)	-	-	36,534
FY 2017	16,336	-	(10)	-	-	16,326
FY 2016	16,902	-	(10)	-	-	16,892
FY 2015	17,373	-	(10)	-	-	17,363
FY 2014	12,661	-	(10)	-	-	12,651
FY 2013	9,066	-	(10)	-	-	9,056
FY 2012	5,299	-	(10)	-	-	5,289
FY 2011	2,890	-	-	-	-	2,890
Prior FY's	2,775	-	-	-	-	2,775
	<u>\$ 2,999,384</u>	<u>\$ 935,503</u>	<u>\$ (611)</u>	<u>\$ 222,397</u>	<u>\$ -</u>	<u>\$ 3,693,371</u>

The current year tax receivable balance is comprised of the following:

Real property (non-owner occupied)	\$891,631
Non-Corp Personal Property	7,207
Corporate Personal Property	1,325,629
Real Property (semiannual payments)	440,119
Real Property (Half Year)	30400
	<u>\$2,694,986</u>

The City's liquidity position continues to be strong as illustrated in the following cash and investments table. Restricted cash and investments are comprised primarily of invested American Rescue Plan Act (ARPA) funds received in advance and bond proceeds restricted to associated capital projects and expenditures.

**Cash and Investment Summary
February 28, 2023**

	Cash	Investments
Beginning Balance	\$ 15,036,782	\$ 30,493,007
Add:		
Cash Receipts	9,603,612	110,960
Investment Transfer	-	-
Less:		
Disbursements	8,273,763	-
Investment Transfer	-	-
Ending Balance	\$ 16,366,631	\$ 30,603,967
Restricted	\$ 4,472,966	\$ 9,969,068

The table below illustrates cash restrictions and restricted investments associated with specific expenditures and/or capital projects.

Restricted Cash					
	2/1/2023	Increase	Utilization	2/28/2023	
Police Seizures	\$ 88,349	\$ -	\$ -	\$	88,349
Bowers Trust	70,636	-	-		70,636
GOB 21	1,855,644	6,749	17,306		1,845,087
ARPA	1,031,812	3,753	-		1,035,565
Capital Projects	1,200,000	126,654	-		1,326,654
Demolition & Fiscal Agent Bonds	56,676	50,000	-		106,676
	\$ 4,303,117	\$ 187,156	\$ 17,306	\$	4,472,966
Restricted Investments					
	2/1/2023	Increase	Utilization	2/28/2023	
DDC	\$ 4,984	\$ 18	\$ -	\$	5,002
GOB 21	3,542	13	-	\$	3,555
ARPA	9,924,398	36,113	-	\$	9,960,511
	\$ 9,932,924	\$ 36,144	\$ -	\$	9,969,068

Increases to GOB21, ARPA and DDC are interest earnings on funds awaiting planned use.

Capital Projects is CSX funding received for the Fayette St. bridge replacement and the increase is the funding for the Cumberland St. bridge design.

DDC restricted investment was funded through donations and is restricted for the purpose of maintenance of the Wes Han Fountain in the Downtown Mall.

GOB 21 is the FY21 general obligation bond issuance restricted for scheduled capital projects and equipment.

Capital Projects and Associated Debt:

The tables below illustrate undrawn Maryland CDA bond proceeds and unused general obligation bond proceeds (GOB21) as well as the accumulated debt and grant proceeds for the Decatur Street waterline and the Combined Sewer Overflow (CSO) projects.

Available Bond Proceeds				
	2/1/2023	Increase	Utilization	2/28/2023
CDA 2019	\$ 786,131	\$ -	\$ -	\$ 786,131
CDA 2021	5,536,205	-	204,780	5,331,425
GOB 21	1,859,186	-	10,545	1,848,641
	\$ 8,181,522	\$ -	\$ 215,325	\$ 7,966,197

Decatur Street Project				
	2/1/2023	Increase	Utilization	2/28/2023
MWQFA Series 2022A	\$ 446,513	\$ -	\$ -	\$ 446,513
MWQFA Series 2022B	180,276	-	-	180,276
Decatur Street Grants	352,277	-	-	352,277
	\$ 979,066	\$ -	\$ -	\$ 979,066

CSO Projects				
	2/1/2023	Increase	Utilization	2/28/2023
Evitts Creek Phase 3 Debt	\$ 2,297,851	\$ -	\$ -	\$ 2,297,851
Evitts Creek Phase 3 Grant	5,418,560	-	-	5,418,560
Evitts Creek Phase 4 Debt	3,550,900	-	-	3,550,900
Evitts Creek Phase 4 Grant	-	-	-	-
Grit Removal and UV Disinfection	4,445,000	-	-	4,445,000
78" Pipeline Debt	19,941,232	-	-	19,941,232
78" Pipeline Grant	46,338,060	-	-	46,338,060
	\$ 81,991,603	\$ -	\$ -	\$ 81,991,603

CDA 2021 utilization of \$204K includes \$25K toward the municipal service's pole building, \$10K toward the cross-connection program and \$15K toward the hydrant and valve replacement program, and 154K toward the Sewer Department influent screen construction. GOB 21 utilization of \$10K includes \$8K toward the McMullen bridge design and \$9K toward the cross-connection program; reduced by \$7K interest earned.

The Decatur Street waterline project is funded with \$1.0 in grants and \$2.1 million in loans with \$0.5 million of the loan amount being forgivable after 10 years. Construction is complete and administrative closeout is expected to be complete in March 2023.

The following four projects are major upgrades to the combined sewer collection system. Evitts Creek Phase 3 is in the engineering phase with the necessary funding in place. Phase 3 project cost is estimated at \$7.5 million and is funded with \$5.4 million in grants and \$2.3 million in loan with \$1.1 million of the loan amount being forgivable. Phase 3 is on hold pending site access being granted by CSX. Evitts Creek Phase 4 is in the planning phase and has most of the funding in place. Phase 4 project cost is estimated at \$4 million and is funded with \$3.6 million in loan with \$1.5 million of the loan amount being forgivable. A water reclamation facility grit removal and UV disinfection project is in the planning phase with the necessary funding in place. The grit removal and UV disinfection project is projected to begin during FY25 at an estimated cost of \$4.4 million and is funded with \$4.4 million in loan with \$1.5 million of the loan amount being forgivable. The 78" pipeline project is budgeted to begin construction during FY24 pending Army Corp of Engineers approval and private property easement or acquisition. The total estimated project cost is \$67 million and is substantially funded with \$46.3 million in grants and \$20.0 million in loan with \$3.0 million of the loan amount being forgivable.

COVID-19:

Available Funding (as of February 28, 2023)

The City received \$19,595,850 from the American Rescue Plan Act (ARPA). The U.S. Treasury issued guidance providing greater details on the eligible uses and priority of these funds. These are:

- Support public health expenditures
- Address negative economic impacts caused by the public health emergency

- Replace lost public sector revenue
- Provide premium pay for essential workers
- Invest in water, sewer, and broadband infrastructure

Funds available for use:

Purpose	Awarded	Allocation			
		Budgeted	Allocated Interest Earned	Utilized	Remaining
American Rescue Plan Act (ARPA)	\$19,595,850				
Respond to the health emergency					
Community Programs					
DDC Assistance to Small Businesses		\$ 183,500		\$ 38,847	\$ 144,653
Promoting the Community		\$ 33,563		\$ 30,462	\$ 3,101
Amphitheatre and Pavilion 1&2		\$ 174,350	\$ 10,650	\$ 5,688	\$ 179,312
Pool Area		\$ 71,250	\$ 81,245	\$ -	\$ 152,495
Janes Place for Abused Children		\$ 102,623		\$ 23,274	\$ 79,349
Union Rescue Mission		\$ 749,000		\$ 749,000	\$ -
Community Development Property Improvement		\$ 264,960		\$ 17,063	\$ 247,897
Affordable Housing Assistance		\$ 350,000		\$ -	\$ 350,000
YMCA Bus Replacement		\$ 216,000		\$ -	\$ 216,000
PPE					
General		\$ 48,769		\$ 29,269	\$ 19,500
Facilities and Equipment		\$ 17,231		\$ 17,231	\$ -
Prisoner Processing Improvements		\$ 176,200		\$ -	\$ 176,200
HVAC improvement at City Hall & Public Safety		\$ 1,300,000		\$ 4,950	\$ 1,295,050
Premium Pay		\$ 833,952		\$ 833,952	\$ -
Revenue Loss		\$10,000,000		\$7,074,957	\$ 2,925,043
Infrastructure Investments					
South End Water Main Replacement		\$ 2,000,000		\$ 11,083	\$ 1,988,917
Industrial Blvd Water Main		\$ 2,000,000		\$ -	\$ 2,000,000
Replace 4" Water Lines with 6" (City-Wide)		\$ 1,073,452		\$ 13,305	\$ 1,060,147
Unallocated		\$ 1,000			\$ 1,000
Unallocated Interest Earned					\$ 157,412
Total:	\$19,595,850	\$19,595,850	\$ 91,895	\$8,849,081	\$10,996,076

Respectfully submitted,

Jeffrey Silka
City Administrator

sln

File Attachments for Item:

. Maintenance Division monthly report for February 2023

MAINTENANCE DIVISION REPORT

February 2023

Street Maintenance Report

Parks & Recreation Maintenance Report

Fleet Maintenance Report

Central Services Report

**PUBLIC WORKS/MAINTENANCE
STREET BRANCH
MONTHLY REPORT
FEBRUARY 2023**

- **POTHoles AND COMPLAINTS**
 - Patched potholes on 11 Streets and 2 alleys using 6 tons of cold mix asphalt.
 - Replaced the sidewalk on Fayette St. Placed 23 cy of concrete.
- **UTILITY HOLES**
 - Completed 7 water concrete utility holes using 4 cy of concrete
- **TREE & BRUSH WORK**
 - Removed 8 trees and pruned 22 trees.
 - Resolved and/or addressed 30 complaints/tree issues
 - Removed 30 stumps in the Constitution Park.
- **STREET CLEANING OPERATIONS**
 - Performed street sweeping on 544 lane miles, collecting 34 loads of debris.
 - Hauled 23 tons of street debris to the landfill.
- **MISCELLANEOUS**
 - Completed 17 Work Orders.
 - Cleaned Underpass, McMullen Bridge, Washington St Bridge, Fayette St Bridge, and Cumberland St. Bridge 4 times.
 - Conducted monthly safety meeting.

STREET MAINTENANCE- FEBRUARY 2023		2/1-2/4	2/5-2/11	2/12-2/18	2/19-2/25	2/26-2/28	TOTAL
SERVICE REQUEST COMPLETED		6			9	2	17
PAVING PERFORMED	Tons						0
CONCRETE WORK	Cy		10	11		2	23
UTILITY HOLES REPAIRED	Water				4	3	7
	Sewer						0
	Cy				2.00	2.00	4
	Tons						0
POTHoles FILLED	Streets		2	3	6		11
	Alleys	1	1				2
	Days						0
	Cold Mix	x	X	x	x		0
	Tons	2.0	1.0	1.0	2.0		6
PERMANENT PATCH	Cy						0
	Tons						0
TRAFFIC CONTROL SIGNS REPAIRED/INSTALLED			2		8		10
STREET NAME SIGNS REPAIRED/INSTALLED			1				1
HANDICAPPED SIGNS	Repaired						0
	Installed						0
	Removed						0
CURB PAINTING PERFORMED	Blue		5		1		6
	Yellow		5				5
	Red		8		1		9
PAVEMENT MARKINGS INSTALLED	No.						0
STREET CLEANING	Loads	8	11	8	1	6	34
	Miles	109	168	163	55	49	544
SWEEPER DUMPS HAULED TO LANDFILL	Tons	7.7		6.83		8.3	23
STREET MILLING	Days						0
CLEANED BALTIMORE ST. UNDERPASS	Days	1		1	1		3
TRAFFIC CONTROL	Events						0
SNOW REMOVAL	Days						0
CLEAN TRUCKS	Days					1	1
SHOVEL & SALT SIDEWALKS	Days						0
BRUSH REMOVAL/TREE WORK	Areas	2	6	2		8	18
CHECK DRAINS/CLEAR DEBRIS	Days						0
LEAF PICK-UP	Loads						0
CLEAN UP WASH & DEBRIS	Days						0
Cleaned up P & R storage room							
Painted rest rooms @ Pavilions 1 & 2							
Pulled tree stumps At Const. Park							
Added stone to curves at Masons Complex							
Jacob Passed CDL Permit							
Finished sidewalk project on Fayette St.							
Helped remove trash from downtown mall							
First Amendment Training at City Hall							
Painted Constitution Parks casino floor							
Started to drag ball fields							
Picked up bike racks an benches on Downtown Mall							
Cleaned playground equipment @ pavilion 1							
Started on concrete utility patches for Water Dept.							

**PUBLIC WORKS/MAINTENANCE
PARKS & RECREATION
MONTHLY REPORT
FEBRUARY 2023**

- Constitution Park, Mason's Complex and Area Parklets
 - Cleaned up garbage 10 times this month.
- Miscellaneous Work
 - Clean up area in Park at Storage Shed and Buildings.
 - Stump removal in the park continued.
 - Painted the floor in the Casino.
 - Painted restrooms @ Pavilions 1 & 2.
 - Cleaned playground equipment.
 - Began to drag ball fields.
 - Continued assisting DDC with Downtown Trash Removal.

**FLEET MAINTENANCE
MONTHLY REPORT
FEBRUARY 2023**

DEPARTMENT	REPAIRS
Central Services	2
Community Development	2
DDC	1
Engineering	6
Fire	16
Fleet Maintenance	4
Flood	4
MPA	0
P & R Maintenance	12
Police	27
Public Works	4
Sewer	20
Snow Removal	1
Street Maintenance	12
Water Distribution	27
WFP	2
WWTP	2
 In House Fleet Maintenance Projects	 12
Scheduled Preventative Maintenance	23
Field Service Calls	18
Total Fleet Maintenance Projects	195
 Total Repair Orders Submitted	 8
Fleet Maintenance Risk Management Claims	0

**CENTRAL SERVICES
MONTHLY REPORT
FEBRUARY 2023**

- **City Hall:** Disinfecting the AHU's 3 times a week because of COVID. Painting the City Clerk's office area from the Mayor's office to the Administrators office. Replacing carpet and repairing the sub floor in the IT Department. Repaired the dehumidifier in the Tax & Utility area. Mounted a new TV in the Mayor's office. Checked on a power issue in one of the offices in the IT Department. Repaired the Liberty St door that was not releasing automatically. Repaired the Plexiglas at the main counter in the basement. Repaired the lights in the first floor conference room 107. Replaced the air filters in all of the AHU's.
- **Municipal Service Center:** Disinfecting the RTU's 3 times a week because of COVID. Cleaned the gutters. Replaced the power supply on the GPS on the roof. Replaced the air filters in all of the AHU's.
- **Public Safety Building:** Disinfecting the AHU's 3 times a week because of COVID. Fixed the AC split unit in the second floor IT room. Cleaned AHU's 1, 2 and 3. Got measurements for the new exhaust system being installed in the Fire garage. Replaced the air filters in all of the AHU's.
- **Fire Stations #2:** Checked the boiler and oiled all the pumps and motors. Garage door maintenance (greased the track and checked the drive chain) Started and tested the boiler system. Got measurements for the new exhaust system being installed in the Fire garage.
- **Fire Station #3:** Check the building twice a month to make sure the boiler is running and no water leaks. Oil the boiler pump. Replaced the door knob on the side door.
- **Canadian Hose House:** Check the Building twice a month to make sure that the boiler is working properly and that there are no water leaks.
- **Downtown Area & Mall:** Repaired the lights on the lower end between the CBIZ buildings. Helped set up for and take down the Groundhog Day event in the parklet beside of City Hall. Moved all the benches and trash cans that were being given away before the mall project starts.

- **Traffic and Street Lights:** Monthly routine preventive maintenance on the 21 traffic control cabinets. Reset traffic lights at the Dingle, Baltimore and Mechanic St and Henderson and Mechanic St intersections that were in flash. Replaced a cross walk LED's at Henderson Ave and Valley St. Replaced all four crosswalk pushbuttons at the intersection that was not working properly. Reported 18 street light to the power company to repair. Adjusted the motion detectors at the intersection of Henderson and Valley St. Replaced the motion detector at Mechanic St and Market St. intersection. Replaced a 3 position switch on the traffic controller at the intersection of Mechanic St and Valley.
- **Parks areas:** Repaired the lighting around George Washington Fort and flag lights. Fixed the cable on the American flag pole.
- **Sewer Department:** Repaired one of the push cameras, replaced the rod end.
- Load tested generators. February 23, 2023
- Monthly Safety Meeting – February 23, 2023
- PM's on all the pumps and motors at PSB, City Hall and MSC

File Attachments for Item:

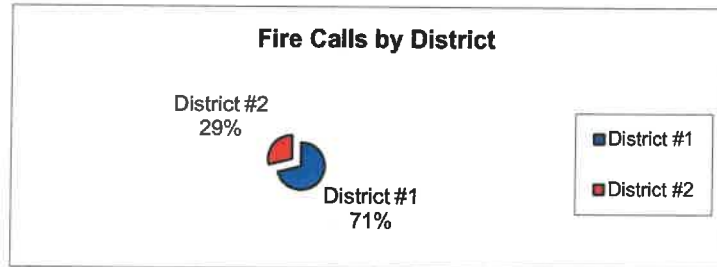
. Fire Department monthly report for February 2023

REPORT OF THE FIRE CHIEF FOR THE MONTH OF FEBRUARY, 2023
Prepared for the Honorable Mayor and City Council and City Administrator

Cumberland Fire Department Responded to 97 Fire Alarms:

Responses by District:

District #1	69
District #2	28
Out of City	0
	<u>97</u>



Number of Alarms:

First Alarms Answered	96
Working Alarms Answered	1
	<u>97</u>

Calls Listed Below:

Property Use:

Public Assembly	3
Educational	1
Institutional	7
Residential	49
Stores and Offices	2
Storage	1
Basic Industry, Utility	1
Special Properties	33
	<u>97</u>

Type of Situation:

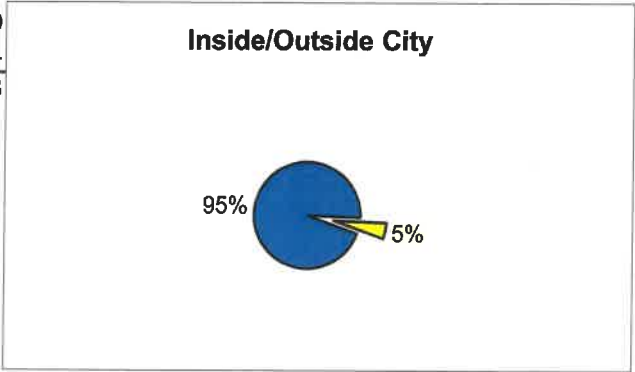
Fire or Explosion	7
Overpressure/Heat	1
Rescue Calls	52
Hazardous Conditions	9
Service Calls	4
Good Intent	14
False Calls	10
	<u>97</u>

Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid in February:	\$1,560.00
Total Fire Service Fees for Fire Calls Billed by MCA Fiscal Year to Date:	\$5,830.00
Fire Service Fees for Fire Calls Paid in February:	\$150.00
All Fire Service Fees for Fire Calls Paid Fiscal Year to Date:	\$1,460.00
Total Fire Service Fees Paid in FY2023:	\$1,600.00

Fire Service Fees for Inspections and Permits Billed in February:	\$450.00
Fire Service Fees for Inspections and Permits Paid in February:	\$950.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	\$1,950.00

Cumberland Fire Department Responded to 483 Emergency Medical Calls:

In City Calls	459
Out of City Calls	24
Total	483



Cumberland Fire Department Provided 14 Mutual Aid Calls:

8 Mutual Aid Calls within Allegany County
6 Mutual Aid Calls outside of Allegany County
14

Bowman's Addition VFD	6
Cresaptown VFD	2
	8
Fort Ashby, WV VFD	1
Ridgeley, WV VFD	4
Wiley Ford, WV VFD	1
	6

Cumberland Fire Department Provided 10 Paramedic Assist Calls:

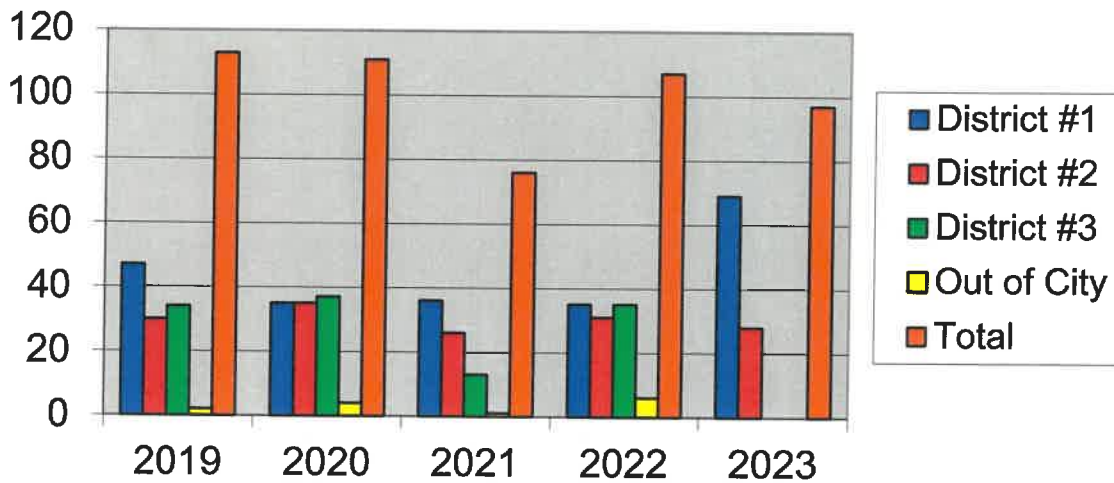
0 Paramedic Assist Calls within Allegany County
10 Paramedic Assist Calls outside of Allegany County
10

Fort Ashby, WV VFD	4
Ridgeley, WV VFD	4
Short Gap, WV VFD	1
Wiley Ford, WV VFD	1
	10

Total Ambulance Fees Billed by Medical Claim-Aid for the month of February:	\$209,676.60
Ambulance Fees Billed Fiscal Year to Date:	\$1,209,901.80
Ambulance Fees Paid: Revenue Received in February:	\$100,981.34
FY2023 Ambulance Fees Paid in FY2023:	\$691,751.74
Total Ambulance Fees Paid in FY2023: (All ambulance fees, current and previous fiscal years, paid in FY2023.)	\$878,474.86

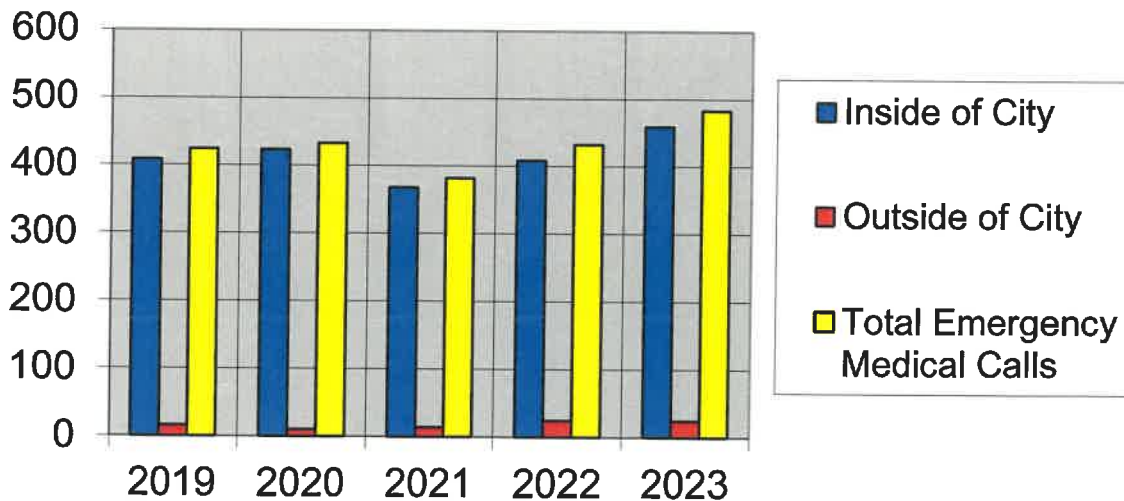
Fire Calls for the Month of February for a Five-Year Period

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
District #1	47	35	36	35	69
District #2	30	35	26	31	28
District #3	34	37	13	35	0
Out of City	<u>2</u>	<u>4</u>	<u>1</u>	<u>6</u>	<u>0</u>
Total	113	111	76	107	97



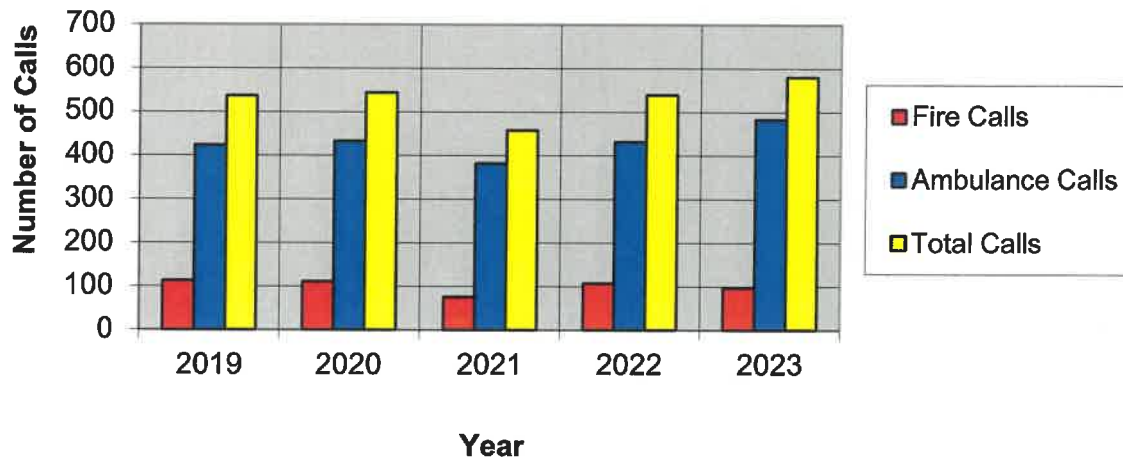
Ambulance Calls in the Month of February for a Five-Year Period

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Inside of City	408	423	368	408	459
Outside of City	<u>16</u>	<u>10</u>	<u>14</u>	<u>24</u>	<u>24</u>
Total Emergency Medical Calls	424	433	382	432	483



Fire and Ambulance Calls in the Month of February for a Five-Year Period

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Fire Calls	113	111	76	107	97
Ambulance Calls	<u>424</u>	<u>433</u>	<u>382</u>	<u>432</u>	<u>483</u>
Total Calls	537	544	458	539	580



Training

Departmental Training:

347.5 man hours

Building Inspections
 Rescue Tools
 Duties and Responsibilities
 Firefighter Rapid Intervention
 NREMT Intubation Practice
 Lifepack 15 Orientation
 First Amendment Audits
 Pump and Hose Evolutions
 Standpipe and Hose Evolutions
 Pre-Connect Deployment
 Ladders
 Equipment Maintenance
 Ropes and Rigging
 Fit Testing
 Apparatus Check Procedures

Fire Prevention Bureau

Complaints Received	1
Conferences Held	12
Correspondence	64
Inspections Performed	40
Investigations Conducted	1
Plan Reviews	2
Burning Permits	3
Public Education	2

Personnel

Nothing to report.

