



Mayor and City Council Of Cumberland

Mayor Raymond M. Morriss
Councilman Richard J. "Rock" Cioni
Councilman Eugene T. Frazier
Councilman James L. Furstenberg