Statistics Compiled by Julie A. Davis, Fire Administrative Officer

File Attachments for Item:

. Police Department monthly report for February 2023



City of Cumberland Department of Police

Monthly Report
February 2023



City of Cumberland Department of Police

Monthly Report

February 2023

Part 1 Crimes for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Aggravated Assaults	2	2	B & E (All)	7	10	Murder	0	0	Rape	0	0
Robbery	1	3	Theft - Felony	0	0	Theft - Vehicle	0	4			

Selected Criminal Complaints for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Theft - Misdemeanor	10	12	Theft - Petty	11	28	Domestic Assaults	22	12	CDS	39	35
Disturbances	102	111	DOP/Vandalism	17	10	Indecent Exposure	0	2	Sex Off - Other	2	2
Suicide	0	0	Suicide - Attmpt.	1	0	Tampering M/V	0	0	Abuse - Child	2	2
Trespassing	15	24	Assault on Police	4	3	Assault Other	24	25			

Selected Miscellenous Incidents for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Alcohol Volations	0	2	Juvenile Compl.	17	15	Missing Persons	1	6	School Resource	183	146
School Threat	0	0	Sex Off. Regist.	3	4	Truancy	1	1	Death Investigation	7	5

Selected Traffic Incidents for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
DWI	10	10	Hit & Run	17	15	M/V Crash	52	46	Traffic Stop	506	388

Selected Service Calls for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Alarms	41	36	Assist Motorist	19	25	Check Well-Being	76	96	Foot Patrol	52	121
Assist Other Agency	69	101	Bike Patrol	0	0	Special Events	6	8	Suspicious Activity	51	62

Current Incident Status for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
Open	12	96	Arrest	208	224	Closed	1815	1950	Suspended	46	34



City of Cumberland Department of Police

Monthly Report

February 2023

Arrests Totals for the Month

	2022	2023		2022	2023		2022	2023		2022	2023
M/V Citations	62	53	M/V SERO	2	0	M/V Warnings	438	326	Arrest on View Adult	43	36
Arrest On Crim. Cit.	11	22	Arrest Summons	27	37	Arrest Warrant Adult	31	39	Adult Crim.	113	138
Arrest Summon (Chrg)	21	26	Arrest Warrant (Chrg)	9	9	Juvenile Crim.	11	16	Arrest on View Juv	10	16
Arrest Warrant JUV	0	0	Emer. Petition	39	44	Fingerprinting	0	0	RunAway & Miss Per.	2	5
Civil Citation	2	3									

Total Incidents Reported :

2022	2023
2,081	2,304

Chuck Ternent - Chief of Police

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

February 2023

SWORN PERSONNEL: 51 SWON OFFICERS

Administration	6 officers
Squad D1	8 officers
Squad N1	8 officers
Squad D2	8 officers
Squad N2	7 officers
C3I/C3IN	5 officers
School Resource	2 officers
Academy	7 recruits
Medical/Modified Duty	0 officers

CIVILIAN EMPLOYEES: 7 full time, 7 part time

CPD Office Associate	1 full time
CPD Records Clerk	1 full time
CPD Records Clerk	0 part time OPEN
MCIN Coordinator	1 full time*
CPD Patrol Assistant	1 full time
CPD Crime Analyst	1 full time*
CPD Maintenance	1 part time
C3IN Office Associate	1 part time**
C3I Office Associate	1 full time
C3I Office Associate	1 part time**
MPA Supervisor	1 part time
Parking Meter Supervisor	1 full time
Parking Enforcement	2 part time
Code Enforcement	1 part time

*=Grant funded

**=Shared costs with other agencies

LEAVE REPORT

VACATION TAKEN: 476.5
COMP TIME USED: 154.25
SICK TIME USED: 252

YEAR TO DATE (beginning 07/01/22): 6,304.5
YEAR TO DATE (beginning 07/01/22): 7073
YEAR TO DATE (beginning 07/01/22): 1586.25

OVERTIME REPORT

OVERTIME WORKED: 56
HOSPITAL SECURITY: 40
COURT TIME WORKED: 356

YEAR TO DATE (beginning 07/01/22): 1,576
YEAR TO DATE (beginning 07/01/22): 464.5
YEAR TO DATE (beginning 07/01/22): 2,733

File Attachments for Item:

1. Approval of Regular Session Minutes - October 20, November 1 & 15, and December 6 & 20, 2022; January 3 & 17, February 7 & 21, 2023, and the Work Session Minutes of October 20, 2022 and November 15, 2022



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: October 20, 2022

I. OPEN SESSION 6:15 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

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

Also Present: Jeffery Silka, City Administrator; Marjorie Woodring, City Clerk

IV. Presentations

1. Mayor Morris announced the retirements of two long-time City employees: John Blankenship, is retiring with 38 years of service with the Fire Department. John is not present this evening.

Mayor Morriss stated: After 36 years of service, Margie Woodring is retiring from the City of Cumberland in the City Clerk position. Margie has been a fabulous City Clerk. She is a person of great character and integrity and with tremendous knowledge about the City of Cumberland. We will miss Margie. She is the epicenter of City Hall, which is a good description of her value to the City. I've never met anyone who did not recognize the value of Margie.

Mayor Morriss then presented the service award to Margie. The council members also praised and thanked her for her service to the City.

V. Directors Reports

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

(A) Public Works

1. Maintenance Division monthly report for September, 2022

(B) Fire Department

1. Fire Department monthly report for September, 2022

(C) Utilities- Flood, Water, Sewer

1. Utilities Division of Water/Sewer/Flood monthly report for September, 2022

VI. Approval of Minutes

Motion to approve the minutes was made by Council Member Marchini, seconded by Council Member Frazier, and was passed on a vote of 5-0.

1. Approval of the Work Session Minutes of June 21, 2022, the Work and Regular Session Minutes of July 5, 2022, and the closed Session Minutes of July 12, 2022

VII. Unfinished Business

(A) Ordinances

1. **Ordinance No. 3927** (*2nd and 3rd readings*) – authorizing the transfer of 119 Pennsylvania Avenue to Taryn Crites for the purchase price of \$1,000.

SECOND READING: The Ordinance was submitted in title only for its second reading.

Motion to accept the second reading and move to the third, after comment, was made by council Member Cioni, seconded by council Member Frazier, and was passed on a vote of 5-0.

Mayor Morriss opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted in title only for its third reading and was passed on a vote of 5-0.

VIII. New Business

(A) Ordinances

1. **Ordinance No. 3928** (*1st reading*) - authorizing the transfer of 619 Pennsylvania Avenue to C Corp Leasing, Inc. for the purchase price of \$559.

FIRST READING: The ordinance was presented in title only for its first reading. Motion to accept the first reading and table until next meeting was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 5-0.

2. **Ordinance No. 3929** (*1st reading*) – Authorizing the transfer of 222 Pear Street to C Corp Leasing, Inc. for the purchase price of \$1,022.

FIRST READING: The ordinance was presented in title only for its first reading. Motion to accept the first reading and table until next meeting was made by Council Member Marchini, seconded by Council Member Cioni, and was passed on a vote of 5-0.

3. **Ordinance No. 3930** (*1st reading*) – Authorizing the transfer of 420 Pine Street to Nelson Rivera for the purchase price of \$4,050.

FIRST READING: The ordinance was presented in title only for its first reading. Motion to accept the first reading and table until next meeting was made by Council Member Frazier, seconded by Council Member George, and was passed on a vote of 5-0.

4. **Ordinance No. 3931** (*1st reading*) – Authorizing the transfer of 842 Gephart Drive to C Corp Leasing, Inc. for the purchase price of \$1,084.

FIRST READING: The ordinance was presented in title only for its first reading. Motion to accept the first reading and table until next meeting was made by Council Member Marchini, seconded by Council Member Frazier, and was passed on a vote of 5-0.

5. **Ordinance No. 3932** (*1st reading*) – Authorizing the transfer of 846 Gephart Drive to C Corp Leasing, Inc. for the purchase price of \$1,846.

FIRST READING: The ordinance was presented in title only for its first reading. Motion to accept the first reading and table until next meeting was made by Council Member Cioni, seconded by Council Member George, and was passed on a vote of 5-0.

6. **Ordinance No. 3933** (*1st reading*) – Authorizing the transfer of 802 Maryland Avenue to C Corp Leasing, Inc. for the purchase price of \$1,000.

FIRST READING: The ordinance was presented in title only for its first reading. Motion to accept the first reading and table until next meeting was made by Council Member Marchini, seconded by Council Member Cioni, and was passed on a vote of 5-0.

- Ordinance No. 3934** (*1st reading*) – Authorizing the transfer of 13 West Clement Street to Dennis and Cheryl Sponaule for the purchase price of \$30,500.

FIRST READING: The ordinance was presented in title only for its first reading. Motion to accept the first reading and table until next meeting was made by Council Member Frazier, seconded by Council Member George, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to accept all items on the Consent Agenda was made by Council Member George and seconded by Council Member Frazier, and was passed on a vote of 5-0.

- 1. Order 27,099** - accepting the recommendation of the Planning and Zoning Commission to rezone the property at Seton Drive & Pinecrest Drive (Tax ID#06-010776) from R-S (Suburban Residential) to B-L (Local Business) and authorizing the commencement of procedures to formalize the amendment
- 2. Order 27, 100** - accepting the sole source proposal from Cargill Incorporated to provide road salt for an amount not to exceed \$200,000 for the term September 1, 2022 through August 31, 2023, with pricing obtained through the statewide contract
- 3. Order 27,101** - authorizing the sole source purchase of four new F150 Supercab XL Pickup Trucks for the Water and Sewer Departments from Diehl's Ford, Grantsville, MD, through Ford government discount pricing, in the not to exceed amount of \$164,160
- 4. Order 27,102** - authorizing the acceptance of the bid from Atlantic Tactical for the purchase of fifty-five (55) new Sig Sauer firearms at a total cost not to exceed \$39,972.20 through the State Bid process
- 5. Order 27,103** - authorizing the Chief of Police to accept the FY23 State Aid for Police Protection Fund Grant in the amount of \$715,343 to be used exclusively to provide adequate police protection in the qualifying municipality of Cumberland, Maryland
- 6. Order 27,104** - authorizing a Cost Share Agreement with MD-SHA regarding the Replacement of Bridge A-C-09 Cumberland Street Over CSX Railway (8-18-BR) with the City's portion estimated not to exceed \$209,845.61, which represents 20% of the total estimated cost of \$1,049,845.05
- 7. Order 27,105** - authorizing the City Administrator to accept a proposal from Tradition Energy for a 24-month contract for electric rates for City Assets in Maryland and Pennsylvania
- 8. Order 27,106** - awarding the Constitution Park Guard Station project to Harbel, Inc. in the amount not to exceed \$32,050
- 9. Order 27,107** - authorizing a Cost Share Agreement with MD-SHA regarding the Replacement of Bridge A-C-069 Baltimore Street Over Wills Creek (9-18-BR) with the City's portion estimated not to exceed \$22,364, which represents 20% of the total estimated cost of \$101,820
- 10. Order 27,108** - authorizing the purchase a new 2023 Chevrolet Express 2500 Cargo Van for prisoner transport from Criswell Automotive Fleet Sales for the cost not to exceed \$57,389 through a State Bid
- 11. Order 27,109** - accepting a grant (LPPI -1-14) from the Maryland Department of Natural Resources Board of Public Works in the amount of \$67,200 for the resurfacing of the Riverside BMX Track at Mason Sports Complex
- 12. Order 27,110** - awarding the contract to Belt Paving in the amount not to exceed \$232,227.85 for the mill, patch and paving work on Fayette Street
- 13. Order 27,111** - authorizing payment to various community groups from the hotel/motel tax receipts in an amount not to exceed \$44,960

14. Order 27,112 - authorizing execution of Change Order No. 2 to the Residential Grass Mowing Project (14-22-M) with Casey Smith, LLC dba/ServicePro, for the increased not to exceed amount of \$2,000.00; bringing the total contract amount to \$61,690

15. Order 27,113 - accepting the resignation of City Clerk Marjorie A. Woodring effective November 1, 2022

16. Order 27,114 - appointing Allison Layton to the position of City Clerk effective November 1, 2022 and authorizing execution of an Employment Agreement for the position

17. Order 27,115 - accepting the State Bid estimate for equipment and installation from East Coast Emergency Lighting Inc. to upfit five (5) 2023 Ford Police Interceptor vehicles at a cost not to exceed \$46,262.65

Council Member Marchini commented that she would like to offer congratulations to Andrea Emerick for building a place offering counseling and therapy services to adolescents and young people. She introduced Ms. Emerick and thanked her for investing in the City of Cumberland.

IX. Public Comments

None. No one signed up requesting to speak.

X. Adjournment

With no further business at hand, the meeting adjourned at 6:42 P. M.

Minutes approved on _____

Raymond M. Morriss, Mayor_____

ATTEST: Allison K. Layton, City Clerk_____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. “Rock” Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: November 01, 2022

I. OPEN SESSION 6:15 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

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

ABSENT:

Council Member Eugene T. Frazier

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

IV. Proclamations

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

Mayor Morriss read the proclamation.

V. Directors’ Reports

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

(A) Administrative Services

1. Administrative Services Monthly Report for June 2022

(B) Police

1. Police Department Monthly Report for September, 2022

VI. Approval of Minutes

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

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

VI. Public Hearings

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

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

Hearing Convened: 6:19 P.M.

No public comments

Hearing Adjourned: 6:22 P.M.

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

VII. Unfinished Business

(A) Ordinances

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

SECOND READING: The Ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by council Member George, seconded by Council Member Cioni, and was passed on a vote of 4-0.

Mayor Morris opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted in title only for its third reading and was passed on vote of 4-0.

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

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

SECOND READING: The Ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by council Member Marchini, seconded by Council Member George, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted in title only for its third reading and was passed on vote of 4-0.

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

SECOND READING: The Ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by council Member Cioni, seconded by Council Member George, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted in title only for its third reading and was passed on vote of 4-0.

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

SECOND READING: The Ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by council Member Marchini, seconded by Council Member George, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted in title only for its third reading and was passed on vote of 4-0.

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

SECOND READING: The Ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by council Member George, seconded by Council Member Cioni, and was passed on a vote of 4-0.

Mayor Morriss opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted in title only for its third reading and was passed on vote of 4-0.

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

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

SECOND READING: The Ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by council Member Marchini, seconded by Council Member George, and was passed on a vote of 4-0.

Mayor Morris opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted in title only for its third reading and was passed on vote of 4-0.

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

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

New Business

(A) Orders (Consent Agenda)

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

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

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

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

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

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

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

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

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

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

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

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

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

IX. Public Comments

All public comments are limited to 5 minutes per person

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

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

Council Member Cioni asked if they are being told to move on, or are they arrested? And if they are being arrested is it for open containers? Ms. Lockhart stated she has researched public record regarding what they have been arrested for, which is said is trespassing. She questioned about there being no "No Trespassing" signs.

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

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

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

Mayor Morriss stated that the City does not endorse public intoxication, it endorses open container orders for specific pub crawl events, and increased police presence is controlling the situation. Council Member Cioni stated that MCC have talked with Pastor Ziler from URM, and said that the Pastor approaches the homeless nearly every day. Rarely do they want services other than to be fed.

X. Adjournment

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

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk_____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: November 15, 2022

I. OPEN SESSION 6:15 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

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

Also Present: Jeffery Silka, City Administrator; Ken Tressler, Director of Administrative Services; Alison Layton, City Clerk;

IV. Statement of Closed Meeting

1. The Mayor announced that a closed meeting had been held on November 15, 2022 at 4:30 P.M. and read into the record a summary of that meeting which is attached hereto and made a part of these minutes as required under Section 3-306 (c)(2) of the General Provisions Article of the Annotated code of Maryland.

V. Proclamations

1. Proclamation declaring November 26, 2022 to be Small Business Saturday in the City of Cumberland, Maryland

Mayor Morris read the Proclamation for Small Business Saturday and presented it to Melinda Kelleher, Executive Director of the Downtown Development Corporation

VI. Directors Reports

Motion to approve the reports was made by Council Member Frazier, seconded by Council Member George, and was passed on a vote of 5-0

(A) Administrative Services

1. Administrative Services reports for July, August, and September 2022

(B) Fire

1. Fire Department Monthly Report for October, 2022

(C) Police

1. Police Department Monthly Report for October, 2022

(D) Utilities - Flood, Water, Sewer

1. Utilities Division Water/Sewer/Flood Monthly Report for October, 2022

VII. Public Hearings

1. Public Hearing - to receive comment on the proposed Zoning Map Amendment (ZMA 22-02) recommended by the Municipal Planning and Zoning Commission to rezone the property at the southeast corner of Seton Drive and Pinecrest Drive from the current R-S (Suburban Residential) to B-L (Local Business) Applicant Andrea Emerick filed a petition on August 31, 2022 to rezone property at Seton Dr. & Pinecrest Dr. to B-L .Property adjacent owned by UPMC Western Maryland and currently zoned B-L Applicant plans to construct an office building to house the counseling facilities to be operated by applicant/contract purchaser. Planning Commission held a public hearing and voted to recommend the change on September 26, 2022. Notice of Public Hearing posted on Affected Property and advertised in Cumberland Times News on October 19 & 26, 2022.

Hearing Convened: 6:25 P.M.

No public comments

Hearing Adjourned: 6:26 P.M.

VII. Unfinished Business

(A) Resolutions

1. **Resolution R2022-07 ANNEX** (2nd and 3rd readings) - to annex land located along the east side of Messick Road and the north side of Starlight Drive and Limestone Road in Allegany County, MD, Election District No. 16, consisting of 37.69 acres +/- and owned by the Cumberland Economic Development Corporation

SECOND READING: The resolution was submitted in title only for its second reading.

Motion to accept the second reading and move to the third, after comment, was made by

Council Member George, seconded by Council Member Marchini, and was passed on a vote of 5-0.

Mayor Morriss opened the floor for questions and comments. Being none, the resolution moved to its third reading.

THIRD READING: The resolution was submitted in title only for its third reading and was passed on vote of 5-0.

VIII. New Business

(A) Ordinances

1. **Ordinance No. 3935** (*1st reading*) - authorizing the amendment of Sections 16-1 through 16-6 of the Code of the City of Cumberland for the purpose of updating pay grades

FIRST READING: The ordinance was submitted in title only for its first reading.

Motion to accept the first reading and table until next meeting was made by Council Member Marchini, seconded by Council Member Frazier, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Mr. Tressler reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to accept all items on the Consent Agenda was made by Council Member Marchini, seconded by Council Member Frazier, and was passed on a vote of 5-0.

Order 27,128 - authorizing the execution of an Assignment and Assumption of Parking Lease transferring right, title and interest from EII Cumberland Associates, LLC to State Frederick, LLC

2. Order 27,129 - accepting the proposal of Atlantic Emergency Solutions to provide one (1) 2023 Pierce Saber Fire Engine, that includes equipment and mounting of equipment for a total delivered price not to exceed \$716,838

3. Order 27,130 - accepting the proposal of Atlantic Emergency Solutions to provide one (1) 2023 Pierce Rescue Truck that includes equipment and mounting of equipment for a total delivered price not to exceed \$728,817

4. Order 27,131 - authorizing the purchase of upgraded Cisco WebEx Cloud Calling from SHI to replace the on-premise CISCO phone system and Segra phone service in the amount not to exceed \$35,658.68

5. Order 27,132 - accepting the proposal from Wycliffe Technologies to replace old cameras in City Hall and the Public Safety Building in the amount not to exceed \$79,056

6. Order 27,133 - declaring computer equipment as surplus to allow for electronics recycling

7. Order 27,134 - declaring certain City-owned properties to be surplus and authorizing them for public sale

8. Order 27,135 - adopting a revised set of Rules and Regulations for the Government of the Mayor and City Council in place of the prior version adopted by Order 26,320 and amended by Ordinance No. 3735

IX. Public Comments

No public comments

All public comments are limited to 5 minutes per person

Mayor Morriss thanked Fire Chief Adams, for doing a great job finding the rescue truck and fire engine. He stated that they will be receiving one vehicle in February, and one in May.

Council Member Marchini thanked everyone for participating in Leadership Allegany Rising Day, saying that everyone was a huge help. She added that twenty-three kids were able to come to City Hall and experience local government.

X. Adjournment

With no further business at hand, the meeting adjourned at 6:38 P. M.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: December 06, 2022

I. OPEN SESSION 6:19 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

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

Also Present: Jeffery Silka, City Administrator; Alison Layton, City Clerk;

IV. Statement of Closed Meeting

1. The Mayor announced that a closed meeting had been held on December 6, 2022 at 5:00 P.M. and read into the record a summary of that meeting which is attached hereto and made a part of these minutes as required under Section 3-306 (c) (2) of the General Provisions Article of the Annotated code of Maryland.

V. Proclamations

1. Proclamation declaring Municipal Government Month in the City of Cumberland, Maryland

Mayor Morris read the Proclamation

VI. Approval of Minutes

Motion to approve the minutes was made by Council Member Frazier, seconded by Council Member Cioni, and was passed on a vote of 5-0

1. Approval of the Closed, Work, and Regular Session Minutes of June 7, 2022, the Work Session Minutes of July 19, 2022, the Special Public Meeting Minutes of August 4, 2022, and the Closed, Work, and Regular Session Minutes of August 16, 2022

VII. Public Comments – for Agenda Items only

No public comments

All public comments are limited to 5 minutes per person

VIII. Unfinished Business

(A) Ordinances

1. **Ordinance No. 3935** (*2nd and 3rd readings*) - authorizing the amendment of Sections 16-1 through 16-6 of the Code of the City of Cumberland for the purpose of updating pay grades

SECOND READING: **Motion** to accept the second reading and move on to the third reading after comment was made by Council Member Cioni, seconded by Council Member George, and was passed on a vote of 5-0.

Mayor Morriss opened the floor for questions or comments. Being none, the ordinance moved to its third reading.

THIRD READING: The ordinance was submitted for its third reading and was passed on a vote of 5-0.

IX. New Business

(A) Resolutions

1. Resolution 2022-10 (one reading only) - adopting an employer money purchase retirement plan with MissionSquare.

The resolution was submitted in title only for the its reading. **Motion** to accept the resolution was made by Council Member Marchini, seconded by Council Member Frazier, and was passed on a vote of 5-0.

2. Resolution 2022-11 (one reading only) - adopting an employee deferred compensation plan with MissionSquare

The resolution was submitted in title only for its reading. **Motion** to accept the resolution was made by Council Member Frazier seconded by Council Member Cioni, and was passed on a vote of 5-0.

(B) Ordinances

1. Ordinance 3936 (1st reading) - an ordinance to repeal and re-enact with amendments sections 19-2 to 19-5 of Chapter 19 of the Code of the City entitled "Public Ethics" for the purpose of complying with state law

FIRST READING: The ordinance was submitted in title only for its first reading. **Motion** to accept the first reading and table the ordinance until the next meeting was made by Council Member Cioni, seconded by Council Member George and passed by a vote of 5-0.

2. Ordinance 3937 (1st reading) – an ordinance to approve the petition to amend the official zoning map to rezone property located at the intersection of Seton Drive and Pinecrest Drive from R-S (Suburban Residential) to B-L (Local Business)

FIRST READING: The ordinance was submitted in title only for its first reading. **Motion** to accept the first reading and table the ordinance until the next meeting was made by Council Member George, seconded by Council Member Frazier and passed by a vote of 5-0.

(C) Orders (Consent Agenda)

Mr. Silka reviewed each item on the consent Agenda, and Mayor Morris called for questions or comments. **Motion** to accept all items on the consent Agenda was made by Council Member George, seconded by council Member Cioni, and was passed on a vote of 5-0.

1. Order 27,136 - lifting Section 11-113 of the City Code from 9:00 PM on December 31, 2022 through 2:00 AM on January 1, 2023., to allow for the use of open containers of alcohol within certain areas of the downtown during the "New Year's Eve" event; notwithstanding that open glass containers shall not be permitted

2. Order 27,137 - accepting the proposal from Carl Belt, Inc. for the Constitution Park Splash Pad Project (14-21-RE) in an amount not to exceed \$499,020.91

3. Order 27,138 - accepting the proposal from Carl Belt, Inc. for the Constitution Park Amphitheater Contract (31-21-RE) in an amount not to exceed \$170,387.23

4. Order 27,139 - accepting the proposal of Micro-Tech Designs to perform SCADA improvement as needed for emergencies or maintenance and entering into a three (3) year agreement at a cost not to exceed of \$490,000

5. Order 27,140 - declaring certain City-owned properties to be surplus and authorizing them for public sale

6. Order 27,141 - amending Order 26,508 and executing a new Cooperation Agreement with the Housing Authority of the City of Cumberland recognizing the name change from Wills Creek View, LP to JFK Apartments, LP

7. Order 27,142 - approving FY22 General Fund appropriations and transfers

8. Order 27, 143 - authorizing an allocation from the Baltimore Street Improvement funds in an amount not to exceed \$420,000 to the CEDC for their Downtown Capital Assistance Program in exchange for the DGS Capital Grant of \$420,000 awarded to the CEDC for the Baltimore Street Improvement Project

X. Public Comments

All public comments are limited to 5 minutes per person

Joshua Tebora , Mount Royal Avenue suggested an ordinance permitting backyard chickens. He stated that his partner made a request to have chickens in 2020. As no objections were voiced over the request, they acquired a small flock of four hens. They have supplemented the flock size since then, through hatching some of their own eggs. Having backyard chickens has been a boost to quality of life. His family, especially his 12-year-old stepdaughter, have enjoyed rearing and caring for the chickens. He stated that his neighbors have stated they are in favor of the chickens, and said the chickens have been helpful in expanding their social network. Tebora stated that he grew up two hours away in Montgomery County where this opportunity would have been out of reach. When moving to Allegany County in 2013 he said he came to love the rural vibrancy of the area. He said he can't understand why the City is against a backyard chicken ordinance, as Frostburg has successfully implemented a backyard chicken ordinance since 2016.

After being approached by code enforcement in November to remove the chickens, Tebora is in attendance today to ask for a change to code. He believes it would be viewed favorably by the community. He has moved chickens out of the City limits – saying he has acted with nothing but good faith.

Mayor Morriss: I have as reviewed the email chain from 2020. No ordinance permitting chickens has passed. So, he was in violation. His chickens were reported by neighbors, so they are not all in agreeance as he stated. In addition, the Frostburg ordinance specifically excludes having roosters, which Mr. Tebora does have. There have been four or more complaints about chickens within the city limits in the last month alone, therefore M&CC see no reason to propose an ordinance allowing backyard chickens within the City limits.

XI. Adjournment

With no further business at hand, the meeting adjourned at 6:42 P. M.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: December 20, 2022

I. OPEN SESSION 6:15 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

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

Also Present: Jeffery Silka, City Administrator; Michael Cohen, City Solicitor; Sherri Nicol, Assistant to City Clerk

IV. Statement of Closed Meeting

1. The Mayor announced that a closed meeting had been held on December 20, 2022 at 4:30 P.M. and read into the record a summary of that meeting which is attached hereto and made a part of these minutes as required by Section 3-306 (c) (2) of the General Provisions Article of the Annotated Code of Maryland.

V. Presentations

1. Retirements

Mayor Morris announced the retirements of two long-time City employees:

Diane Johnson, Director of Parks and Recreation, has been with the city since 1993. She is retiring on January 1, 2023 with just under 40 years of service, 29 of those years with Parks and

Recreation. Diane oversaw Constitution Park programs, pools, pavilion rentals, Halloween and Fourth of July activities and tree lighting ceremonies.

Debbie Helmstetter, Codes Technician, has been with the City since August, 2013. She assisted with code enforcements, mentored new employees. Debbie will also be retiring on January 1, 2023.

Both employees will be missed.

VI. Directors' Reports

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

(A) Administrative Services

1. Administrative Services Monthly Reports for October and November, 2022

(B) Public Works

1. Maintenance Division monthly reports for October and November, 2022

(C) Police

1. November 2022 Monthly Police Report

(D) Utilities - Flood, Water, Sewer

1. Utilities Division (Water/Sewer/Flood) November Monthly Report

VII. Approval of Minutes

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

1. Approval of the Closed, Work, and Regular Session Minutes of September 6, 2022, and the Closed Session Minutes of September 13, 2022.

VIII. Public Comments – For Agenda Items Only

No public comments

All public comments are limited to five minutes

IX. Unfinished Business

(A) Ordinances

1. **Ordinance No. 3936** (2nd and 3rd readings)-an ordinance to repeal and re-enact with amendments sections 19-2 to 19-5 of Chapter 19 of the Code of the city entitled “Public Ethics” for the purpose of complying with state law.

SECOND READING: The Ordinance was submitted for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 5-0.

Mayor Morriss opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted for its third reading and was passed on vote of 5-0.

2. **Ordinance No. 3937** (2nd and 3rd readings) - an ordinance to approve the petition to amend the official zoning map to rezone property located at the intersection of Seton Drive and Pinecrest Drive from R-S (Suburban Residential) to B-L (Local Business)

SECOND READING: The Ordinance was submitted for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by Council Member Frazier, seconded by Council Member George, and was passed on a vote of 5-0.

Mayor Morriss opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted for its third reading and was passed on vote of 5-0

X. New Business

(A) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to accept all items on the Consent Agenda was made by Council Member George, seconded by Council Member Marchini, and was passed on a vote of 5-0.

1. **Order 27,144** - amending the City of Cumberland Municipal Debt Policy, originally adopted by Order 25,001 and dated September 29, 2009, to establish comprehensive guidelines for the issuance and management of the City's debt
2. **Order 27,145** - accepting the retirement of John C. Ternent, Chief of Police effective January 1, 2023
3. **Order 27,146** -appointing Captain James D. Burt as acting Police Chief, effective January 1, 2023
4. **Order 27,147** - authorizing \$25,000 in initial start-up funds for the Carver Center for the purposes of utilities and insurance
5. **Order 27,148** - authorizing the sole source proposal from Carl Belt, Inc. for the emergency repair work on the 18" Sewer line in Mechanic Street for an amount not to exceed \$157,718.10
6. **Order 27,149** - authorizing the purchase of a new Ford F-600 dump truck with plow and spreader for the Water Department from Keystone Ford for a price not to exceed \$116,485
7. **Order 27,150** - authorizing the purchase of a new Ford F-550 service body truck for the Water Department from Keystone Ford for an amount not to exceed \$110,435

8. **Order 27,151** - authorizing the purchase of a new Ford F-250 regular cab pickup truck with plow for the Flood Control Department from Keystone Ford for an amount not to exceed \$55,160

9. **Order 27,152** - authorizing the purchase of a new F-350 service body truck for the Street Department from Keystone Ford and J & J Equipment for an amount not to exceed \$64,491

10. **Order 27,153**, authorizing the transfer of 309 S. Cedar Street from Richard A. Pravlik to Kevin Knisely.

Mr. Silka advised that the bid was awarded to Mr. Pravlik who is choosing to transfer the property to Mr. Kniseley.

11. **Order 27,154** - authorizing the forgiveness of loans within the Deferred Loan Program due to deficiencies with the program documents

12. **Order 27,155** – amending the ARPA funding allocation approved by Order 26,961, approving an increase of \$100,000 to Affordable Housing Assistance and a decrease of \$100,000 to Community Development Property Improvement

13. **Order 27,156** - declaring certain City-owned properties to be surplus and authorizing them for public sale

XI. Letters / Petitions

1. Letter from the City Clerk advising that the MD State Board of Canvassers certified the 2022 General Election results on December 12 2020, and that the Mayor, Raymond M. Morriss, was re-elected and Richard J. “Rock” Cioni and James Leo Furstenberg, III., having received the two highest number of votes for the office of Council, are hereby declared nominated and will be sworn into office on January 3, 2023

Recognition of Fort Hill High School 2022 State Champion Football Team

Mayor Morris read City of Cumberland Certificate of Recognition to the Fort Hill High School Football Team in honor of the team winning the Maryland State Class I-A 2022 Football Championship. Certificate presented to Coach Zachary Alkire, players, and coaches. Mayor Morris: The team has been consistent representatives of Fort Hill and the City of Cumberland, we appreciate their outstanding performance, and we want you to know how we feel about what you’ve done on the field and in representing our community.

Mayor Morriss presented the certificate, and photos were taken.

Council Member Marchini stated that for many years she would travel downstate for meetings while working at the Board of Education, and said she would always hear comments from

representatives from other counties about the Fort Hill football players, who said they didn't mind losing to our team because the players were such gentlemen, both on and off the field.

XII. Public Comments

No public comments

All public comments are limited to five minutes

XIII. Adjournment

With no further business at hand, the meeting adjourned at 6:55 P. M.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morris
Councilman Richard J. “Rock” Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: January 3, 2023

I. OPEN SESSION - 6:15 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Council Member Richard J. “Rock” Cioni
Council Member Eugene T. Frazier
Council Member James L. Furstenberg
Council Member Laurie P. Marchini
President Raymond M. Morris

Also Present: Jeffery Silka, City Administrator; Alison Layton, City Clerk;

IV. Presentations

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

5 Year Service Awards

William Harris, III—Public Worker II
Randon Crabtree—Pipe Technician II
Robert Smith—Director of Engineering and Utilities
Kevin Tacker—Code Compliance Manager/Risk Manager
Michael Vise—Patrolman 1st Class CPD

20 Year Service Awards

Jim Burt—Acting Chief of Police, CPD
Eric Bonner—Administrative Lieutenant CPD

30 Year Service Awards

Ken McKenzie—Equipment Operator/Paramedic CFD
Chuck Ternent—Chief of Police CPD

50 Year Service Award

Kevin Ogle—MPA Supervisor

2 Presentation of Life Saving Awards to Cumberland Firefighter/CRT Hunter McCrobie and Firefighter/EMT-P Nicholas Miller

Fire Chief Adams advised that on December 5, 2021, the CFD received a call from the Ridgeley VFD for EMT assistance for a cardiac arrest patient at the residence of Jason and Tammy Courtney. He stated that the patient, Tammy Courtney, was stabilized by Firefighters Hunter McCrobie and Nicholas Miller and was transported to hospital. He added that Mrs. Courtney has made a complete recovery and she and her husband reached out to the CFD requesting to meet and thank the emergency responders who had assisted with saving her life.

V. Directors' Reports

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

(A) Fire Department

1. Fire Department Monthly Report for November, 2022

VI. Approval of Minutes

Motion to approve the minutes was made by Council Member Marchini, seconded by Council Member Furstenburg, and was passed on a vote of 5-0

1. Approval of the Work Session Minutes of September 13 and September 20, 2022

VII. Public Comments – FOR AGENDA ITEMS ONLY

No public comments

All public comments are limited to 5 minutes per person

VIII. New Business

(A) Resolutions

1. Resolution R2023-01 (1 Reading only) - authorizing certain businesses located in the Gateway Enterprises Zone to receive tax credits for the year 2023-2024

The resolution was submitted in title only for its only reading. **Motion** to approve the resolution was made by Council Member Cioni, seconded by Council Member Frazier, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Mr. Tressler reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to accept all items on the Consent Agenda was made by

Council Member Frazier, seconded by Council Member Furstenberg, and was passed on a vote of 5-0.

1. **Order 27,157** - declaring certain City-owned properties to be surplus and authorizing them for public sale
2. **Order 27,158** - amending the Memorandum of Understanding with the Maryland State Highway Administration for the Baltimore Street Access Project increasing the grant assistance to \$9,709,128
3. **Order 27,159** - abating City property taxes for the Carver Center, 340 Frederick Street (Tax ID's 23-001233 and 23-003422) for Tax Years 2018-2022

IX. Public Comments

All public comments are limited to 5 minutes per person

Todd Umstott, local business owner of the 7-11 at 400 Maryland Avenue spoke about the Maryland Avenue Development project (Rolling Mills), the planned hotel, gas station, restaurant, etc. and said it was welcome news at the time. He stated, however, that having heard about Royal Farms coming in, and as the only business currently operating on Maryland Avenue, there has been zero communication with him about any considerations given to existing businesses. He said he welcomes redevelopment, but is worried about there being a negative impact to his business with the others coming into the area.

Mayor Morriss advised that they will have Matt Miller, Executive Director of the CEDC, reach out to Mr. Umstott regarding a status update on the project. He said that all the businesses Mr. Umstott mentioned have been in talks with the developer – and said it may change week to week as to who will sign and when. He added that once everything is up and running, he thinks Umstott's business will improve with the increased traffic in the area.

Mr. Umstott advised that he and his wife have reached out previously, and are open to talks. Council took Mr. Umstott's information and will have Mr. Miller contact him.

X. Adjournment

With no further business at hand, the meeting adjourned at 6:55 P. M.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: January 17, 2023

I. OPEN SESSION 6:15 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

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

Also Present: Jeffery Silka, City Administrator; Alison Layton, City Clerk; Captain Jim Burt, Acting Police Chief; Shannon Adams, Fire Chief

IV. Presentations

1. Acting Police Chief Captain Jim Burt presented several awards to officers of the CPD, and administered the Oath of Office to three new patrol officers:

PFC Cassidy Lease - CPD Medal of Valor for her efforts to save the life of a young child on October 27, 2022

Sgt. Jeremy Robison and PFC Ashlee Stumbaugh - CPD Life Saving Awards for their assistance in saving the life of a young child on October 27, 2022.

Oath of Office - Patrol Officers Trey Harper, Nicholas Stumbaugh and Jacob Garrison

2. Fire Chief Shannon Adams recognized Firefighter Trenton R. Rodriguez and Firefighter/EMT-B Samuel L. Arnone on their successful completion of the Firefighter Recruit Training approved by the Maryland Fire and Rescue Institute

V. Directors' Reports

Motion to approve the reports was made by Council Member Cioni, seconded by Council Member Furstenberg, and was passed on a vote of 5-0

(A) Administrative Services

1. Administrative Services Monthly Report for December 2022

(B) Public Works

1. Maintenance Division Monthly Report for December 2022

(C) Fire

1. Fire Department Monthly Report for December, 2022

(D) Police

1. Police Department Monthly Report for December, 2022

(E) Utilities - Flood, Water, Sewer

1. Utilities Division Water/Sewer/Flood Monthly Report for December, 2022

VI. Approval of Minutes

Motion To approve the minutes was made by Council Member Frazier, seconded by Council Member Marchini, and was passed by a vote of 5-0.

1. Approval of the Regular Session Minutes of September 20, 2022

VII. Public Comments for Agenda Items Only

VIII. New Business

(A) Ordinances

Ordinance 3938 – (*first reading*) providing for the issuance and sale of an aggregate principal amount not to exceed \$4,250,000 of general obligation bonds of the Mayor and City Council of Cumberland.

First Reading: The ordinance was submitted in title only for its first reading. **Motion** to accept the first reading and table until the next meeting was made by council Member Cioni, seconded by Council Member Marchini, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to accept all items on the Consent Agenda was made by

Council Member Frazier and seconded by Council Member Marchini, and was passed on a vote of 5-0.

Order 27,160 - declaring certain City-owned properties to be surplus and authorizing them for public sale--766 Maryland Avenue

Order 27,161 - declaring computer equipment as surplus property and authorizing it to be scrapped or re-cycled

Order 27,162 - declaring Cumberland Police Department Unit #2 (2006 Dodge Durango, Vin# 1D4HB38N06F172715) surplus for sale or scrap

Order 27,163 - awarding Neighborhoods Matter grant funding, supported by the American Rescue Plan Act for Community Development Property Improvement, to three properties in a total not to exceed \$88,303.74—711 Green Street, 425 Walnut Street, 105 Grand Avenue

Order 27,164 - authorizing the execution of an Employment Agreement with Chuck Ternent, Chief of Police for a three-year term

Order 27,165 - authorizing the Acting Chief of Police to accept a FY22 Edward Byrne Memorial Justice Assistance Grant award in the amount of \$13,131 to be used to purchase additional less lethal weapons and equipment to be utilized by the Cumberland Police Department and the Allegany County Sheriff's Office

Order 27,166 - authorizing the execution of Change Order #1 for the Sole Source contract from Belt Paving, Inc., to pave Queen City Drive (Winston Street) and Virginia Avenue, City Project No. 2022-18-PVG, in the lump sum price not to exceed Eighty-Four Thousand Nine Hundred Forty-One Dollars and Fourteen Cents (\$84,941.14)

Order 27,167 - authorizing the extension of Burgmeier's Hauling, Inc.'s current contract by one year to collect and haul outside municipal solid waste and recycling at an amount not to exceed \$1,340,512.68 for the term July 1, 2023 through June 30, 2024

Order 27,168 - authorizing the extension of the Noble Environmental – Mountainview Landfill contract by one year at a rate not to exceed \$39.68 per ton tipping fee for the term July 1, 2023 through June 30, 2024

IX. Letters/Petitions

1. Letter from the City Clerk indicating that the deadline has passed for receiving a petition with regard to the Annexation Resolution No. R2022-07 and that it became effective on January 2, 2023
2. Letter from City Clerk advising Mayor and City Council that Charter Amendment Resolutions 149, 150 and 151 have all passed their referendum period and became effective as of November 9, 2022

X. Public Comments

Frank Asher, Carlene Dowell, Gail DeVore, Alexandra Brawn, and returning speaker Joshua Tebora all discussed the topic of backyard chickens and wanting the City to change the

code to allow citizens to keep chickens on their property. Their reasons ranged from the price of eggs today, to harmful insects chickens will eat, to their assertion of the fun and fulfillment of raising chickens. Mr. Tebora advised that he has a petition for backyard chicken raising support signed by 780 people. He added that there already is a thriving group of backyard chicken raisers within the City limits, doing so outside of City Code restraints.

XI. Adjournment

With no further business at hand, the meeting adjourned at 7:06 P. M.

Minutes approved on _____

Raymond M. Morriss, Mayor_____

ATTEST: Allison K. Layton, City Clerk_____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: February 7, 2023

I. OPEN SESSION 6:15 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

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

Also Present: Jeffery Silka, City Administrator; Allison Layton, City Clerk; Ken Tressler
Director of Administrative Services

IV. Statement of Closed Meeting

1. The Mayor announced that a closed meeting had been held on February 7, 2023 at 4:30 P.M. and read into the record a summary of that meeting which is attached hereto and made a part of these minutes as required by Section 3-306 (c) (2) of the General Provisions Article of the Annotated Code of Maryland.

V. Directors Reports

Motion to approve the reports was made by Council Member Cioni, seconded by Council Member Marchini, and was passed on a vote of 5-0

(A) Engineering

1. Engineering Division Monthly Report for January 2023

VI. Approval of Minutes

Motion to approve the minutes was made by Council Member Furstenberg, seconded by Council Member Frazier, and was passed on a vote of 5-0.

1. Approval of the Work and Regular Session Minutes of October 4, 2022.

VII. Public Hearings

1. Public hearing to consider an Ordinance (Number 3938) authorizing the issuance and sale of general obligation debt in an aggregate principal amount not to exceed \$4,250,000 to be issued under the State of Maryland's Local Government Infrastructure Financing Program.

Convened 6:18 PM

No public comments

Adjourned 6:19 PM

2. Public hearing for the Community Development Block Grant (CDBG) 2023 Annual Action Plan

Convened 6:19 PM

Lee Borrer, Senior Community Development Specialist, Block Grant undergoes a yearly application process, but HUD requires a plan be submitted every five years, that creates a strategic plan. Currently are in the fourth year of the five-year plan created in 2020. Priority needs: Annual action plan created based upon applications from organizations in the City. Applications due Feb. 17, checklist available for anyone interested in applying for the funds. Must be located within municipal city limits.

Estimated allocation: \$800,000 until we receive notice from HUD later this year of exact amount. Review committee looks at each applicant's capacity/experience, amount of funds requested, completeness of application. Comments received in writing through April 17, 2023. Presented at a second hearing, upcoming. After being sent to HUD in May, approval is received in August. Awardees granted funds sometime in October. to get their projects underway. Question from Council Member Cioni: This amount has been consistent since I've been around. Lee: Yes, it has been around that amount for the last several years. Has only varied within a couple hundred dollars

Mark Bittinger, Executive director of Friends Aware. Friends Aware founded in 1954, nonprofit in Cumberland. Employs 175 people; operates on a 24/7 basis. Mission to provide people with diverse abilities with support to live their best lives as members of the community. Life Enrichment Center: provides meaningful day services – 50 ppl - life skills, auditory, artistic, computer skills are given a daily opportunity to participate in local activities: bowling, day trips, library visits, etc. Residential services: 40 ppl – support individuals' social behavior, communication, household chores, performing self-care, and offer personal support services. Tax exempt 501 (c)(3) organization. Vast majority of funding based on billing for services they provide. Seeking consideration to continue services by assisting with three improvement projects:

1. Water tank which supplies sprinkler system to Holland Street facility – multiple repairs/upgrades are needed to comply. 2 are critical, 6 are necessary to meet OSHA standards. \$71,600

2. Installation of backup generator with propane fuel tank supply – to be maintained at Holland Street address. Vital to services at main campus and group homes. Standby generator to be installed by certified contractor and propane tank. \$19,000 cost

3. Replacement of asphalt shingle roof – 600 Furnace St. going to require new roof at cost of \$18,000

Rhonda Pick – Executive Director of Family Crisis Resource Center. FCRC has been in the community since 1978 providing services to victims and survivors of domestic violence, sexual assault, etc. Application is for abuse intervention program. Program holds offenders accountable for their actions. Teaches them non-violent relationship skills to increase the safety of victims of abuse. Abuse intervention challenges abusers to view their actions and take responsibility for their actions. Each perpetrator attends 22 group sessions to help them think critically about their relationships. Program is certified by the Governors' Office. Works with law enforcement, probation and parole officers, and prosecutors. 94% of those who complete the program, do not re-offend. City of Cumberland is not immune from the problems of domestic violence It . affects the physical and mental health of adults and the children in violent homes as well. Project addresses City's goal to provide supportive services. Services are provided on a sliding fee scale, offenders pay based on their income, but fees do not cover all of the program's costs. Program is about \$95,000 per year to run. Asking for the project to continue.

Susan Malone – HRDC – Community Action Agency for Allegany County since 1965. HRDC runs over 35 programs helping low-income adults, senior citizens, and children. Operate Head Start and Senior Centers throughout Allegany County. Provide food delivery services, mobility transportation service to take people to appointments, provide free tax preparation services; administer weatherization program, provide financial education, and affordable housing. Serve the homeless population. Applying for affordable housing funds to update existing property, a duplex on Pulaski Street in Cumberland. Only funding for this project is the rent they receive from tenants; however, it has not been occupied for 5 years, due to damage to the property from former tenants and age. Recently replaced the roof. Structure needs heating system replacement, plus work to repair damages from former tenant and some water damage, etc. Applying for funds for only for one side for heat system and renovations to bring it up to City Code. Rents increased significantly to COVID, increased cost for everything. Really impacting low-income citizens. Current fair market rent for a three -bedroom dwelling is \$1,073. At the time of last tenant, rent was \$565 for each three-bedroom unit. May have to up rent a little bit to maintain unit, but will be below current fair market rate. Rehab will help get the unit able to be utilized. Waiting on contractor for amount-does not have it now. \$20-30K estimate for repairs and heat system.

David Hill – Free Indeed Ministries – just been granted three houses from another non-profit. We need this assistance because so many complain about people released from prison with nothing to do but sell drugs. Hill stated he is an example of someone who came through and succeeded after prison. Wants to return the favor to some upcoming released prisoners coming into the community who are willing to work and be successfully mentored. Working with WCI Chaplain to identify good candidates to participate successfully in program. He believes he's the right man for the job, as he's been down that road after 20 years in prison. All three houses need work, including roofs on all, heating systems, insulation, water damage repairs, etc. Wants to fix the houses/neighborhood up and let Cumberland see that there are people coming out of prison willing to make a change for the better. Activities for the guys – coming into a different society, need to help them to adapt. Let them see they do not have to do the same things that got them in

prison. Opportunity is available. Trying to make a difference – all you need to reach is one person. Working on getting a SAM number to be able bid and request funding from available government sources. Thank you.

Adjourned 6:46 PM

VIII. Public Comment for Agenda Items Only

No public comments

IX. Unfinished Business

(A) Ordinances

1. **Ordinance No. 3938** (*2nd and 3rd readings*) – providing for the issuance and sale of an aggregate principal amount not to exceed \$4,250,000 of general obligation bonds of the Mayor and City Council of Cumberland.

SECOND READING: The Ordinance was submitted in title only for its second reading. **Motion** to accept the second reading and move to the third, after comment, was made by council Member Frazier, seconded by council Member Marchini, and was passed on a vote of 5-0.

Mayor Morriss opened the floor for questions and comments. Being none, the ordinance moved to its third reading.

THIRD READING: The Ordinance was submitted in title only for its third reading and was passed on vote of 5-0.

X. New Business

(A) Orders (Consent Agenda)

Mr. Tressler reviewed each item on the Consent Agenda, and Mayor Morriss called for questions or comments. **Motion** to accept all items on the Consent Agenda was made by Council Member Frazier, seconded by Council Member Cioni, and was passed on a vote of 5-0.

1. Order 27,169 - accepting the Round V Surplus Property bid from Richard Pravlik in the amount of \$7,500 for the purchase of 13 W. Clement Street

2. Order 27,170 - declaring 421 Arch St. to be surplus property to offer for sale

3. Order 27,171 - declaring vehicles and equipment to be surplus and authorizing them for sale or trade in

4. Order 27,172 - authorizing the Comptroller to abate City real estate taxes owed for the Memorial Avenue lots owned by the Cumberland Economic Development Corporation in the amount not to exceed \$38,095.20

5. Order 27,173 - authorizing the Acting Chief of Police to accept the FY23 Police Accountability, Community and Transparency (PACT) Grant in the amount of \$179,790 for the purchase of Body Worn Cameras

6. Order 27,174 - authorizing a Residential exemption from the Special Taxing District Levy for the 2022-2023 tax year for 55 Baltimore Street in the amount not to exceed \$1,042.76

7. Order 27,175 - authorizing Substantial Amendment #3 (12152022) to the Community Development Block Grant Program reducing the AHEC Emergency Dental Access (UU22.019) project by \$2,000 and increasing the 2022 YMCA Food Program (UU22.063) by \$2,000

8. Order 27,176 - authorizing Minor Amendment #4 (01032023) to the Community Development Block Grant Program involving a change in funding allocation to one identified activity (2020 Constitution Park Guard Station Rehabilitation (SS20.056) project) and 2021 Program Income

9. Order 27,177 - accepting the proposal from The Lakota Group in the amount not to exceed \$49,665 to develop a preservation plan for the City of Cumberland utilizing grant funds awarded in the amount of \$23,000

10. Order 27,178 - accepting the proposal from Farrell Forestry LLC for professional consulting forestry services for the Evitts Creek Watershed (City Project 2022-41-SRVC) in the amount not to exceed \$30,000

11. Order 27,179 - accepting the proposal from East Hills Engineering Design Services LLC to provide mechanical and electrical engineering design services for the City Hall HVAC Replacement Project (City Project 2022-11-PBLD)

12. Order 27,180 - accepting the proposal from Atlantic Lining Co., Inc., to design and install a new liner and floating cover for the Fort Hill Reservoir (City Project 2022-34-WTR) in the amount not to exceed \$728,100

13. Order 27,181 - accepting the proposal from MultiVista to install cameras for the Baltimore Street Access Project (in association with City Project 12-16-M) in the amount not to exceed \$41,786.10

XI. Public Comments

Chuck Schwab spoke about having chickens in Cumberland, and thinks they should be allowed.

Gail Devore also spoke on the chicken topic, saying she enjoyed caring for chickens as pets for all her life. She said that as an adult, chickens have been a part of local educational programs, and said she has spoken to John Kirby, former Frostburg Administrator to understand what their experience has been. She added that in 2016 when they adopted the chicken ordinance.

Carlene Dowell also added her thoughts on the backyard chickens topic. She said she wanted to review some of the rules about citizens speaking at council meetings. She stated that the culture is different here than in Wyoming. She added that time is running short and it's getting closed to spring, regarding giving folks enough time to build coops. Time is running close for Spring – people need time to build coops.

Joshua Tabora thanked others who have spoken out about this topic, and said he wants to reiterate his support for the keeping of backyard chickens. He stated that in the spirit of being solution-oriented, forming a backyard chicken keepers board or guild would be a good idea.

Jose Taylor – spoke about support for a youth football tournament, the 2nd Annual Queen City Tournament on March 24-26 in Allegany County. He said he's reaching out to ask for half of the \$2,000 for the cost of utilizing Greenway Avenue Stadium, and said he's also needing help with other expenses – insurance, coaches, referees. He explained that this tournament will bring revenue to the City – regarding hotels, restaurants, etc. He stated that last year there were 20 teams, this year they are expecting at least 45. He also advised that he has reserved rooms at many area hotels, and is also reaching out to TWR to help with radio communication in exchange for an advertising banner. He added that his goal is to highlight the City of Cumberland and the Canal and the Downtown, informing parents of these kids about local restaurants and stores.

Mayor Morriss thanked Mr. Taylor for the information, and advised him to continue to seek support.

In answer to questions from Council, Mr. Taylor advised that teams have been established for several years, and they desire to have a nice complex to play in. He said that because of word of mouth, numbers are increasing tremendously. He added that this will provide great event for the weekend and highlight the local area

Norman Spencer spoke about the football tournament, and said travel football started in this area 10 years ago. He said the kids love it, and said he is the VP of the local league, and said they go July through November. He suggested starting a tourney here in Cumberland to bring people to our area

Mayor Morriss stated that the sport is growing fast, which is great.

Dana Tinnen stated that the youth of Cumberland are overlooked, and said there is a need to spotlight student athletes. He asked M&CC to consider putting support behind youth programs. There was also discussion about starting up the Neighborhood Advisory Commission again.

The Mayor said that M&CC will work with you on Neighborhood Advisory Commission, and advised that it's a matter of organizing and takes participation of the community. He said it has to be a two-way street – there needs to be community participation to make it work.

XII. Adjournment

With no further business at hand, the meeting adjourned at 7:27 P. M.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk_____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

MINUTES

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

DATE: February 21, 2023

I. OPEN SESSION - 6:15 P.M.

II. Pledge of Allegiance

III. Roll Call

PRESENT:

Council Member Richard J. "Rock" Cioni (by phone)
Council Member Eugene T. Frazier
Council Member James L. Furstenberg
Council Member Laurie P. Marchini

ABSENT:

President Raymond M. Morriss (*Council Member Marchini presiding*)

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

IV. Directors Reports

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

(A) Administrative Services

1. Administrative Services monthly report for January 2023

(B) Public Works

1. Maintenance Division monthly report for January, 2023

(C) Fire

1. Fire Department monthly report for January, 2023

(D) Police

1. Police Department monthly report for January, 2023

(E) Utilities- Flood, Water, Sewer

1. Utilities Division of Water/Sewer/Flood monthly report for January, 2023

V. Public Comments for Agenda Items Only

VI. New Business

(A) Ordinances

1. **Ordinance No. 3939** (*1st reading*) - authorizing the execution of an agreement of sale and a development agreement with Clock Tower Ventures, LLC for the sale of the property at 19 Frederick Street.

Mr. Silka advised that this is a private development firm, the property was sold to them for \$1.00, and they will be developing the project solely at their cost.

FIRST READING: The ordinance was submitted in title only for its first reading.

Motion to accept the first reading and table until the next meeting was made by Council Member Frazier, seconded by Council Member Furstenberg, and was passed on a vote of 4-0

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda, and Council Member Marchini called for questions or comments. Motion to accept all items on the Consent Agenda was made by Council Member George and seconded by Council Member Frazier, and was passed on a vote of 5-0.

1. **Order 27,182** - lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol within a defined area of the downtown mall for the Hooley Pub Crawl for the period of March 11, 2023 beginning at 12:00 p.m. and ending at 2:00 a.m. on March 12, 2023; notwithstanding, that open glass containers shall not be permitted

2. **Order 27,183** - accepting a donation of \$50,000 from the estate of Ann Callan, with funds restricted to the purchase of a new ambulance for the Cumberland Fire Department

3. **Order 27,184** - declaring vehicles and equipment to be surplus and authorizing them for sale or trade in

4. **Order 27,185** - authorizing appointments and reappointments to the Administrative Appeals Board, Downtown Development Commission, Historic Preservation Commission, Human Relations Commission, Municipal Planning and Zoning Commission, Shade Tree Commission and Zoning Board of Appeals

5. **Order 27,186** - authorizing the Fire Chief to accept the proposal from AIRVAC911 Air Vacuum Corporation to install engine exhaust removal systems at Cumberland Fire Department Central Station #1 and South End Station #2 on a sole source basis in the amount not to exceed \$55,450.00

6. Order 27,187 - accepting the proposal from Hite Associates to replace roofs at the Water Reclamation Facility's Blower Building & GBT Building, City Project 2023-05-WRF, in the amount not to exceed \$110,000

7. Order 27,188 - approving a sponsorship for Greenway Avenue Stadium Capital Improvement Fund for an advertising panel to be displayed for a ten-year term from February 2023 through February 3033 in the initial amount not to exceed \$10,000

Mr. Silka advised that the \$10,000 is a flat fee for the 10 years total, not for each individual year.

IX. Public Comments

Dana Tinnen requested funding for youth development, saying that sports/recreation in the City does not have enough allotted funds. He explained that most budgeted funds are for park and playground upkeep, grass cutting, etc. Mr. Tinnen said that \$50K should be a doable amount to help area youth reach their full potential. He also requested that the Neighborhood Advisory Committee be reinstated as a functioning part of the City's Boards and Commissions, with community member appointments.

Council Member Marchini adjourned the meeting at 6:27 PM; however, Ms. Gail Devore approached the podium to speak without having signed up to do so beforehand.

Council Member Marchini re-opened the meeting at 6:28 PM to allow Ms. Devore to speak.

Gail Devore spoke on the topic of keeping backyard chickens in the City. She said that in her opinion, having chickens is not just done on a whim, and advised on the care and maintenance of the flock and the coop, and specific things that need to be done in the winter to assure the flock's survival. Ms. Devore said that owning chickens is a hobby, but maintains that they are pets which take more effort than owning a dog. She added that they would like to form a citizens' advisory board and asked that this topic be placed on an agenda so they can address concerns about having chickens.

Council Member Marchini said that the M&CC has been doing a lot of research and has received comments/emails from both sides. She added that the topic is not on an agenda currently, but said staff is working on ideas/plans.

X. Adjournment

With no further business at hand, the meeting adjourned at 6:33 P. M.

Minutes approved on _____

Raymond M. Morriss, Mayor _____

ATTEST: Allison K. Layton, City Clerk _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman Joseph P. George
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

Mayor and City Council of Cumberland

WORK SESSION

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

Tuesday, November 15, 2022, 5:00 p.m.

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

ALSO PRESENT: Jeff Silka, City Administrator; Ken Tressler, Director of Administrative Services; Michael Cohen, City Solicitor; Allison Layton, City Clerk; Mark Gandolfi, City Comptroller; Denise Adams, Citizens Services Representative; Captain James Burt, CPD; Chuck Ternent, Chief of Police, CPD; Shannon Adams, Fire Chief;

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

I. AGENDA REVIEW - NOVEMBER 15, 2022

Mayor Morriss called for any questions or comments about tonight's public meeting agenda.

Mr. Gandolfi discussed the second-request letters for taxes that went out. He said it's normal - they didn't pay first time, ignore the second. He said the next step is to review the accounts, determine likelihood of collection – determining if collection of the amount is worth it, and said he was actually impressed with the number of people that did respond.

The public hearing on tonight's agenda – MAP Amendment Request for Seton Drive property – was discussed. Mr. Tressler reviewed the ordinance for pay grades, and said there have been a few positions created since the last time this ordinance has gone out, as well as a few removed. He went over the changes. He also talked about pay grades and advised that minimum wage is going up January 1, 2023, so Grade 6, the lowest grade, is moving to minimum wage. He added that the total compensation increase for 6 positions is \$15,000.

Denise Adams, the new Citizen Service Representative, was introduced. Mayor Morris said everyone is happy to have her on board.

Mr. Silka opened the floor for any discussion or questions about Orders.

There was discussion about the two CFD vehicles on order. Chief Adams advised that the anticipated delivery dates are February for the rescue vehicle, and May for the fire engine. There was discussion about Webex. Mr. Silka advised that this Webex is a phone provider, not a meeting service. He said they wanted to get away from the current provider, Segra, into the Webex realm, which is cloud calling, not meeting software. He advised that it's also significantly cheaper than Segra.

Mr. Silka advised that Order #8 regarding rules and regulations for M&CC meetings just added definitions and cleaned up the language.

There were no other questions.

II. POLICE BODY CAMS DISCUSSION

Chief Ternent advised about previous presentations regarding body cams. Having gone through a lot of demos and quotes, the Chief said one vendor in particular meets their needs. He reviewed all the many features of the equipment, and said the software allows sharing and redacting footage; therefore, this is the one they are recommending.

Chief Ternent also stated that they want to do the purchase with the County as a whole, and asked for fund allocation: 1st year, \$179K; years 2-5, \$169K, with a total of \$449,774 for 5 years.

Captain Burt advised that this model is the best of those they've looked at, and discussed the "officer down" feature, which can be viewed remotely. He said the equipment is trademarked and nationally recognized, and said the system can help debunk frivolous complaints. He added that they've wanted them for years, and have been looking for grants.

Chief Ternent stated that currently they have a \$100K request for a grant out, as well as a \$50K grant request, as the County funds are not happening fast enough. He added that technical and equipment questions directed to Captain Burt.

There was discussion about if working with other forces in the County, could the County choose a different provider, say, for budget reasons. The Chief said it's likely, but said they are hopeful to have everyone on the same system. Mayor Morris stated that someone has to be the first, and with the largest police force in the area, if we put our toe in the water first, it'll be what everyone else wants to get on board with. Mr. Silka agreed, and said ahead of 2024, they should lead from the front before prices go up, and stated that he supports the funding request.

Captain Burt also advised that the battery life is infinite. He stated that at set-up, it loads into the Cloud. He said longevity is 5-8 years, and it's the best he's seen. He also mentioned that there is

24/7 technical support, and said the company has been around since 2006. He added that the IT department has sat in and are behind the idea.

Mr. Gandolfi advised that there are no objections from the Finance Department.

III. MISSION SQUARE 457 PLAN DISCUSSION

Mr. Gandolfi provided background on the City's 457 Plan and 401-A Plan, which allow employees to electively defer funds into retirement savings accounts, and also allows the city to defer funds into these accounts, with CBIZ providing advisory services and Nationwide providing administrative and investment services.

Mr. Gandolfi advised that they recently learned that these 457 and 401 assets are co-mingled. They were reported separately, but were co-mingled. He stated that they have been recently separated, but need to pull out, and said costs are borne by employees 100%. He said they looked at a variety of plan administrators, and narrowed in on Mission Square as the most cost effective for the participants. He added that there are cost savings and improved investment opportunities with Mission Square, and record-keeping costs are lower. He added further that the company does the investment choices, but also protects the City from liability, provided we follow their recommendations. A handout was provided.

Mr. Silka provided background on Mission Square, and said they are a non-profit organization that specializes in local and state government entities, with over 60 years' experience in investment plan administration.

Mr. Gandolfi stated that the company is employee-oriented, and provided details and specifics about the plan, and said should we leave Mission Square, everything could be moved over 12 months, which is a deterrent to keep from moving. He said they need to keep employees well informed, and asked M&CC to review the information provided. He added that if the City moves forward, it will require resolution, and said a draft resolution is included.

Mr. Silka advised that he has had funds in this organization for over 30 years, and can speak positively to it. The Mayor said it makes sense from a financial basis. Mr. Gandolfi also noted that there are no conversion costs associated with this move, and said it will take employees' current investments and map them, then move them over. He said they can do in person meetings, or make changes over the phone. He added that he will prepare the resolution for the December 6th public meeting.

IV. MAYOR & CITY COUNCIL UPDATES

Council Member Frazier advised that the HRDC annual meeting went well.

Council Member Marchini said they were looking at the strategic plan responses for the HPC meeting tomorrow. She noted that the DDC may have some additional monies coming for Baltimore Steet and said Bobby Smith is trying to match up spending. She also mentioned that the Tree lighting is scheduled for the Friday after Thanksgiving.

Mayor Morriss mentioned Small Business Saturday, November 26th, and said the proclamation will be ready for tonight's public meeting.

Council Member Cioni stated that the Parks and Rec board was informed about the splash pad - disappointed - but they understood. He advised that there was discussion about adding a handicapped-accessible swing, which they thought would be a good addition to the community.

Council Member George discussed Planning and Zoning, and said there is a hearing tonight for Seton Drive. He noted that representatives are needed for the commissions. He stated that there was nothing to discuss about Evitts Creek Water Company.

Mayor Morriss discussed the Maryland Preservation tour held on Nov. 4th. He stated that they did a tour of Baltimore Street, the property at 19 Frederick Street, and Western Maryland Works. He explained that Ruth Davis-Rogers has been in contact with them, and said they were blown away by Western Maryland Works.

The Mayor mentioned November 11th is Veterans Day, and said there were several nice events planned around the City. He stated that the Allegany Arts Council got a \$90K grant for music events over 3 years for the City, Canal Place, and the Constitution Park Amphitheater, bringing some great entertainment. He advised that the Embassy Theatre's Casino Night is Saturday at 7 p.m. with a Roaring 20's speakeasy concept, and noted that the liquor license has been secured.

Council Member George mentioned that he has volunteered to be a bartender at the Denim and Diamonds Event at the Women's Civic Club.

V. Adjournment

With no further business at hand, the meeting adjourned at 5:57 P. M.

Respectfully Submitted,

Allison K. Layton
City Clerk

Minutes approved on _____



Mayor and City Council of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman Joseph P. George
Councilwoman Laurie P. Marchini

City Administrator Jeffrey F. Silka
City Solicitor Michael S. Cohen
City Clerk Allison K. Layton

Mayor and City Council of Cumberland

WORK SESSION

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

Tuesday, October 20, 2022, 4:00 P.M.

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

ALSO PRESENT: Jeff Silka, City Administrator; Ken Tressler, Director of Administrative Services; Allison Layton, City Clerk; Robert Smith, Director of Engineering and Utilities; Matt Idleman, Deputy Director, Engineering; Richard Reinhardt, Percy Public Affairs

Media: Chris Myers, WCBC Radio

I. PUBLIC MEETING AGENDA REVIEW, OCT. 20, 2022

Mr. Silka provided background on Order 27015 - Tradition Energy 24-month contract. He advised that hedging on inflation, the 36-month contract was too long, and he is hoping rates come down. He said the current rates of .0809 per kilowatt in Pennsylvania, and .929 in Maryland are more than double the energy costs the City was paying under the expiring contract's rate. Mr. Silka stated that they have a coalition with Allegany County, City of Frostburg, and LaVale Sanitary District pitching together to get the best rates, and said these rates were just published 7 minutes ago. He added that they need to sign tonight, as rates only good for 24 hours, and said the current contract expires November 1, 2022. He added further that they have been watching this for several months, and it is difficult to predict.

Robert Smith advised on Order 27,107, saying that the paperwork from State Highway omitted writing lighting into the contract, so the original contract was significantly under budget, and said the 20% reflects that to cover lighting. He added that they will submit it in December, and said the consultant needs to have it done by the end of December.

There was discussion about the price of the F-150 super cab XL pickup, with everyone agreeing that \$41K is a good price.

There was discussion about the properties being transferred, and the company C Corp, that is purchasing five properties. Mr. Tressler advised that Jared Court, who owns C-3 Improvements, is working on a lot of properties in the area, and will either rehab, turn them into rentals, or flip them. Mr. Tressler explained that Mr. Court submitted bids on all 7 properties, and won 5 of them. He said they brought him in and questioned him on the timeline, and said he proved that he had the crew and manpower and could handle all of them. He added that he also has Allegany St. 107-109, and said he is local.

Mr. Silka discussed Order 27103, and said the CPD FY23 State Aid for Police Protection Fund Grant is \$242K more than they typically receive.

II. PRESENTATION BY RICHARD REINHARDT, PERCY PUBLIC AFFAIRS, on GOVERNMENT RELATIONS REPRESENTATION

Mayor Morriss introduced Mr. Reinhardt, and Mr. Silka explained why he was here today. Mr. Silka stated that he felt the City lacked representation in Annapolis in terms of a full-time lobbyist working for us. He said that Mr. Reinhardt's name came up frequently as he has worked for organizations in this area, and he wanted him to come to talk with the M&CC.

Mr. Reinhardt took the floor, and provided background on his career in state politics, and said he has worked for State Senator Jennings for 6 years, and then spent 4 years as a lobbyist for Towson State, followed by 18 months as Director of Government Affairs for the Maryland State Chamber of Commerce. He said he has worked in both private and public sectors. He stated that he was recruited by Governor Hogan to work under the MD Dept. of Labor Secretary, Kelly Schultz, gaining experience in Work Force Development. He stated that the WMSR and the Allegany County Museum were his first 2 clients when he was recruited 4 years ago by Alexander and Cleaver to be part of their contract lobby team.

Mr. Reinhardt stated that his job is to provide the bridge to Annapolis, especially with a new governor and new senator coming in next year, and said he will be the City's voice in Annapolis. He added that he would like to represent Cumberland, see potential for growth, and connections in the area, and said Annapolis has too many moving parts for Cumberland to be out in the dark.

Mr. Reinhardt opened the floor for any questions on the proposal? He said that he can provide tangible reports and plans to see deliverables are hit. He discussed manageable goals, and said prep work is important now to understand priorities for next year. Mr. Reinhardt emphasized communication, and said he is available to meet with clients 24/7, and generally meets with them once a week. He explained that he will work closely with MML, as well as MACO, and said he works behind the scenes to put the client out front. He added that they will coordinate meetings with sponsors of bills and sign the City up for hearings in Annapolis.

Mr. Reinhardt discussed the next governor and transitions, and stated that he has maintained strong relationships with the current delegation. He advised that he also works with PG County, and Gaithersburg.

Mr. Reinhardt stated that the major item in the strategic plan is to see both budgetary committees come to Western Maryland and Cumberland to see what we are doing, see on-going

developments in downtown, have the opportunity to ride the train, and see the museum and what is happening in the area.

Mr. Reinhardt concluded his presentation by saying that M&CC can feel free to reach out to him directly if there are any questions.

Mayor Morriss advised that it's a good time to consider having Mr. Reinhardt as a lobbyist, and stated that since redistricting, the City has lost its local representation in Annapolis. He added that the timing is good to have someone there year-round.

III. DISCUSSION ON ASSIGNING CARVER EASEMENT

Mr. Silka talked about assigning a Carver Easement. He stated that City Solicitor Mike Cohen was unable to attend, and said they are requiring a deed of easement, which in turn is required by the Maryland Historic Trust. He provided information on title search, preparing the deed, etc., and said the cost will be between \$5K-6K. He explained that as Carver has no income, the City is footing the bill on this.

Mayor Morriss stated that this is something that has to be done for Carver to move on, and discussed what the board is doing currently; looking for grants, sustainability study is done. He added that the Carver board should take on the cost of refurbishing, but said they likely will request help from the City.

There was discussion about the pace being very slow, and a bit of controversy a few months ago that was a non-issue.

Mr. Silka inquired if M&CC had any reservations going down this path.

Consensus: No reservations

IV. DISCUSSION ON THE CONSTITUTION PARK SPLASH PAD

Mr. Silka provided an update on the splash pad, and Mr. Idleman provided an update on pricing. He shared graphic of how it will look, and said that costs came in higher than originally discussed.

Mr. Idleman discussed both Option 1 and Option II, explained the differences in the projects and in the costs associated with each.

Mr. Idleman also discussed anticipated maintenance costs for a splash pad, which will include labor (city staff), winterizing, general clean up, etc.—costing approximately \$8K per year.

The floor was opened for questions.

M&CC discussed costs: the new deck, upgrades to the guard shack, electrical and sidewalk work, and rest room upgrades. Mr. Idleman said that the expected grant didn't come through, and reviewed Options 1 and 2 again:

Option 1: install splash pad with \$600K of ARPA funds

Option 2: upgrades and other work in the park, without the splash pad,
About \$260K of ARPA funds.

Mr. Idleman advised that with these numbers, M&CC needs to make a final decision on the splash pad. He stated that they need to vote at the next meeting so items can be ordered.

M&CC discussed the useful life of splash pad equipment. Mr. Smith stated they have a 10-year life. The Mayor questioned whether it is that big a value to the pool area to have the splash pad on site. They discussed the \$8K necessary for maintenance, plus the cost of upgrades 10 years from now, considering inflation.

Mr. Idleman advised that he has site plans they can look over. Mr. Silka stated that a decision needs to be made now if the work is to be done in the spring.

Mayor Morriss had reservations about the splash pad – he’s not sure it adds enough value to the park. He said other upgrades need to be done, but questioned if the City would be getting enough out of the splash pad. Council Member George stated that M&CC have been telling the public all along that they are putting in a splash pad.

Council Member Frazier said stated that personally, he would like to have the splash pad, saying it will draw people to the park.

Mayor Morriss stated that he sees all other upgrades as an investment in the park and that alone will make the park worthy of attending, but he stated that he’s not sure that adding the splash pad adds that much value. He said the park itself with the grills/picnic tables, etc., gives value to the park.

Mr. Silka advised that this is a community asset decision, and stated that it is expensive for a stand-alone amenity like that. He stated that it’s tough to justify - if you add the \$\$ to the pool, you can realize the benefit, but from a management perspective, it’s not an easy decision. Mr. Silka added that the previous project put splash pad on a 0-grade with the pool to utilize the same plumbing, etc.

There was discussion about the ongoing maintenance of the Constitution Park pool, with Mr. Tressler advising they do a little bit every year. In answer to a question, he said he can find out the attendance numbers/amount of usage.

Council Member Marchini said that she would like the splash pad outside of a fenced in area so people can use it without cost. M&CC talked about considering this project over the next 2 weeks; Council Member Frazier wanted to discuss it and give the answer by Monday, with Mr. Smith saying he would like to put it on November 1st agenda.

Mr. Tressler talked about Hagerstown’s splash pad, which they’ve had less than 10 years. He stated the he would like to ask Hagerstown how their usage changed after the addition of the splash pad.

V. MAYOR AND CITY COUNCIL UPDATES

Council Member Frazier talked about “Boo on the Bricks” on October 29th, which is a family - friendly event with trick-or-treating and a costume contest. He added that all invited to participate. He also mentioned that the Halloween parade is next Wednesday.

Council Member George stated that he met with the Evitts Creek Steering Committee this morning., and said new officers were elected.

There was discussion about the clean up on the second timbering, and it was noted that Brooke Cassell held the bond money until the clean-up was completed. Everything is all good now.

Council Member Cioni discussed Parks and Recreation losing their Chair Person, Emily Hendershot, and said she needs to be replaced, along with needing a new Student Representative, as the current one is too busy with Senior school work and can't continue on the P&R board. There were suggestions of asking the Board of Education, or the Student Government Association.

Council Member Marchini advised on the DDC meeting last Thursday and said the HPC is moving along well. She provided a run-down of all the holiday events downtown.

- Window decorations contest is kicking off on November 21st and going through the holidays.
- November 25th is the tree lighting; the tree will stay where it has been in the past
- The New Year's Eve downtown Ball drop will return.
- JZ's Pub opened Friday
- Gus and Oliver's children's clothing store opened.
- Businesses downtown are suggesting free parking during the holidays and during construction.

Council Member Marchini discussed the recent ARC conference, and said herself, Mayor Morris and Council Member Cioni attended. She advised that Cumberland showed off very well, and said they all thought it was a very worthwhile event.

The Mayor discussed the day spent with the ARC reps; scenic train ride, dinner at Ottaviani's enjoyed the train trip from Frostburg to Cumberland, and dinner at Ottaviani's. Mayor Morris got to speak with Governor Hogan and Gayle Manchin. He said the ARC has funding for a variety of things. The Mayor also mentioned that he and Council Member George attended the Fall MML Conference in Annapolis; Council Member George noted that MML had some excellent seminars.

The Mayor discussed funding for the Baltimore Street project. Council Member Marchini stated that they are getting technical assistance from 5 different vendors who are working with them to beef up social media pages and work on websites, and said it's now in the hands of a professional. She also advised that they got a call from Congressman Trone's office – he will be visiting Monday 4:15-5, and said all are invited to do a walking tour with him downtown.

Council Member George suggested that the next elected officials take a rotating committee assignment so everyone has a chance to be more well-rounded and bring a fresh perspective to the committee with a different council person looking at things.

II. Adjournment

With no further business at hand, the meeting adjourned at 5:25 p.m.

Respectfully submitted,

Allison K. Layton, City Clerk

Minutes approved _____

File Attachments for Item:

1. Ordinance 3940 (*2nd and 3rd readings*) - authorizing the transfer of 13 W. Clement Street to Richard Pravlik for the purchase price of \$7,500

ORDINANCE NO. 3940

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED "AN ORDINANCE TO ACCEPT RICHARD A. PRAVLIK'S BID OF SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) FOR THE PURCHASE OF THE PARCEL OF REAL PROPERTY AND THE IMPROVEMENTS THEREON IN THE CITY OF CUMBERLAND KNOWN AS 13 W. CLEMENT STREET, CUMBERLAND, MD 21502 AND, SUBJECT TO THE TERMS SET FORTH HEREINAFTER, TO AUTHORIZE THE EXECUTION OF A DEED TO EFFECT THAT CONVEYANCE."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property and the improvements thereon located at 13 W. Clement Street, Cumberland, MD 21502 (the "Property");

WHEREAS, the Property was declared surplus under the terms of Order No. 27,044, passed by the Mayor and City Council on July 19, 2022;

WHEREAS, the Property was included in the solicitation for bids known as the "2022 Surplus Property Request for Bids Round 5";

WHEREAS, the City received a bid for the purchase of the Property from Richard A. Pravlik (the "Purchaser") for the sum of Seven Thousand Five Hundred Dollars (\$7,500.00), and staff is recommending that the Mayor and City Council accept the bid; and

WHEREAS, subject to the hereinafter set forth terms, the Mayor and City Council deem the acceptance of this bid to be in the City's best interests.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council shall accept the bid of the Purchaser for the purchase of the Property for the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) subject to the following terms and conditions:

- A. The Property will be conveyed to the Purchaser by means of a quitclaim deed containing no warranties or representations of any kind, the form and content of which is set forth in the Exhibit A attached hereto;
- B. The Purchaser shall pay all of the recordation and transfer taxes that are required to record the said deed;
- C. The Purchaser will pay the City of Cumberland and Allegany County real estate taxes due from the date of the deed through the remainder of the current tax year and will assume responsibility for the payment of those taxes thereafter.
- D. The Purchaser shall remit the payments set forth below to the City Clerk at City Hall, 57 N. Liberty Street, Cumberland, MD 21502 by personal check, cashiers check or money order. A total of three (3) personal checks/cashiers checks/money orders must be presented to the City Clerk.
 - i. \$60.00 deed recordation fee made payable to "Circuit Court for Allegany County".
 - ii. The purchase price, pro-rated City real estate taxes and \$100.00 deed recordation service fee made payable "City of Cumberland".
 - iii. The pro-rated County real estate taxes and deed recordation and transfer taxes made payable to "Allegany County".
- E. Cash will not be accepted. Improperly remitted payments will be returned.

F. Failure to remit the aforesaid payments to the City Clerk within sixty (60) days from the date of the passage of this Ordinance shall result in the rejection of the Purchaser's bid unless the said deadline is extended by the City Administrator or City Solicitor for good cause shown.

G. The deed will be released for recordation upon the Purchaser's compliance with the foregoing provisions.

SECTION 2: AND BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and they are hereby authorized to execute and deliver a deed effecting the aforesaid conveyance subject to the aforesaid terms and conditions;

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

Passed this 21st day of March, 2023.

Raymond M. Morriss, Mayor

ATTEST:

Allison Layton, City Clerk

EXHIBIT A

QUITCLAIM DEED

THIS QUITCLAIM DEED, made this ____ day of March, 2023, by and between **Mayor and City Council of Cumberland** (the “City”), a Maryland municipal corporation, and **Richard A. Pravlik** (the “Grantee”).

WITNESSETH:

That for and in consideration of the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the City does hereby grant, bargain and sell, release, confirm and convey unto the Grantee, his personal representatives, heirs and assigns, forever in fee simple:

ALL those lots, pieces or parcels of ground situate, lying and being on the Southerly side of Clement Street, in the City of Cumberland, Allegany County, Maryland, known and designated as Lots Nos. 32 and 33 in the Cumberland Park Addition to Cumberland, a Plat of which said Addition is recorded in Plat Case Box No. 94 among the Land Records of Allegany County, Maryland, and which said lots are more particularly described in one parcel as follows:

BEGINNING for the same at a point on the Southerly side of Clement Street at the end of the first line of Lot No. 31 in said Addition, said point being also at the end of the first line of a certain deed from Boyd L. Twigg, et ux, to William J. Patton, et ux, dated March 16, 1964 and recorded in Deeds Liber 369, folio 212, among the Land Records of Allegany County, Maryland, and running thence with the Southerly side of Clement Street North 52 degrees West 50 feet to the division line between Lots Nos. 33 and 34 in said Addition, and with said division line South 38 degrees West 100 feet to the Northerly side of a 12 foot alley, and with it South 52 degrees East 50 feet to the division line between Lots Nos. 31 and 32; and with it North 38 degrees East 100 feet to the place of beginning.

The improvements thereon being known as 13 W. Clement Street, Cumberland, MD 21502.

IT BEING the same property that was conveyed from Jason M. Bennett, Director of Finance, Allegany County, Maryland to the City by deed dated June 16, 2022 and recorded among the Land Records of Allegany County, Maryland in Book 2794, Page 126.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above-described property unto the Grantee, his personal representatives, heirs and assigns, in fee simple forever.

In connection with the foregoing conveyance, the City and the Grantee covenant and agree as follows:

1. The Grantee shall secure the dwelling on the property by replacing its doors and locks and/or securing any other means of access to the property that are open to and accessible by the public, as needed, no later than two (2) weeks from the date of this deed.
2. Within two (2) months from the date of this deed, the Grantee shall clean up the exterior of the dwelling on the property by removing all junk, garbage and debris from the yard, weeding, mowing the grass, repairing and/or fully remediating any environmental contamination, and repairing and remediating conditions constituting violations of the City's Property Maintenance Code and Nuisance Code that do not require a permit. He shall also demolish the kitchen and will remove all debris from the property.
3. Within four (4) months of the date of this deed, the Grantee shall obtain all permits required for the rehabilitation of the dwelling and he shall perform the following work, as needed: (a) replace and update the electrical system so as to bring the property into compliance with applicable laws; (b) repair or replace the heating

system, repair or replace the roof, (c) repair or replace plumbing, and (d) repair or replace windows have.

4. Within six (6) months of the date of this deed, the Grantee shall install kitchen cabinets and appliances and he shall remove and replace the existing flooring and paint the room.
5. Within seven (7) months of the date of this deed, the Grantee shall install a new bathtub, toilet, vanity and flooring in a bathroom and painting it as well. He shall also repaint the interior of the dwelling.
6. Within (8) months of the date of this deed, the Grantee shall rebuild the rear deck of the dwelling.
7. The work described in paragraphs 1-6 shall be performed to the reasonable satisfaction of the City.
8. The City and its designees shall have the right to inspect the hereinbefore-described property from time to time in order to ensure that the work described in paragraphs 1 through 6 above is progressing and is being performed and completed in the manner described herein; provided, however, that the City shall endeavor to give the Grantee no less than seventy-two (72) hours advance notice of any such inspections. The Grantee shall fully cooperate with the City and its designees in regard to the scheduling and conduct of the inspections.
9. The Grantee may not convey the property described above or any interest therein (aside from a security interest granted subject to these covenants, restrictions and agreements) to a third party until all of the work described in paragraphs 1-5

hereinbefore is completed in accordance with the terms and provisions set forth therein. Any such conveyance or attempt at such conveyance shall be null and void.

10. Should the Grantee fail to comply with the terms and provisions of paragraphs 1-5 hereinbefore, the title to the real property and improvements conveyed by the terms of this deed shall immediately and without the necessity of any further action on the part of the City, revert and revest in the City, and the Grantee shall lose and forfeit all of its rights, title and interest therein and thereto as well as the fixtures, rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining, and the City shall have the right of re-entry to the said property. Further, the Grantee shall execute a deed effecting the conveyance of the hereinbefore-described property, improvements, fixtures, etc. to the City in the event the requirements set forth in paragraphs 1-5 above are not satisfied in a timely manner. In the event the City institutes litigation to enforce the terms of this paragraph, the Grantee shall be liable for the City's reasonable attorneys' fees.
11. In furtherance of the terms and provisions set forth in the preceding section, the Grantee hereby grants the City Administrator (or acting or interim City Administrator) of the City the power and authority in its stead to execute and deliver a deed or deeds to the hereinbefore-described property to the City in the event the Grantee fails to comply with the terms and provisions set forth in paragraphs 1-5 hereinbefore and to perform any and all acts required to effect the conveyance of the hereinbefore-described property to the City.

12. The terms and provisions of paragraphs 8 and 9 are irrevocable; however, they shall expire four (4) years from the date of this deed. Those terms and provisions shall not be affected by the disability or incapacity of the Grantee.
13. If the requirements set forth in paragraphs 1- 6 above have been satisfied before the expiration date set forth in the preceding paragraph, upon the request of the Grantee, the City shall deliver a deed surrendering the rights of reverter described herein to Grantee.

WITNESS/ATTEST:

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

Allison Layton, City Clerk

By: _____(SEAL)
Raymond M. Morriss, Mayor

_____(SEAL)
Richard A. Pravlik

Grantee Witness #1

Printed name

Address

Grantee Witness #2

Printed name

Address

**STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:**

I HEREBY CERTIFY, that on this ____ day of _____, 2023, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Raymond M. Morriss**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$7,500.00 and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: _____

**STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:**

I HEREBY CERTIFY, that on this ____ day of _____, 2023, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Richard A. Pravlik**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

MICHAEL SCOTT COHEN

File Attachments for Item:

. Annexation Resolution R2023-01 ANNX (*1st reading*) - to annex land located on the south side of Maryland Route 144 in Allegany County, MD, Election District No. 22, consisting of 8.848 acres +/- and owned by the Ali Ghan Club, Inc.

- ANNEXATION RESOLUTION NO. R2023-01 ANNEX -

A RESOLUTION OF MAYOR AND CITY COUNCIL OF CUMBERLAND, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, ENLARGING ITS CORPORATE BOUNDARIES BY ANNEXING LAND CONTIGUOUS TO AND ADJOINING UPON THE SAID BOUNDARIES, THE SAID LAND BEING LOCATED ALONG THE SOUTH SIDE OF MARYLAND ROUTE 144, MARYLAND ELECTION DISTRICT NO. 22 AND CONSISTING OF 8.848 ACRES, MORE OR LESS, THE SAID LAND BEING MORE PARTICULARLY DESCRIBED IN THE METES AND BOUNDS DESCRIPTION ATTACHED HERETO AS EXHIBIT A AND SHOWN ON THE PLAT ATTACHED HERETO AS EXHIBIT B, BEING PART OF THE LAND DESCRIBED IN THE DEED FROM HARRY B. CARLETON, ET AL. TO ALI GHAN COUNTRY CLUB DATED FEBRUARY 13, 1932 AND RECORDED AMONG THE LAND RECORDS OF ALLEGANY COUNTY, MARYLAND IN DEED LIBER 167, FOLIO 188, AND THE DEED FROM STATE OF MARYLAND AND BOARD OF PUBLIC WORKS OF MARYLAND TO ALI GHAN CLUB, INC. DATED JULY 8, 2003 AND RECORDED AMONG THE LAND RECORDS OF ALLEGANY COUNTY, MARYLAND IN DEED LIBER 719, FOLIO 882, AND BEING IDENTIFIED IN THE RECORDS OF THE MARYLAND STATE DEPARTMENT OF ASSESSMENTS AND TAXATION AS ALLEGANY COUNTY TAX ACCOUNT NO. 22-002627, THEREBY AMENDING THE CHARTER OF THE SAID MUNICIPAL CORPORATION AND PROVIDING FOR THE CONDITIONS AND CIRCUMSTANCES APPLICABLE TO THE PROPOSED CHANGES IN THE AFORESAID CORPORATE BOUNDARIES AND THE AMENDMENT OF THE AFORESAID CHARTER.

WHEREAS, pursuant to the authority of Article XI-E of the Constitution of the State of Maryland and Sections 4-401, *et seq.*, of the Local Government Article of the Annotated Code of Maryland, it is the intention of the Mayor and City Council of the City of Cumberland, Maryland to introduce and pass a resolution providing that present corporate limits of Mayor and City Council of Cumberland (the "City") as described in the Charter of the City of Cumberland (1991 Edition) be enlarged to include therein property within Allegany County, Maryland, as more particularly described in the metes and bounds description attached hereto as Exhibit A and as shown on the plat attached hereto as Exhibit B, (the said property hereinafter being referred to as the "Annexation Parcel"), which is contiguous and adjoining to the existing corporate limits of the City.

WHEREAS, the Annexation Parcel is located on the south side of Maryland Route 144, consists of 8.848 acres, more or less, and is part of the land described in the deed from Harry B. Carleton, et al. to Ali Ghan Country Club dated February 13, 1932 and recorded among the Land Records of Allegany County, Maryland in Deed Liber 167, folio 188, and the deed from State of Maryland and Board of Public Works of Maryland to Ali Ghan Club, Inc. dated July 8, 2003 and recorded among the Land Records of Allegany County, Maryland in Deed Liber

719, folio 882, the parcels within which the Annexation Parcel is located being identified in the records of the Maryland State Department of Assessments and Taxation as Allegany County Tax Account No. 22-002627.

WHEREAS, the annexation which is the subject of this Resolution does not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the City, real property proposed to be within the corporate limits of the City as a result of the proposed annexation, or any combination of such properties.

WHEREAS, in accordance with Md. Local Gov't. Code Ann. § 4-403(b)(2), the City has obtained consent for the proposed annexation from the owners of not less than 25 percent of the assessed valuation of the real property located in the Annexation Parcel.

WHEREAS, no persons reside within the Annexation Parcel;

WHEREAS, Ali Ghan Country Club, Inc., the sole owner of land subject to taxation in the area to be annexed, has consented to the proposed annexation under the terms of the letter from Michael Starliper, Potentate of Ali Ghan Country Club, Inc. to Jeff Silka, City Administrator of the City of Cumberland dated January 23, 2023, a copy of which is attached hereto and incorporated by reference herein as Exhibit C.

WHEREAS, the Mayor and City Council of the City of Cumberland, Maryland have determined to initiate this Resolution to enlarge and extend the limits of the City to include the Annexation Parcel and to make applicable to that area all laws which are now in force and effect or which may hereafter be enacted by the Mayor and City Council of Cumberland, Maryland.

WHEREAS, in furtherance of the foregoing, upon the introduction of this Resolution, the City Administrator shall have caused a notice of the proposed enlargement of the City's corporate boundaries to be published not less than two (2) times, at weekly intervals, in the *Cumberland Times News*, a newspaper of general circulation in the City of Cumberland, Maryland, said notice describing the proposed enlargement (i.e., the Annexation Parcel) and conditions and circumstances applicable thereto and specifying the time, date and place at which the public hearing on the proposed annexation was held. Said public hearing was held on the _____ day of _____, 2023, at 6:15 p.m. in City Hall, Cumberland, Maryland, said date having been more than fifteen (15) days after the final publication of the newspaper notice.

WHEREAS, in furtherance of the foregoing, upon the introduction of this Resolution, the City Administrator shall have caused notice to have been given to commercial property

owners in the Annexation Parcel of all personal property taxes and fees to be imposed by the City and the date, time, and place of the aforesaid public hearing.

WHEREAS, immediately upon the first publication of the newspaper notice, the City Administrator caused a copy of it to be provided to the Board of County Commissioners of Allegany County, Maryland, the Allegany County Planning and Zoning Department, Maryland Department of Legislative Services, and the Maryland Department of Planning.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND:

SECTION 1. That there is hereby annexed into the corporate boundaries of Mayor and City Council of Cumberland, having been previously identified herein as the City, all that land contiguous and adjoining its current boundaries in Allegany County, Maryland located along the south side of Maryland Route 144 in Election District No. 22, consisting of 8.848 acres, more or less, being part of the property described in the deed from Harry B. Carleton, et al. to Ali Ghan Country Club dated February 13, 1932 and recorded among the Land Records of Allegany County, Maryland in Deed Liber 167, folio 188, and the deed from State of Maryland and Board of Public Works of Maryland to Ali Ghan Club, Inc. dated July 8, 2003 and recorded among the Land Records of Allegany

County, Maryland in Deed Liber 719, folio 882, by the metes and bounds description attached hereto as Exhibit A and as shown on the plat attached hereto as Exhibit B, the said land having been previously identified herein as the Annexation Parcel.

SECTION 2. The Annexation Parcel shall be zoned I-G (Industrial-General).

SECTION 3. The annexation of the Annexation Parcel shall be made subject to the terms and conditions set forth in the Annexation Plan attached hereto as Exhibit D.

SECTION 4. All provisions of the Constitution of Maryland, all laws of the State of Maryland applicable to the City of Cumberland, and all duly adopted provisions of the Charter of the City of Cumberland, the Code of the City of Cumberland and the ordinances of the City of Cumberland shall be, and hereby are, extended and made applicable to the Annexation Parcel and the inhabitants therein. Nothing herein or elsewhere in the Resolution shall affect the power of the Mayor and City Council of the City of Cumberland, Maryland to amend or to repeal any Charter provision, City Code provision or ordinance existing at the date of passage of this Resolution, or to enact and ordain any ordinance they are authorized to enact or ordain.

SECTION 5. This Resolution shall be and become effective the forty-sixth (46th) day after its passage unless a petition for referendum in accordance with Md. Local Gov't. Code Ann. §§ 4-408 to 4-413 is submitted to the City Administrator within forty-five (45) days following its passage.

SECTION 6. Promptly, but no later than ten (10) days, after the effective date of this Resolution, the City Administrator of the City of Cumberland shall send a copy of this Resolution together with the new boundaries of the City of Cumberland to the City Clerk, the Clerk of the Circuit Court for Allegany County, Maryland and, as required by Md. Local Gov't. Code Ann. § 4-414, the Department of Legislative Services. Thereafter, the City Clerk shall hold this Resolution and make it available for inspection during all business hours.

INTRODUCED the ____ day of _____, 2023.

PASSED under our hands and seals at the City Hall, Cumberland, Maryland, this ____ day of _____, 2023, with the corporate seal of the City of Cumberland hereto attached, duly attested by the City Clerk.

MAYOR AND CITY COUNCIL OF
CUMBERLAND

Raymond M. Morriss, Mayor

ATTEST:

Allison Layton, City Clerk

First Publication Date: _____

Second Publication Date: _____

Third Publication Date: _____

Fourth Publication Date: _____

EXHIBIT A

Metes and Bounds Description

Boundary Description for Lands of Ali Ghan Country Club to be Annexed Into the City of Cumberland

ALL that certain piece, parcel, or tract of land, situate in the County of Allegany, State of Maryland, bounded and described as follows:

BEGINNING AT A POINT on the common boundary line of lands now or formerly of Love's Travel Stops & Country Store, Inc. and lands now or formerly of Ali Ghan Country Club, said point being marked with an iron pin and cap stamped "Coughenour", said point also being on the corporate boundary of the City of Cumberland and Allegany County; thence from said point of beginning through lands of the aforementioned Ali Ghan Country Club the following seven courses and distances:

1. North 31°16'33" East, 331.45' to an existing 5/8 inch rebar;
2. North 36°47'08" East, 129.24' to an existing 5/8 inch rebar;
3. North 46°56'23" East, 87.41' to an existing 5/8 inch rebar;
4. North 67°27'30" East, 91.05' to an existing 5/8 inch rebar;
5. North 87°12'53" East, 136.77' to an existing 5/8 inch rebar;
6. North 41°06'31" East, 65.66' to a set iron pin and cap;
7. North 14°12'14" East, 21.89' to a set iron pin and cap on the southerly right-of-way line of MD 144;

Thence along said southerly right-of-way line of MD 144 the following three courses and distances:

1. North 88°08'26" East, 13.44' to a point;
2. North 80°32'38" East, 45.55' to a set iron pin and cap;
3. South 88°04'12" East, 41.01' to a set iron pin and cap on the westerly line of lands now or formerly of Love's Travel Stops & Country Store, Inc.

Thence along the westerly line of Love's Travel Stops & Country Store, Inc. the following eight courses and distances:

1. South 26°54'37" East, 97.51' to a set iron pin and cap;
2. South 37°15'19" East, 54.20' to a set iron pin and cap;
3. South 52°15'19" East, 75.90' to a set iron pin and cap;
4. South 24°16'25" East, 60.79' to a set iron pin and cap;
5. South 0°29'41" West, 177.70' to a set iron pin and cap;
6. South 2°16'16" West, 64.16' to a set iron pin and cap;
7. South 2°21'45" West, 214.42' to an existing 5/8" rebar;
8. North 81°35'47" West, 839.97' to an iron pin with cap stamped "Coughenour", the point and place of beginning.

Containing 8.848 acres as shown on "Annexation Plan" prepared by Stiffler, McGraw and Associates, Inc., dated November 22, 2022.

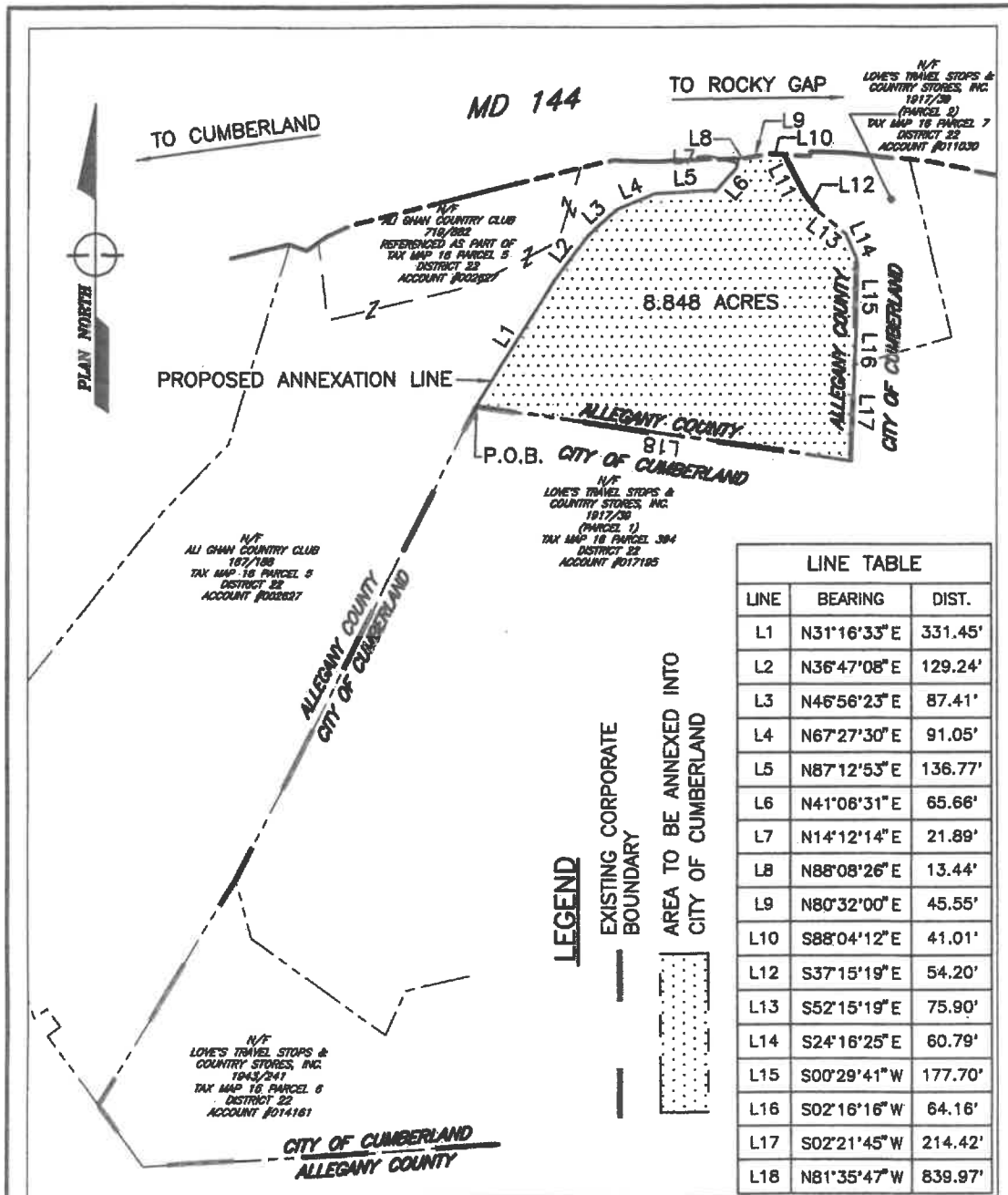
ALL OF THE ABOVE being part of the lands described in (i) the Deed from Harry B. Carleton, et al. to Ahi Ghan Country Club dated February 13, 1932 and recorded among the Land Records of Allegany County Maryland in Deed Liber 167, folio 188, and (ii) the Deed from State of Maryland and Board of Public Works of Maryland to Ali Ghan Club, Inc. dated July 8, 2003 and recorded among the Land Records of Allegany County Maryland at Deed Liber 719, folio 882.

TOGETHER WITH AND SUBJECT TO any restrictions, reservations, covenants, right of ways, et cetera as of record, and as shown on the aforesaid plat.

EXHIBIT B

Annexation Plat

EXHIBIT B



ANNEXATION PLAN
PLAN SHOWING THE PROPOSED ANNEXATION OF A PORTION OF
LANDS OWNED BY ALI GHAN COUNTRY CLUB
INTO THE CITY OF CUMBERLAND
PREPARED FOR BURGMEIER REAL ESTATE COMPANY OF MARYLAND

SITUATE
ALLEGANY COUNTY AND CITY OF CUMBERLAND
ALLEGANY COUNTY MARYLAND

DRAWN BY: JDY	DESIGNED BY: JDY	CHECKED BY: JDY	SCALE: 1"=300'	REVISION DATE: 11/22/22	FIELD BK/PG: 	PROJECT NO.: 21-5023
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STIFFLER
MCGRAW
 ENGINEERS • SURVEYORS • ARCHITECTS

1731 N. Juniata Street
 Hollidaysburg, PA 16648
 Phone: 814.696.6280 Fax: 814.696.6240

EXHIBIT C



ALI GHAN SHRINERS
OFFICE OF THE RECORDER
PO Box 1416
Cumberland, MD 21501-1416
Phone: 301.722.5970 Fax: 301.777.5276
Email: alighanshriners@atlanticbhn.net

January 23, 2023

Mr. Jeff Silka
City Administrator
City of Cumberland
57 N. Liberty Street
Cumberland, MD 21502

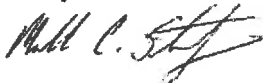
Dear Mr. Silka:

This letter constitutes Ali Ghan Country Club Inc., request to have an 8,848 +/- acre parcel of land it owns annexed into the City of Cumberland. I have attached a similar letter you received from Burgmeier's Hauling; Inc. dated November 22, 2022. Since the subject parcel remains titled in the name of Ali Ghan Country Club, Inc., it is the party that must make the request for annexation.

This request covers the very same property as the parcel described in the attachments to the aforesaid November 22, 2022 letter from Burgmeier's. Therefore, we incorporate the letter and the attachments thereto herein.

Please call if you have any questions regarding the subject matter of this letter.

Sincerely,



Michael Starliper
Potentate

BURGMEIER'S HAULING, INC.

DAVID M. BURGMEIER
President

INDUSTRIAL, COMMERCIAL, RESIDENTIAL,
RECYCLING & RECYCLING CONSULTANT
(814) 943-8975

1356 OLD SIXTH AVE. ROAD

PO BOX 159 1

BELLWOOD, PA 16617

November 22, 2022

City of Cumberland
57 N. Liberty Street
Cumberland, MD 21502
Attn: Mr. Jeffrey F. Silka, City Administrator

RE: Request for Annexation
Portion of the Ali Ghan Country Club Property

Dear Mr. Silka:

On behalf of Burgmeier Real Estate Company of Maryland, please allow this letter to serve as our written request to have a portion (8.848 acres) of the Ali Ghan Country Club property annexed from the County of Allegany into the City of Cumberland. In support of this request, I have attached hereto a survey plan showing the areal extent of the annexation along with a metes and bounds description of the parcel to be annexed.

If you should have any questions or require any additional information in support of the annexation process, please let me or our consultant (Jim Young, Stiffler, McGraw & Associates, Inc.) know.

Sincerely,


David Burgmeier

MB/jdy
Enclosures

Service & Satisfaction Guaranteed

EXHIBIT D

NOTICE OF PUBLIC HEARING

- ANNEXATION RESOLUTION -

******* INSERT PUBLIC HEARING NOTICE HERE *******

NOTICE IS HEREBY GIVEN that Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, (the City of Cumberland) will conduct a public hearing in the Council Chambers of City Hall, 2nd Floor, City of Cumberland City Hall, 57 N. Liberty Street, Cumberland, MD 21502 on May 2, 2023, at 6: 15 p.m., or as soon thereafter as it may be held, on a Resolution introduced for the purpose of enlarging the corporate boundaries of Mayor and City Council of Cumberland to be extended to include that area hereinafter particularly described as:

ALL that certain piece, parcel, or tract of land, situate in the County of Allegany, State of Maryland, bounded and described as follows:

BEGINNING AT A POINT on the common boundary line of lands now or formerly of Love's Travel Stops & Country Store, Inc. and lands now or formerly of Ali Ghan Country Club, said point being marked with an iron pin and cap stamped "Coughenour", said point also being on the corporate boundary of the City of Cumberland and Allegany County; thence from said point of beginning through lands of the aforementioned Ali Ghan Country Club the following seven courses and distances:

1. North 31°16'33" East, 331.45' to an existing 5/8 inch rebar;
2. North 36°47'08" East, 129.24' to an existing 5/8 inch rebar;
3. North 46°56'23" East, 87.41' to an existing 5/8 inch rebar;
4. North 67°27'30" East, 91.05' to an existing 5/8 inch rebar;
5. North 87°12'53" East, 136.77' to an existing 5/8 inch rebar;
6. North 41°06'31" East, 65.66' to a set iron pin and cap;
7. North 14°12'14" East, 21.89' to a set iron pin and cap on the southerly right-of-way line of MD 144;

Thence along said southerly right-of-way line of MD 144 the following three courses and distances:

1. North 88°08'26" East, 13.44' to a point;
2. North 80°32'38" East, 45.55' to a set iron pin and cap;
3. South 88°04'12" East, 41.01' to a set iron pin and cap on the westerly line of lands now or formerly of Love's Travel Stops & Country Store, Inc.

Thence along the westerly line of Love's Travel Stops & Country Store, Inc. the following eight courses and distances:

1. South 26°54'37" East, 97.51' to a set iron pin and cap;
2. South 37°15'19" East, 54.20' to a set iron pin and cap;
3. South 52°15'19" East, 75.90' to a set iron pin and cap;
4. South 24°16'25" East, 60.79' to a set iron pin and cap;

5. South 0°29'41" West, 177.70' to a set iron pin and cap;
6. South 2°16'16" West, 64.16' to a set iron pin and cap;
7. South 2°21'45" West, 214.42' to an existing 5/8" rebar;
8. North 81°35'47" West, 839.97' to an iron pin with cap stamped "Coughenour", the point and place of beginning.

Containing 8.848 acres as shown on "Annexation Plan" prepared by Stiffler, McGraw and Associates, Inc., dated November 22, 2022.

ALL OF THE ABOVE being part of the lands described in (i) the Deed from Harry B. Carleton, et al. to Ahi Ghan Country Club dated February 13, 1932 and recorded among the Land Records of Allegany County Maryland in Deed Liber 167, folio 188, and (ii) the Deed from State of Maryland and Board of Public Works of Maryland to Ali Ghan Club, Inc. dated July 8, 2003 and recorded among the Land Records of Allegany County Maryland at Deed Liber 719, folio 882. The said lands are identified on Allegany County Tax Map 16 as Parcel 5 and as Tax Identification Number 22- 002627.

TOGETHER WITH AND SUBJECT TO any restrictions, reservations, covenants, right of ways, et cetera as of record, and as shown on the aforesaid plat.

SAID RESOLUTION proposes to extend the boundaries of the City of Cumberland to include the aforesaid area, and that said area and persons and/or establishments residing therein shall become subject to all of the laws, ordinances and regulations of said City of Cumberland, Maryland.

Mayor and City Council of Cumberland

/s/ Raymond M. Morriss, Mayor

AN ANNEXATION PLAN PERTAINING TO THE PROPOSED ANNEXATION OF
LAND BY THE CITY OF CUMBERLAND, MARYLAND

March 21, 2023

Pursuant to the provisions of Section 4-415 of the Land Use Article of the Annotated Code of Maryland, as amended, the following document constitutes a proposed Annexation Plan for the area proposed to be annexed into the corporate boundaries of Mayor and City Council of Cumberland (the “City”), a municipal corporation, existing under and by virtue of the laws of the State of Maryland. Municipal services (excluding sewer service) will be provided to the area to be annexed on the same terms and conditions as provided to the other residents of the City. The parcel will be eligible to receive aforesaid City services upon the effective date of its annexation by the City. A copy of the Annexation Resolution is attached to this Annexation Plan.

AREA TO BE ANNEXED

The area to be annexed (hereinafter referred to as the “Annexation Parcel”) encompasses approximately 8.848 acres of land which are part of the larger parcel of land which is located at 13100 Ali Ghan Road, NE, Cumberland, MD 21502 in Election District No. 22 that consists of 29.167 (+/-) acres and is identified as Allegany County Tax Account Number 22-002627. The said larger parcel of land is described in the Deed from Harry B. Carleton, et al. to Ali Ghan Country Club dated February 13, 1932 and recorded among the Land Records of Allegany County Maryland in Deed Liber 167, folio 188, and the Deed from State of Maryland and Board of Public Works of Maryland to Ali Ghan Club, Inc. dated July 8, 2003 and recorded among the Land Records of Allegany County Maryland in Deed Liber 719, folio 882. The entire Annexation Parcel is situated contiguous to and adjoining the corporate limits of the City and is more fully described and depicted in the Resolution of Annexation.

The Annexation Parcel is located on the south side of MD Route 144 (Ali Ghan Road), adjacent to the property owned by Loves Travel Stops & Country Stores, Inc. to the east, and the property owned by Willison Oil, Inc. to the west. The current (pre-redevelopment) setting of the Annexation Parcel can best be described as an area of mixed commercial, institutional, and low-density residential uses.

LAND USE AND ZONING

The Annexation Parcel is not specifically designated for a future land use classification by the 2002 or 2014 Comprehensive Plan for Allegany County. However, it does fall within the City’s Municipal Growth Area as shown on Map 10 on page 151 of the City-Wide Element of the City’s Comprehensive Plan. See attached Exhibit 1.

The only institutional use, as that term is defined in the County Zoning Ordinance, is the larger parcel of land, which includes the Annexation Parcel, which is the site of the Ali Ghan Shrine, a fraternal organization.

The Annexation Parcel is subject to the terms of the Commercial Real Estate Purchase Agreement by and between Ali Ghan Shriners Holding Corporation FKA Ali Ghan Club, Inc. and Ali Ghan Country Club to Burgmeier Real Estate Company of Maryland, Inc. dated August 18, 2021, pertaining to the latter's purchase of the Annexation Parcel from the former. Burgmeier intends to use the Annexation Parcel as a motor freight terminal (i.e., a freight transfer station) in connection with its solid waste removal business. Closing under the terms of the Commercial Real Estate Purchase Agreement is contingent upon annexation.

The Annexation Parcel is currently zoned as "B-2" Major Commercial under the Allegany County Zoning Ordinance, which permits a wide range of commercial, institutional, and professional uses. The property is located adjacent to highway commercial uses extending along MD Route 144 within and outside of the City.

A freight transfer station is planned for the Property. The Use Regulations set forth in Section 25-132 of the City Zoning Ordinance (Chapter 25 of the Cumberland City Code) permit motor freight terminals exclusively within the I-G (Industrial General) Zoning District. Accordingly, the City plans to designate the property as I-G. It is the City's determination that the County zoning classification and the proposed zoning in the City are consistent. The City's proposed zoning is also consistent with adjoining parcels along MD Route 144 that are currently located within the City limits.

The largest adjoining parcel abuts the eastern side of the Annexation Parcel. It is owned by Loves Travel Stops & Country Stores, Inc. There is a motel and a truck stop at the Loves site. Interstate 68 is in close proximity to on-ramps and off-ramps for I68. A significant volume of truck and car traffic come to and from the Loves property.

Just like the Loves site, truck traffic, albeit a much smaller amount of truck traffic. Given the nature of the proposed use of the Annexation Parcel, such easy access to the Interstate makes the Annexation Parcel the ideal location for the proposed freight transfer station use of that property. The proposed use will be significantly less intense and continuous than the use conducted at the Loves parcel.

PUBLIC FACILITIES

Schools

Allegany County, Maryland maintains the schools that serve the area, and it is not anticipated that any impact will occur to the Allegany County public schools, which are located in the City of Cumberland. The Annexation Parcel is not intended to be developed or used for residential uses. Neither Allegany County nor the City of

Cumberland currently have an adequate public facilities ordinance or an impact fee ordinance to allocate school capacity.

Health Facilities

The Western Maryland Regional Medical Center is located at 12500 Willowbrook Road, within two (2) miles of the Annexation Parcel. This is the hospital that primarily serves Allegany County, including but not limited to the Annexation Parcel and the surrounding area. While it is conceivable that employees working at the Annexation Parcel could require medical care while on the job. Such potential medical care can be provided by the Western Maryland Regional Medical Center.

Library

The annexation will have no adverse impact upon the library services provided by the two (2) Allegany County-owned libraries in the City. The Annexation Parcel will not be developed or used for residential purposes.

Fire

The City of Cumberland Fire Department provides full-time emergency medical services and provides ambulances to service properties within its municipal boundaries. Its main station at 20 Bedford Street, Cumberland, MD 21502 is located approximately three (3) miles from the Annexation Parcel. Existing pressurized fire hydrants served by the City's water system are located along the water main that was extended to the Annexation Parcel in order to serve the adjoining Loves travel plaza.

The scope of this annexation will have no adverse impact upon the full-time City of Cumberland Fire Department.

Public Safety-Police

The City of Cumberland maintains a public police department of 51 sworn officers and 55 total employees. The annexation will have no adverse impact upon the department's public safety functions.

Recreational Facilities

The annexation will have no adverse impact upon the City's park and recreation facilities as the Annexation Parcel will not be developed or used for residential uses purposes.

PUBLIC UTILITIES

The Annexation Parcel will be provided with City water. Sewerage services will be provided by Allegany County.

The City-owned Water Treatment Facility located in Bedford County, PA supplies water to the City. The facility consists of a total capacity of 3.2 billion gallons in reservoirs in a 4,000-acre watershed. The proposed development of the site should not result in a significant change in current water demand from the Annexation Parcel. Sufficient capacity exists within the system to serve the Annexation Parcel.

CONSISTENCY WITH MUNICIPAL GROWTH ELEMENT OF CITY COMPREHENSIVE PLAN

The proposed use of the Annexation Parcel is consistent with the Municipal Growth Element of the City's Comprehensive Plan (the "Plan").

In addressing future industrial land use within the City, the Plan states:

I – Industrial – This category encompasses the city's remaining industrial uses and represent areas with a strong potential for future light industrial and manufacturing operations. They tend to be located in areas convenient to major Arterial highways and rail transportation. (*See Plan, Vol. 2, page 149*).

Thus, the Plan includes the acknowledgment that industrial uses tend to be located and are appropriately located in areas like that where the Annexation Parcel is located.

The Annexation Plan section of the Municipal Growth Element of the Plan provides that:

The overarching goal of this annexation plan is to identify adjoining land areas with strong potential for future growth that will provide opportunities for land uses that may not fit well into the city's existing developed lands. (Id., page 152).

Map 10 of the Plan (*See attached Exhibit 1*) shows the areas the City has targeted for annexation. The Annexation Parcel is located within the target growth areas.

ANNEXATION RESOLUTION

The Annexation Resolution is attached hereto and incorporated by reference herein as Attachment 1.

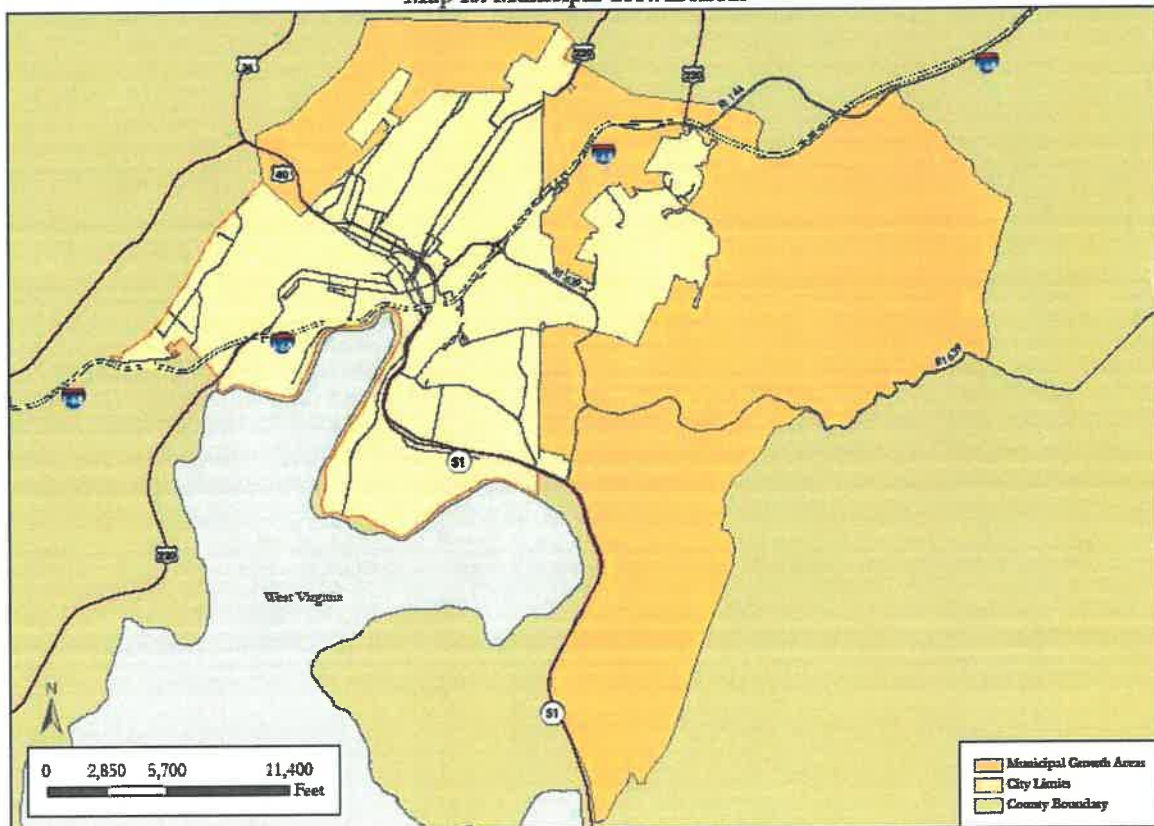
Exhibit 1

2013 Comprehensive Plan: City-Wide Element#

land to retain and infiltrate the stormwater runoff generated by the proposed development. That capacity is very difficult to reliably project on lands with extreme topographical and hydrologic constraints without a detailed survey and engineering assessment.

Future annexation opportunities within the western sections of the potential annexation area (along the slopes of Haystack Wills Mountain) are most likely to be driven by this need or will occur in response to the plan's recommendation to incorporate the remaining undeveloped lands along the mountainsides to provide expanded protection of the scenic amenity afforded by the forested slopes adjoining the Narrows. Annexations in these areas, if they occur, are not expected to satisfy a significant amount of the city's potential growth over the next 20 years, due to the limited number of existing residential lots within those areas and the desire for expanded protection of the slopes that serve as the rural transitional buffer on the city's west side. However, since portions of the Wills Mountain summit adjacent to the Narrows are owned by Maryland DNR as part of the undeveloped Wills Mountain State Park (which the city leases from DNR), annexation of that property may help satisfy the State's land-based standards for recreational open space.

Map 10: Municipal Growth Areas



ATTACHMENT 1

- ANNEXATION RESOLUTION NO. _____ -

******* INSERT ANNEXATION RESOLUTION HERE *******

File Attachments for Item:

. Order 27,200 - declaring the second floor of City Hall, including Council Chambers and the 2nd floor Conference Room to be dedicated work space and not open to the general public, with the exception of regularly scheduled public meetings

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

ORDER NO. 27,200

DATE: March 21, 2023

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

THAT the Mayor and City Council be and is hereby authorized to declare the second (2nd) floor of City Hall, including the Council Chambers and second (2nd) floor Conference Room to be dedicated work space and not open to the public; and

BE IT FURTHER ORDERED THAT, the only exception would be during regularly scheduled public meetings, allowing the public access to the Council Chambers and second (2nd) floor conference room for the purpose of attending said public meeting.

Raymond M. Morriss, Mayor

File Attachments for Item:

. Order 27,201 – authorizing a pay adjustment of 11% for all non-union full-time and part-time employees, effective April 2, 2023

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

ORDER NO. 27,201

DATE: March 21, 2023

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

THAT, the Mayor be and is hereby authorized to provide non-union full-time and part-time employees a pay adjustment of 11% effective April 2, 2023.

Raymond M. Morriss, Mayor

Council Agenda Summary

Meeting Date: March 21, 2023

Key Staff Contact: Jeff Silka, Ken Tressler and Mark Gandolfi

Item Title:

City of Cumberland – Pay Adjustment

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

Approving Memorandum of Understandings (MOU) with each of three union agreements to provide a pay increase of 11% effective April 2nd 2023 and approving non-union employees to receive the same 11% pay increase effective April 2nd 2023. This pay adjustment is in accordance with the following market factors:

- Inflation has been at a 40-year high – over 8% at one point and 6.4% recently.
- Maryland is anticipated to expedite minimum wage increases by at least one year. The previously scheduled minimum wage level of \$15 per hour for January 2025 is now expected to be implemented between April 2023 & January 2024.
- The City revised its pay ordinance in November to align with the January 2023 minimum wage of \$13.25, with a plan to again revise the ordinance and salaries prior to the January 1, 2024 and 2025 minimum wage increases. \$13.25 to \$15.00 minimum wage is a 13.2% increase.
- Recruiting has been very difficult in all areas – Police, Fire, Treatment plants, Public Works, clerical, etc. For example: we have been actively searching for an engineer since July, Street Superintendent since November and utility billing clerk since July. We have 2 Public Works coordinators retiring July 1st.
- Allegany County just completed a salary study indicating the County wages are below market rate and they increased employee wages between 7% and 11%.
- Analysis of City wages compared to county wages demonstrates the requested increase is required to remain comparable.
- The City is experiencing improved revenues in sustainable categories including income tax, property tax, highway user and sanitary districts. It is also experiencing improved interest revenue. Our analysis indicates the improved revenue will cover the increased personnel costs in FY 24, FY 25 and beyond based on current trends.

File Attachments for Item:

. Order 27,202 - executing a memorandum of understanding with the AFSCME Local #553 with regard to a one-time pay adjustment

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

ORDER NO. 27,202

DATE: March 21, 2023

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

THAT, the Mayor be and is hereby authorized to execute a Memorandum of Understanding by and between the Mayor and City Council of Cumberland and the American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, Local #553, pertaining to a one-time non-precedent setting pay adjustment.

Raymond M. Morriss, Mayor

Council Agenda Summary

Meeting Date: March 21, 2023

Key Staff Contact: Jeff Silka, Ken Tressler and Mark Gandolfi

Item Title:

City of Cumberland – Pay Adjustment

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

Approving Memorandum of Understandings (MOU) with each of three union agreements to provide a pay increase of 11% effective April 2nd 2023 and approving non-union employees to receive the same 11% pay increase effective April 2nd 2023. This pay adjustment is in accordance with the following market factors:

- Inflation has been at a 40-year high – over 8% at one point and 6.4% recently.
- Maryland is anticipated to expedite minimum wage increases by at least one year. The previously scheduled minimum wage level of \$15 per hour for January 2025 is now expected to be implemented between April 2023 & January 2024.
- The City revised its pay ordinance in November to align with the January 2023 minimum wage of \$13.25, with a plan to again revise the ordinance and salaries prior to the January 1, 2024 and 2025 minimum wage increases. \$13.25 to \$15.00 minimum wage is a 13.2% increase.
- Recruiting has been very difficult in all areas – Police, Fire, Treatment plants, Public Works, clerical, etc. For example: we have been actively searching for an engineer since July, Street Superintendent since November and utility billing clerk since July. We have 2 Public Works coordinators retiring July 1st.
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- The City is experiencing improved revenues in sustainable categories including income tax, property tax, highway user and sanitary districts. It is also experiencing improved interest revenue. Our analysis indicates the improved revenue will cover the increased personnel costs in FY 24, FY 25 and beyond based on current trends.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (“MOU”), made and executed this ____ day of _____, 2023, by and between the **Mayor and City Council of Cumberland**, a municipal corporation of the State of Maryland (*hereinafter referred to as the “Employer”*), and **American Federation of State, County and Municipal Employees, AFL-CIO, Local #553** (*hereinafter referred to as the “Union”*).

RECITALS:

WHEREAS, the City and the Union entered into a collective bargaining agreement (the “CBA”) for the period commencing May 3, 2022 continuing through June 30, 2025; and

WHEREAS, Employer has offered the Union a one-time non-precedent-setting pay adjustment of 11% (the “Adjustment”) and the Union has agreed to accept the Adjustment subject to the following terms and agreements.

WITNESSETH:

NOW THEREFORE, in consideration of these premises, the Adjustment and such other considerations, the receipt and sufficiency of which is acknowledged by the parties hereto, it is hereby agreed as follows:

1. **Recitals**. The Recitals set forth above are not merely introductory. They are incorporated by reference in and form a part of this MOU.

2. **Adjustment**. Article XII, Section 3 of the CBA sets forth the cost-of-living increases in Union members’ pay. The Adjustment shall be paid in addition to those COLAs as a one-time Adjustment to the pay of members of the Union. The Adjustment is not a COLA.

The Adjustment shall take effect with the pay period beginning April 2, 2023. Taking the Adjustment into account, the Union member’s increases over the course of this CBA shall be as follows:

1-Jul-22	
COLA	3%
2-Apr-23	
Adjustment	11%
1-Jul-23	
COLA	2% (or non-union increase - whichever is higher)

1-Jul-24

COLA

2% (or non-union increase - whichever is higher)

3. **Non-Precedential.** The parties agree that this MOU is devoid of any precedential value or effect. It does not establish precedent and may not be used as a basis by the Union or any organization representing employees of the Union, to seek or justify similar terms in any subsequent dealings, including negotiations of any kind. It is based solely on the present facts and circumstances and may not be used as comparison in any other case. It shall not be quoted, used, cited or relied upon by any party in any manner in connection with any other judicial, contractual or administrative procedure, except to enforce its terms.

4. **Limited Modification.** Except as specifically modified by this MOU, all terms and conditions of the CBA remain unchanged, in full force and effect, and are hereby ratified and confirmed by the Employer and the Union.

5. **Miscellaneous Provisions.**

5.1. **Invalidity.** If any provision or part of any provision of this MOU shall be found for any reason to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other section or the remaining part of any section of this MOU and it shall be construed as if such invalid, illegal or unenforceable provision or part hereof had never been contained herein, but only to the extent of its invalidity, illegality or unenforceability.

5.2. **Binding Effect.** This MOU shall inure to the benefit of the parties hereto and it shall be binding upon their respective successors and assigns.

5.3. **Captions.** The captions and various sections and paragraphs of this MOU have been inserted only for the purposes of convenience. Such captions are not a part of this MOU and shall not be deemed in any manner to modify, explain, enlarge or restrict any of its provisions.


5.4. **Construction of MOU.** This MOU, having been executed in the State of Maryland, shall be construed, interpreted and enforced under the laws of the State of Maryland.

5.5. **Entire Agreement.** This MOU constitutes and contains the entire agreement and understanding among the parties regarding its subject matter and may not be modified except in a subsequent writing signed by all of the parties hereto.

5.6. **Counterparts; Electronic Copies.** This MOU may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument. Counterparts which are electronically transmitted by one party to the other shall be treated as original counterparts. Faxed documents shall not be treated as originals.

IN WITNESS WHEREOF, the Employer and Union acknowledge that this MOU is their respective act and deed effective as of the date and year first above written and, in signing below, each of the signatories in their capacities as individuals certify under the penalties of perjury that they are duly authorized to execute this MOU by the entities they purport to represent.

WITNESS/ATTEST:



Allison Layton,
City Clerk

MAYOR AND CITY COUNCIL OF
CUMBERLAND

By: 
Raymond M. Morris, Mayor


Brook Cull

AMERICAN FEDERATION OF
STATE, COUNTY AND MUNICIPAL
EMPLOYEES AFL-CIO, LOCAL #553

By: 
Carroll E. Braun, Staff Representative


Alvin R. Boggs Jr.

By:  JR
Signature

 JR President
Printed name and position

File Attachments for Item:

. Order 27,203 - executing a memorandum of understanding with the IAFF Local #203 regarding a one time pay adjustment

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

ORDER NO. 27,203

DATE: March 21, 2023

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

THAT, the Mayor be and is hereby authorized to execute a Memorandum of Understanding by and between the Mayor and City Council of Cumberland and the International Association of Firefighters, AFL-CIO, Local #203, pertaining to a one-time non-precedent setting pay adjustment.

Raymond M. Morriss, Mayor

Council Agenda Summary

Meeting Date: March 21, 2023

Key Staff Contact: Jeff Silka, Ken Tressler and Mark Gandolfi

Item Title:

City of Cumberland – Pay Adjustment

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

Approving Memorandum of Understandings (MOU) with each of three union agreements to provide a pay increase of 11% effective April 2nd 2023 and approving non-union employees to receive the same 11% pay increase effective April 2nd 2023. This pay adjustment is in accordance with the following market factors:

- Inflation has been at a 40-year high – over 8% at one point and 6.4% recently.
- Maryland is anticipated to expedite minimum wage increases by at least one year. The previously scheduled minimum wage level of \$15 per hour for January 2025 is now expected to be implemented between April 2023 & January 2024.
- The City revised its pay ordinance in November to align with the January 2023 minimum wage of \$13.25, with a plan to again revise the ordinance and salaries prior to the January 1, 2024 and 2025 minimum wage increases. \$13.25 to \$15.00 minimum wage is a 13.2% increase.
- Recruiting has been very difficult in all areas – Police, Fire, Treatment plants, Public Works, clerical, etc. For example: we have been actively searching for an engineer since July, Street Superintendent since November and utility billing clerk since July. We have 2 Public Works coordinators retiring July 1st.
- Allegany County just completed a salary study indicating the County wages are below market rate and they increased employee wages between 7% and 11%.
- Analysis of City wages compared to county wages demonstrates the requested increase is required to remain comparable.
- The City is experiencing improved revenues in sustainable categories including income tax, property tax, highway user and sanitary districts. It is also experiencing improved interest revenue. Our analysis indicates the improved revenue will cover the increased personnel costs in FY 24, FY 25 and beyond based on current trends.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (“MOU”), made and executed this ____ day of _____, 2023, by and between the MAYOR AND CITY COUNCIL OF CUMBERLAND, a municipal corporation of the State of Maryland (*hereinafter referred to as the “Employer”*), and INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AFL-CIO, LOCAL #203 (*hereinafter referred to as the “Union”*).

RECITALS:

WHEREAS, the City and International Association of Firefighters, AFL-CIO, Local #1715 (the Union’s predecessor in interest) entered into a collective bargaining agreement (the “CBA”) for the period commencing July 1, 2021 continuing through June 30, 2024;

WHEREAS, the Union is now with Local #203; and

WHEREAS, Employer has offered the Union a one-time non-precedent-setting pay adjustment of 11% (the “Adjustment”) and the Union has agreed to accept the Adjustment subject to the following terms and agreements.

WITNESSETH:

NOW THEREFORE, in consideration of these premises, the Adjustment and such other considerations, the receipt and sufficiency of which is acknowledged by the parties hereto, it is hereby agreed as follows:

1. **Recitals.** The Recitals set forth above are not merely introductory. They are incorporated by reference in and form a part of this MOU.
2. **Adjustment.** The members of the Union shall be granted the Adjustment as a one-time adjustment to the Annual Salary Schedule attached to the CBA as Appendix A (i.e., the Union’s pay scale). The attached Appendix A shall supersede and take the place of the Appendix A attached to the CBA. The Adjustment shall take effect with the pay period beginning April 2, 2023. The Adjustment is not a cost-of-living adjustment.
3. **Non-Precedential.** The parties agree that this MOU is devoid of any precedential value or effect. It does not establish precedent and may not be used as a basis by the Union or any organization representing employees of the Union, to seek or justify similar terms in any subsequent dealings, including negotiations of any kind. It is based solely on the present facts and circumstances and may not be used as comparison in any other case. It shall not be quoted, used, cited or relied upon by any party in any manner in connection with any other judicial, contractual or administrative procedure, except to enforce its terms.
4. **Limited Modification.** Except as specifically modified by this MOU, all terms and conditions of the CBA remain unchanged, in full force and effect, and are hereby ratified and confirmed by the Employer and the Union.
5. **Miscellaneous Provisions.**

5.1. **Invalidity.** If any provision or part of any provision of this MOU shall be found for any reason to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other section or the remaining part of any section of this MOU and it shall be construed as if such invalid, illegal or unenforceable provision or part hereof had never been contained herein, but only to the extent of its invalidity, illegality or unenforceability.

5.2. **Binding Effect.** This MOU shall inure to the benefit of the parties hereto and it shall be binding upon their respective successors and assigns.

5.3. **Captions.** The captions and various sections and paragraphs of this MOU have been inserted only for the purposes of convenience. Such captions are not a part of this MOU and shall not be deemed in any manner to modify, explain, enlarge or restrict any of its provisions.

5.4. **Construction of MOU.** This MOU, having been executed in the State of Maryland, shall be construed, interpreted and enforced under the laws of the State of Maryland.

5.5. **Entire Agreement.** This MOU constitutes and contains the entire agreement and understanding among the parties regarding its subject matter and may not be modified except in a subsequent writing signed by all of the parties hereto.

5.6. **Counterparts; Electronic Copies.** This MOU may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument. Counterparts which are electronically transmitted by one party to the other shall be treated as original counterparts. Faxed documents shall not be treated as originals.

IN WITNESS WHEREOF, the Employer and Union acknowledge that this MOU is their respective act and deed effective as of the date and year first above written and, in signing below, each of the signatories in their capacities as individuals certify under the penalties of perjury that they are duly authorized to execute this MOU by the entities they purport to represent.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

Allison Layton,
City Clerk

By: _____
Raymond M. Morriss, Mayor

INTERNATIONAL ASSOCIATION OF
FIREFIGHTERS, AFL-CIO, LOCAL #203

By: _____

APPENDIX A**City of Cumberland Fire Department
Local 203 Amended Pay Schedule****2-Apr-23 MARKET Adjustment**

I	F0123	LT/EMT-P	59,960	61,506	63,007	64,578	66,216	69,518	72,958	76,652
H	F0122	LT/CRT-I	59,452	60,929	62,476	64,023	65,617	68,894	72,358	75,960
G	F0121	LT/EMT	52,594	53,934	55,273	56,658	58,066	60,952	64,023	67,233
F	F0103	EO/EMT-P	51,140	52,456	53,703	55,065	56,450	59,267	62,199	65,339
E	F0102	EO/CRT-I	50,701	51,971	53,264	54,626	55,942	58,736	61,692	64,762
D	F0101	EO/EMT	44,860	45,992	47,146	48,323	49,570	51,995	54,580	57,327
C	F0093	FF/EMT-P	47,238	48,416	49,616	50,862	52,132	54,719	57,466	60,352
B	F0092	FF/CRT-I	46,800	47,976	49,224	50,378	51,671	54,257	56,959	59,590
A	F0091	FF/EMT	41,374	42,482	43,521	44,606	45,714	48,000	50,401	52,918

1-Jul-23 To be determined - (same increase as management (non-union) employees)

I	F0123	LT/EMT-P	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
H	F0122	LT/CRT-I	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
G	F0121	LT/EMT	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
F	F0103	EO/EMT-P	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
E	F0102	EO/CRT-I	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
D	F0101	EO/EMT	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
C	F0093	FF/EMT-P	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
B	F0092	FF/CRT-I	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
A	F0091	FF/EMT	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD

File Attachments for Item:

. Order 27,204 - executing a memorandum of understanding with the United Food and Commercial Workers Local 1994 MCGEO with regard to a one-time pay adjustment

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

ORDER NO. 27,204

DATE: March 21, 2023

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

THAT, the Mayor be and is hereby authorized to execute a Memorandum of Understanding by and between the Mayor and City Council of Cumberland and the United Food and Commercial Workers Local 1994 MCGEO, pertaining to a one-time non-precedent setting pay adjustment.

Raymond M. Morriss, Mayor

Council Agenda Summary

Meeting Date: March 21, 2023

Key Staff Contact: Jeff Silka, Ken Tressler and Mark Gandolfi

Item Title:

City of Cumberland – Pay Adjustment

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

Approving Memorandum of Understandings (MOU) with each of three union agreements to provide a pay increase of 11% effective April 2nd 2023 and approving non-union employees to receive the same 11% pay increase effective April 2nd 2023. This pay adjustment is in accordance with the following market factors:

- Inflation has been at a 40-year high – over 8% at one point and 6.4% recently.
- Maryland is anticipated to expedite minimum wage increases by at least one year. The previously scheduled minimum wage level of \$15 per hour for January 2025 is now expected to be implemented between April 2023 & January 2024.
- The City revised its pay ordinance in November to align with the January 2023 minimum wage of \$13.25, with a plan to again revise the ordinance and salaries prior to the January 1, 2024 and 2025 minimum wage increases. \$13.25 to \$15.00 minimum wage is a 13.2% increase.
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MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU"), made and executed this ____ day of _____, 2023, by and between the MAYOR AND CITY COUNCIL OF CUMBERLAND, a municipal corporation of the State of Maryland (*hereinafter referred to as the "Employer"*), and United Food and Commercial Workers Local 1994 MCGEO (*hereinafter referred to as the "Union"*).

RECITALS:

WHEREAS, the City and the Union entered into a collective bargaining agreement (the "CBA") for the period commencing July 1, 2021 continuing through June 30, 2024; and

WHEREAS, Employer has offered the Union a one-time non-precedent-setting pay adjustment of 11% (the "Adjustment") and the Union has agreed to accept the Adjustment subject to the following terms and agreements.

WITNESSETH:

NOW THEREFORE, in consideration of these premises, the Adjustment and such other considerations, the receipt and sufficiency of which is acknowledged by the parties hereto, it is hereby agreed as follows:

1. **Recitals.** The Recitals set forth above are not merely introductory. They are incorporated by reference in and form a part of this MOU.

2. **Adjustment.** The members of the Union shall be granted the Adjustment as a one-time adjustment to the Annual Salary Schedule attached to the CBA as Appendix I (i.e., the Union's pay scale). The attached Appendix I shall supersede and take the place of the Appendix I attached to the CBA. The Adjustment shall take effect with the pay period beginning April 2, 2023. The Adjustment is not a cost-of-living adjustment.

3. **Non-Precedential.** The parties agree that this MOU is devoid of any precedential value or effect. It does not establish precedent and may not be used as a basis by the Union or any organization representing employees of the Union, to seek or justify similar terms in any subsequent dealings, including negotiations of any kind. It is based solely on the present facts and circumstances and may not be used as comparison in any other case. It shall not be quoted, used, cited or relied upon by any party in any manner in connection with any other judicial, contractual or administrative procedure, except to enforce its terms.

4. **Limited Modification.** Except as specifically modified by this MOU, all terms and conditions of the CBA remain unchanged, in full force and effect, and are hereby ratified and confirmed by the Employer and the Union.

5. **Miscellaneous Provisions.**

5.1. **Invalidity.** If any provision or part of any provision of this MOU shall be found for any reason to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other section or the remaining part of any section of this MOU and it shall be construed as if such invalid, illegal or unenforceable provision or part hereof had never been contained herein, but only to the extent of its invalidity, illegality or unenforceability.

5.2. **Binding Effect.** This MOU shall inure to the benefit of the parties hereto and it shall be binding upon their respective successors and assigns.

5.3. **Captions.** The captions and various sections and paragraphs of this MOU have been inserted only for the purposes of convenience. Such captions are not a part of this MOU and shall not be deemed in any manner to modify, explain, enlarge or restrict any of its provisions.

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IN WITNESS WHEREOF, the Employer and Union acknowledge that this MOU is their respective act and deed effective as of the date and year first above written and, in signing below, each of the signatories in their capacities as individuals certify under the penalties of perjury that they are duly authorized to execute this MOU by the entities they purport to represent.

WITNESS/ATTEST:

Allison Layton,
City Clerk

MAYOR AND CITY COUNCIL OF CUMBERLAND

By: _____
Raymond M. Morriss, Mayor

UNITED FOOD AND COMMERCIAL WORKERS
LOCAL 1994 MCGEO

 C202

By:  3/14/23
Gino Renne, President

APPENDIX I

**City of Cumberland
Police Dept
Local 1994 Amended Pay Schedule**

FY2023-B

Effective 4/2/2023

Adjustment

Completed Years of Service	Contract Step	Annual		
		Sergeant	Corporal	Patrolman
0	Entry	71,329	64,875	48,119
1	2	71,329	64,875	49,081
2	3	71,329	64,875	50,062
3	4	71,329	64,875	52,065
4	5	71,329	64,875	53,107
5	6	71,329	64,875	54,700
6	7	71,329	64,875	55,793
7	8	71,329	64,875	56,351
8	9	71,329	64,875	56,351
9	10	71,329	64,875	59,169
10	11	71,329	64,875	59,169
11	12	71,329	64,875	59,169
12	13	71,329	64,875	59,169
13	14	71,329	64,875	59,760
14	15	71,329	64,875	59,760
15	16	71,329	64,875	59,760
16	17	71,329	64,875	60,358
17	18	72,755	66,173	60,358
18	19	72,755	66,173	60,358
19	20	72,755	66,173	60,962
20	21	72,755	66,173	60,962
21	22	74,210	67,496	60,962
22	23	74,210	67,496	60,962
23	24	74,210	67,496	60,962
24+	25	74,210	67,496	61,572

Hourly		
Sergeant	Corporal	Patrolman
34.29	31.19	23.13
34.29	31.19	23.60
34.29	31.19	24.07
34.29	31.19	25.03
34.29	31.19	25.53
34.29	31.19	26.30
34.29	31.19	26.82
34.29	31.19	27.09
34.29	31.19	27.09
34.29	31.19	28.45
34.29	31.19	28.45
34.29	31.19	28.45
34.29	31.19	28.45
34.29	31.19	28.73
34.29	31.19	28.73
34.29	31.19	28.73
34.29	31.19	29.02
34.98	31.81	29.02
34.98	31.81	29.02
34.98	31.81	29.31
34.98	31.81	29.31
35.68	32.45	29.31
35.68	32.45	29.31
35.68	32.45	29.31
35.68	32.45	29.60

FY 2024

Effective 7/1/2023

COLA

Completed Years of Service	Contract Step	Annual		
		Sergeant	Corporal	Patrolman
0	Entry	72,756	66,173	49,081
1	2	72,756	66,173	50,063
2	3	72,756	66,173	51,063
3	4	72,756	66,173	53,106
4	5	72,756	66,173	54,169
5	6	72,756	66,173	55,794
6	7	72,756	66,173	56,909
7	8	72,756	66,173	57,478
8	9	72,756	66,173	57,478
9	10	72,756	66,173	60,352
10	11	72,756	66,173	60,352
11	12	72,756	66,173	60,352
12	13	72,756	66,173	60,352
13	14	72,756	66,173	60,955
14	15	72,756	66,173	60,955
15	16	72,756	66,173	60,955
16	17	72,756	66,173	61,565
17	18	74,210	67,496	61,565
18	19	74,210	67,496	61,565
19	20	74,210	67,496	62,181
20	21	74,210	67,496	62,181
21	22	75,694	68,846	62,181
22	23	75,694	68,846	62,181
23	24	75,694	68,846	62,181
24+	25	75,694	68,846	62,803

Hourly		
Sergeant	Corporal	Patrolman
34.98	31.81	23.60
34.98	31.81	24.07
34.98	31.81	24.55
34.98	31.81	25.53
34.98	31.81	26.04
34.98	31.81	26.82
34.98	31.81	27.36
34.98	31.81	27.63
34.98	31.81	27.63
34.98	31.81	29.02
34.98	31.81	29.02
34.98	31.81	29.02
34.98	31.81	29.02
34.98	31.81	29.31
34.98	31.81	29.31
34.98	31.81	29.31
34.98	31.81	29.60
35.68	32.45	29.60
35.68	32.45	29.60
35.68	32.45	29.89
35.68	32.45	29.89
36.39	33.10	29.89
36.39	33.10	29.89
36.39	33.10	29.89
36.39	33.10	30.19

FY 2025

Effective 7/1/2024

COLA

Completed Years of Service	Contract Step	Annual		
		Sergeant	Corporal	Patrolman
0	Entry	74,211	67,496	50,063
1	2	74,211	67,496	51,064
2	3	74,211	67,496	52,084
3	4	74,211	67,496	54,168
4	5	74,211	67,496	55,252
5	6	74,211	67,496	56,910
6	7	74,211	67,496	58,047
7	8	74,211	67,496	58,628
8	9	74,211	67,496	58,628
9	10	74,211	67,496	61,559
10	11	74,211	67,496	61,559
11	12	74,211	67,496	61,559
12	13	74,211	67,496	61,559
13	14	74,211	67,496	62,174
14	15	74,211	67,496	62,174
15	16	74,211	67,496	62,174
16	17	74,211	67,496	62,796
17	18	75,694	68,846	62,796
18	19	75,694	68,846	62,796
19	20	75,694	68,846	63,425
20	21	75,694	68,846	63,425
21	22	77,208	70,223	63,425
22	23	77,208	70,223	63,425
23	24	77,208	70,223	63,425
24+	25	77,208	70,223	64,059

Hourly		
Sergeant	Corporal	Patrolman
35.68	32.45	24.07
35.68	32.45	24.55
35.68	32.45	25.04
35.68	32.45	26.04
35.68	32.45	26.56
35.68	32.45	27.36
35.68	32.45	27.91
35.68	32.45	28.19
35.68	32.45	28.19
35.68	32.45	29.60
35.68	32.45	29.60
35.68	32.45	29.60
35.68	32.45	29.60
35.68	32.45	29.89
35.68	32.45	29.89
35.68	32.45	29.89
35.68	32.45	30.19
36.39	33.10	30.19
36.39	33.10	30.19
36.39	33.10	30.49
36.39	33.10	30.49
37.12	33.76	30.49
37.12	33.76	30.49
37.12	33.76	30.49
37.12	33.76	30.80

File Attachments for Item:

. Order 27,205 - approving the sole source purchase of Body Worn Cameras from Utility Associates, Inc. in an amount not to exceed \$449,475, to be broken down over five years consisting of \$179,790 for the first year (100% grant funded) and \$67,421.50 for years 2-5 (General Fund or grant funded)

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

ORDER NO. 27,205

DATE: March 21, 2023

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

THAT, the Sole Source proposal from Utility Associates, Inc., 250 E. Ponce de Leon Ave., Suite 700, Decatur, GA 30030, to purchase Body Worn Cameras to meet the State of Maryland mandate that all police departments have body camera systems in place by 2025, in the not-to-exceed amount of Four Hundred Forty Nine Thousand Four Hundred Seventy Five Dollars and No Cents (\$449,475), be and is hereby approved; and

BE IT FURTHER ORDERED THAT, this special pricing is in accordance with City Code Section 2-171(d), which pertains to the purchase of equipment or services only available through a sole source or a source that has significant familiarity with the city resource for which the purchase is sought.

Raymond M. Morriss, Mayor

Budget: 010B.040W.30150

Year One: \$179,790, 100% Grant Funded

Years Two - Five: \$\$67,421.50 per year from General Fund or Grant Funding, TBD

Council Agenda Summary

Meeting Date: March 21, 2022

Key Staff Contact: Chief Chuck Ternent/Captain James Burt

Item Title: Utility Body Worn Camera Quote/Sole Source

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

Authorize the Chief of Police to make a sole source purchase from Utility Associates Inc. for Body Worn Cameras at a total cost of \$449,475 consisting of \$179,790 in Year 1, covered by PACT Grant funding, followed by \$67,421.50 in each of years 2 through 5 from general funds, or grant funding to be determined in each of those years. This is to meet the state mandate that all police departments have body camera systems in place by 2025.

City of Cumberland

Department of Police

20 Bedford Street, Cumberland, Maryland 21502

Tel: 301-777-1600 Fax: 301-759-6544 cpd@cumberlandmd.gov



John "Chuck" Ternent
Chief of Police

March 8, 2023

Mr. Jeffrey F. Silka
City Administrator
57 N. Liberty Street
Cumberland, MD 21502

Mr. Silka:

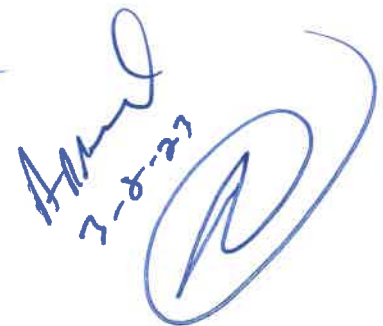
As you are aware the State of Maryland has mandated that all police departments must have a body camera system in place by 2025. In order to comply with this mandate all county and municipal law enforcement agencies in Allegany County formed a committee to study which system would best meet our needs. After more than a year of research the committee recommended the Utility Body Worn camera system. The Utility Body Worn system is the only system identified that met all our needs; for example: automatic activation, holster sensors, officer down safety features, vehicle sensors, foot pursuit activation, action zones, support and remote viewing among others. Utility Body Worn also guarantees the wireless coverage that we demanded without the burden of needing to build out the existing infrastructure. In fact, after research was done by our committee the Utility Body Worn system was the only system whose package contained all the features collectively that the committee required. It is for these reasons I would like to consider Utility Body Worn to be a sole source provider.

The total purchase package for the Utility Body Worn system that we intend to purchase is \$449,475.00 over 5 years. The initial cost during year one is \$179,790.00 with years 2 through 5 being \$67,421.00. Fortunately, our department has secured 100% grant funding for year 1 that must be expended prior to June 30, 2023. I have asked that \$67,421.50 be budgeted for the subsequent years; however, I am optimistic that we will secure grant funding, at least, for the next few years.

In conclusion, I am requesting that the police department be allowed to purchase the body camera system from Utility Body Worn under a sole source exception with the initial price of \$179,790 for year one and a subsequent cost of \$67,421 per year.

Sincerely,


Chief Chuck Ternent





Cumberland Police: Professional Service Agreement (BWC/ICV)

Quote created on May 17, 2022 - Reference: 20220517-084436780

CUMBERLAND POLICE MD

20 Bedford Street
Cumberland, MD 21502
United States

James Burt

Captain
james.burt@cumberlandmd.gov
301-759-6460

Comments

The pricing in this proposal represents the total turn-key price for a 5 year term.

*40% down first year while years two through five are paid equal annual payments

No CAD Integration or Activation

Troy Bacon - Business Manager at Utility Associates, Inc.



Products & Services

BodyWorn w/ Rocket IoT Communications and In-Car Video Bundle

35 x \$14,830.00

SKU BWI-H/S-4005

for 5 years

BodyWorn Camera and Mount, Holster Sensor, Media Controller, Rocket IoT In-Car Video System Hardware Bundle, Battery Backup, OBD 2, AVaiL Web SaaS, Warranty, and 24/7 Technical Support.

BodyWorn Bundle

15 x \$6,320.00

SKU BW-H/S-4005

for 5 years

BodyWorn Camera and Mount, Holster Sensor, Media Controller, AVaiL Web SaaS, Warranty, and 24/7 Technical Support, Installation, Training.

One-time subtotal \$613,850.00

Marquee Customer Discount \$164,375.00

Total \$449,475.00

This quote expires on August 15, 2022.

Purchase Terms

Payment Schedule:

Year 1: \$179,790.00

Year 2: \$67,421.50

Year 3: \$67,421.50

Year 4: \$67,421.50

Year 5: \$67,421.50

Total: \$449,475.00

Signature

Signature

Date

Printed name

Questions? Contact me



Troy Bacon

Business Manager

tbacon@utility.com



Utility Associates, Inc.

250 E. Ponce de Leon Ave, Suite 700

Decatur, GA 30030

US

File Attachments for Item:

. Order 27,206 - authorizing the Chief of Police to accept the State bids from Hertrich Fleet Services Inc. for two (2) road ready 2023 Ford Police Interceptor Utility police vehicles at \$49,778 each and one (1) 2023 Ford Police Interceptor Utility police vehicle at a cost of \$46,710, for a total cost of \$146,266.00

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

ORDER NO. 27,206

DATE: March 21, 2023

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

THAT, the proposal from Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, DE 19963, for the purchase of two (2) 2023 Ford Police Interceptor Utility Police Vehicles in the not to exceed amount of Forty Nine Thousand Seven Hundred Seventy Eight Dollars and No Cents (\$49,778) each and one (1) 2023 Ford Police Interceptor Utility Police Vehicle in the amount not to exceed Forty Six Thousand Seven Hundred Ten Dollars and No Cents (\$46,710) be and is hereby approved; and

BE IT FURTHER ORDERED THAT, this special pricing is in accordance with City Code Section 2-171(c), which pertains to purchasing cooperatives and state and local government contracts (piggyback contracts).

Raymond M. Morriss, Mayor

Budget:
001.040.64000

Council Agenda Summary

Meeting Date: March 21, 2023

Key Staff Contact: Chief Chuck Ternent/Lt. Eric Bonner

Item Title: FY23 Hertrich Fleet Services Quote for Police Vehicles

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

Request to accept the State bids from Hertrich Fleet Services Inc. for two (2) road ready 2023 Ford Police Interceptor Utility police vehicles at \$49,778 each and one (1) 2023 Ford Police Interceptor Utility police vehicle at a cost of \$46,710, for a total cost of \$146,266.00.

Amount of Award:

Budget number: 001.040.64000

Grant, bond, etc. reference:

HERTRICH FLEET SERVICES, INC

1427 Bay Road Milford, DE 19963

Ford - Chevrolet - Dodge - Jeep
Lincoln - Honda - Buick - GMC - Toyota - Nissan

(800) 698-9825

(302) 422-3300

Fax: (302) 839-0555

March 16, 2023

Eric Bonner
Admin Services
Cumberland Police Dept.

I am pleased to provide a quote for 2023 Ford Police Interceptor Utilities, priced per the Howard County
Contract #4400004546

Vehicle	2023 Ford Police Interceptor Utility – AWD PEP 500A	\$48,615
LK/96	Dark Blue Exterior & Black Interior – Cloth Front & Vinyl Rear Seats	
	3.3L Hybrid & 10 Speed Modular Automatic Transmission	
55F	Remote Keyless Entry – 4 FOBs & 4 Keys	\$340
60R	Noise Suppression Straps	\$100
153	Front Tag Bracket	N/C
86T	Rear Tail lamp Housing	N/C
17A	Aux Climate Control	\$610
17T	Red/White Cargo Lamp	\$50
43D	Courtesy Disable	\$25
549	Power Heated Side mirror	\$60
	MSRP\$ 49,800	
		\$48,715
		HCC (505)
		Disc (1,500)
	Total Per Vehicle	\$46,710

Please contact me with any questions, changes or to place an order. I like forward to hearing from you.

Respectfully submitted, John Worrall

HERTRICH FLEET SERVICES, INC

1427 Bay Road Milford, DE 19963

Ford - Chevrolet - Dodge - Jeep
Lincoln - Honda - Buick - GMC - Toyota - Nissan

(800) 698-9825

(302) 422-3300

Fax: (302) 839-0555

March 14, 2023

Eric Bonner
Admin Services
Cumberland Police Dept.

I am pleased to provide a quote for 2023 Ford Police Interceptor Utilities, priced per the Howard County
Contract #4400004546

Vehicle	2023 Ford Police Interceptor Utility – AWD PEP 500A	\$48,615
UM/96	Black Exterior & Black Interior – Cloth Front & Vinyl Rear Seats	
	3.3L Hybrid & 10 Speed Modular Automatic Transmission	
67H	Ready For the Road Pkg <ul style="list-style-type: none">• Ready for the Road Package: All-in Complete Package• – Includes Police Interceptor Packages: 66A, 66B, 66C, plus• Whelen Cencom Light Controller Head with dimmable backlight• Whelen Cencom Relay Center / Siren / Amp w/Traffic Advisor control (mounted behind 2nd row seat)• Light Controller / Relay Cencom Wiring (wiring harness) w/additional input/output pigtails• High current pigtail• Whelen Specific WECAN Cable (console to cargo area) connects Cencom to Control Head• Pre-wiring for grille LED lights, siren and speaker (60A)• Rear console plate (85R) – contours through 2nd row; channel for wiring• Grille linear LED Lights (Red / Blue) and harness• 100-Watt Siren / Speaker• Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) (52P) Note: Not available with options: 66A, 66B, 66C, 67U and 65U Note: Not available with Low Band Frequency Noise Suppression Kit (68E)	\$3595
51R	Driver side Spot Lamp	\$395
16D	Badge Delete	N/C
55F	Remote Keyless Entry – 4 FOBs & 4 Keys	\$340
153	Front Tag Bracket	N/C
86T	Rear Tail lamp Housing	N/C
63B	Side Marker Skull Caps	\$290
63T	Quarter Glass Light	\$575
76R	Reverse Sensing System	\$275
17T	Red/White Cargo Lamp	\$50
43D	Courtesy Disable	\$25
	MSRP\$ 54,160	
		\$51,783
	HCC	(505)
	Disc	(1,500)
	Total Per Vehicle	\$49,778

Please contact me with any questions, changes or to place an order. I like forward to hearing from you.

Respectfully submitted, John Worrall

"A Member of the HERTRICH Family of Automobile

File Attachments for Item:

. Order 27,207 - authorizing an agreement with The Kensington Senior Living Community allowing the City of Cumberland and their vendor, Multivista, LLC, to install a construction camera on the roof of the building at 1 Baltimore Street

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

ORDER NO. 27,207

DATE: March 21, 2023

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

THAT, the agreement between the Mayor and City Council and The Kensington Senior Living Community allowing the City of Cumberland and their vendor, Multivista, LLC, to install a construction camera on the roof of the building at 1 Baltimore Street be and is hereby approved.

Raymond M. Morriss, Mayor

Council Agenda Summary

Meeting Date: 3/21/2023

Key Staff Contact: Robert Smith, PE

Item Title:

Agreement to install Baltimore Street Access Project Construction Cameras at the Kensington

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

An order authorizing the mayor to sign an agreement with The Kensington, 1 Baltimore Street, to allow the City and their vendor, Multivista LLC, to install a construction camera on the roof of the 1 Baltimore Street.

M&CC Order 27,181 approved the installation of 3 cameras to support the Baltimore Street Access project. In order to install the camera at 1 Baltimore Street, the owner is requiring an agreement to be signed to assign liability to the City and its Contractor. Multivista LLC. has provided the City with COI with the Mayor & City Council identified as an additional insured entity.

Amount of Award: N/A

Budget number: N/A


Grant, bond, etc. reference: N/A

The Kensington, at 1 Baltimore Street, Cumberland, Maryland, hereby grants permission to the City of Cumberland, and their arrangement with Buildview, LLC DBA Multivista, to have access into/on the roof to install and maintain their cameras. The City is responsible for installing and maintaining their equipment. The City is liable for any damages related to the installation, maintenance, operation, and removal of their equipment. The City is also liable for any damages resulting from any incident involving their equipment, including any damage The Kensington may incur.

This agreement may be dissolved with a 30-day written notice by either party in this agreement, for any reason.



The Kensington Representative



Date

The City of Cumberland Representative

Date

File Attachments for Item:

. Order 27,208 - authorizing the execution of Change Order No. 3 with Carl Belt, Inc. for the Decatur Street 24" Crosstown Water Main Replacement (City Project 31-17-W) to add nineteen calendar days for the substantial completion, bringing the substantial completion date to October 19, 2022 and decreasing the final contract price by an amount of \$301,071.17

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

ORDER NO. 27,208

DATE: March 21, 2023

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

THAT, the City Administrator be and is hereby authorized to execute Change Order No. 3 with Carl Belt, Inc., 11521 Milnor Avenue, Cumberland, MD 21502, to add nineteen (19) calendar days for the substantial completion, bringing the substantial completion date to October 19, 2022 and decreasing the final contract price by an amount of Three Hundred One Thousand Seventy One Dollars and Seventeen Cents (\$301,071.17) for the Decatur Street 24" Crosstown Water Main Project (City Project 31-17-W), bringing the total contract price to Two Million Eight Hundred Ninety One Thousand Seven Hundred Eighty one Dollars and Thirty Eight Cents (\$2,891,781.38).

Raymond M. Morriss, Mayor

Carl Belt, Inc.	<i>Contract Price</i>
Original Contract Price	\$3,192,852.55
Change Order No. 3	-\$301,071.17
Total Contract Price after CO 3	\$2,891,781.38

Budget: 002.299EE.63000

Council Agenda Summary

Meeting Date: 3/21/2022

Key Staff Contact: Robert Smith, PE

Item Title:

Change Order No. 3 Decatur Street 24" Crosstown Water Main Replacement, City Project 31-17-W

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

Add 19 calendar days for substantial completion for the current project with Carl Belt, Inc. This sets the substantial completion date at October 19, 2022. In addition, decreases the final contract price in the amount of \$301,071.17 after all extra work and City credits are reconciled. The total contract price will now be \$2,891,781.38. This project is now complete pending administrative closeout with MDE and ARC.

Amount of Award: Reduction \$301,071.17

Budget number: 002.299EE.63000

Grant, bond, etc. reference: ARC & MDE Grant Funds, DWSRF Loans

Date of Issuance: 3/24/2023	Effective Date: 3/24/2023
Owner: City of Cumberland	Owner's Contract No.: 31-17-W
Contractor: Carl Belt, Inc.	Contractor's Project No.: 4092
Engineer: Bennett, Brewer & Associates	Engineer's Project No.: 31-17-W
Project: Decatur Street 24" Crosstown Water Main Replacement	Contract Name: Decatur Street 24" Crosstown Water Main Replacement

The Contract is modified as follows upon execution of this Change Order:

Description: This change order revises the contract to pay for asphalt index adjustment due to changes in asphalt cost from time of bidding, additional materials to purchased, unused items to be restocked, additional work required beyond the contract. This change order also reconciles the unused materials due to a reduction in scope that was deemed infeasible.

Attachments: *[List documents supporting change]*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>3,112,885.95</u>	Original Contract Times: Substantial Completion: <u>150</u> Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : \$ <u>79,966.60</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : Substantial Completion: <u>361</u> Ready for Final Payment: <u>0</u> days
Contract Price prior to this Change Order: \$ <u>3,192,852.55</u>	Contract Times prior to this Change Order: Substantial Completion: <u>361</u> Ready for Final Payment: _____ days or dates
[Increase] [Decrease] of this Change Order: \$ <u>301,071.17</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>10/19/2022</u> Ready for Final Payment: <u>4/30/2023</u> days or dates
Contract Price incorporating this Change Order: \$ <u>2,891,781.38</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>10/19/2022</u> Ready for Final Payment: <u>4/30/2023</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: _____	By: _____	By: _____	By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)			
Title: _____	Title: _____	Title: _____	Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

File Attachments for Item:

. Order 27,209 - authorizing the execution of Change Order No. 1 with Carl Belt, Inc. for the WWTP Influent Screening System Upgrades Project (City Project 2-21-WWTP) increasing the final contract price by an amount \$11,256.25

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

ORDER NO. 27,209

DATE: March 21, 2023

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

THAT, the City Administrator be and is hereby authorized to execute Change Order No. 1 with Carl Belt, Inc., 11521 Milnor Avenue, Cumberland, MD 21502, to add a second six inch (6") stainless steel vac truck hookup on the south end of the headworks building for the WWTP Influent Screening System Upgrades Project (City Project 2-21-WWTP), bringing the total contract price not to exceed to One Million Four Hundred Thirty One Thousand Seven Hundred Fifty Six Dollars and Twenty Five Cents (\$1,431,756.25).

Raymond M. Morriss, Mayor

Carl Belt, Inc.	<i>Contract Price</i>
Original Contract Price	\$1,420,500.00
Change Order No. 1	\$11,256.25
Total Contract Price after CO 1	\$1,431,756.25

Budget: 003.399.TP6.63000

Council Agenda Summary

Meeting Date: 3/21/2022

Key Staff Contact: Matt Idleman, PE

Item Title:

Change Order No. 1 WWTP Influent Screening System Upgrades Project, City Project 2-21-WWTP

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

Add a second 6" stainless steel vac truck hookup on the south end of the headworks building. Both north and south vac lines should be at a height of approximately 5' from the ground. Eliminate the 90 degree elbows and replace with multiple 45 degree bends as needed. The 6" Bauer Couplings shall face upwards. Two (2) additional pipe bollards are also needed. This will increase the cost of the project by \$11,256.00. The total contract price will now be \$1,431,756.25.

Amount of Award: Increase of \$11,256.25

Budget number: 003.399.TP6.63000

Grant, bond, etc. reference: City Funds



Matt Idleman <matt.idleman@cumberlandmd.gov>

Re: WWTP Influent Screening Project - Proposed Change Order

1 message

Mark Gandolfi <mark.gandolfi@cumberlandmd.gov>

Thu, Mar 2, 2023 at 3:13 PM

To: Matt Idleman <matt.idleman@cumberlandmd.gov>

Cc: Robert Smith <robert.smith@cumberlandmd.gov>, Derrik Grimm <derrik.grimm@cumberlandmd.gov>

Hi Matt,

Through Invoice 5 on 1/10/23, \$552,807.93 has been expensed and retainage is \$60,841.25 for a total of \$613,649.18 which is made up of \$608,412.45 Belt plus additional Gwinn Dobson Foreman costs of \$5,236.73.

The incurred \$613,649.18 is funded as follows:

\$246,625.86 was paid for from CDA 2021 20 year debt.

\$367,023.32 will be paid from CDA 2023 20 year debt when closed on.

Of the \$1,420,500 PO 2023-318, \$872,928.80 is remaining; \$11,256.25 will be added for a new remaining balance of \$884,185.05

Yes, I do have enough CDA23-20 debt to cover that addition of 11,256.25. Please proceed with your change order and council order amendment.

Kind regards,

Mark

On Wed, Mar 1, 2023 at 3:35 PM Matt Idleman <matt.idleman@cumberlandmd.gov> wrote:

Mark,

As you are aware, we are in the middle of a \$1.4M project at the wastewater plant that includes upgrading the influent screens at the head of the plant.

As this was a wastewater project, we did not have anyone with the sewer department review the drawings prior to the bidding process. Unfortunately, when Tim and Jerry did look the drawings over later, they had some concerns with the proposed set-up for the vacuum lines and hookups (the lower level of the influent screen building is routinely cleaned with the sewer dept's vac truck). While the original set-up would work, they proposed adding a second hookup on the other side of the building and eliminating all 90 degree elbows, both to increase suction power. They also wanted some adjustments to the hookup locations. Belt provided a COR for this work of \$11,256.

This project uses City funds. We were already well over our original budget for the original scope of work, and I do not see anything else that can be cut from the scope to cover. Is there any wiggle room to add this Change Order? If not, we could budget \$20,000 for these modifications in a later year.

Thanks,

Matt Idleman, PE*Deputy Director of Engineering, City of Cumberland***O:** 301-759-6503 | **C:** 304-813-8535[57 N. Liberty St, Cumberland, MD 21502](#)



PCO #001

Carl Belt, Inc. - An Equal Opportunity Employer
P.O. Box 1210 / 11521 Milnor Avenue
Cumberland, Maryland 21502

Project: 4212 - City of Cumberland Influent Screening System Upgrade
Cumberland, Maryland 21502

Prime Contract Potential Change Order #001: Additional 6" SS Vac Line & Hook-Up

TO:	City of Cumberland 57 N. Liberty Street Cumberland, Maryland 21502	FROM:	Carl Belt, Inc. P.O. Box 1210 Cumberland, Maryland 21501-1210
PCO NUMBER/REVISION:	001 / 0	CONTRACT:	1 - WWTP Influent Screening Systems Upgrades
REQUEST RECEIVED FROM:		CREATED BY:	Paula Hite (Carl Belt, Inc.)
STATUS:	Pending - In Review	CREATED DATE:	8/25/2022
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No	ACCOUNTING METHOD:	Amount Based
LOCATION:		PAID IN FULL:	No
SCHEDULE IMPACT:		SIGNED CHANGE ORDER RECEIVED DATE:	
EXECUTED:	No	TOTAL AMOUNT:	\$11,256.25

POTENTIAL CHANGE ORDER TITLE: Additional 6" SS Vac Line & Hook-Up

CHANGE REASON:

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*
Additional 6" SS Vac Line and Hook-up as per attached.

ATTACHMENTS:

#	Budget Code	Description	Amount
1	OC Owner Cost	Additional 6" SS Vac Line & Hook-Up	\$11,256.25
Grand Total:			\$11,256.25

Christopher Eckenrode (Gwin, Dobson
and Foreman, Inc.)
3121 Fairway Drive
Altoona, Pennsylvania 16602

City of Cumberland
57 N. Liberty Street
Cumberland, Maryland 21502

Carl Belt, Inc.
P.O. Box 1210
Cumberland, Maryland 21501-1210

Christopher M. Eckenrode 8-29-2022
SIGNATURE DATE

SIGNATURE DATE

L. Hite 8/25/22
SIGNATURE DATE

WORK CHANGE DIRECTIVE

PROJECT: City of Cumberland - WWTP Influent Screening System Upgrades

WORK CHANGE DIRECTIVE: No. 1

INITIATION DATE: August 4, 2022

TO: Carl Belt, Inc.

OWNER:

┌
City of Cumberland
57 N. Liberty Street
Cumberland, MD 21502
└

┐ CONTRACT NO: 2-21-WWTP

CONTRACT FOR: WWTP Influent Screening
System Upgrades

┘ CONTRACT DATE: July 8, 2022

You are directed to make the following changes in this Contract:

Work Item: Additional Stainless Steel Vac Truck Hookup Line

Sub-contractor(s) Involved: Mechanical

Reference: Revised Sheets M-101, 102, 201, 202, 301 and 302

Change to be Made: Add a second 6" stainless steel vac truck hookup on the south end of the headworks building. Both north and south vac lines should be at a height of approximately 5' from the ground. Eliminate the 90° elbows and replace with multiple 45° bends as needed. The 6" Bauer Couplings shall face upwards. Two (2) additional pipe bollards are also needed.

Notes: This change was made at the request of Tim and Jerry with the City of Cumberland.

Engineer: Christopher M. Eckenrode
Christopher M. Eckenrode, P.E.
Senior Project Engineer

Date: 8-4-2022

cc: Matt Idleman
File

[illegible]



880 Kelly Road
Cumberland, Maryland 21502
T (301) 724-6650
F (301) 724-2938

August 18, 2022

Belt Construction Group

P.O. Box 1210

Milnor Avenue

Cumberland, MD 21502

Dear Mr. Kimble

We are pleased to enter for your consideration our quotation of \$ 10,350.00 to add an additional 6" vacuum line and make changes to the original line per WCD # 1.

Please feel free to contact us with any questions or concerns.

Thanks,

A handwritten signature in black ink, appearing to read "Wes Deurr", written in a cursive style.

Wes Deurr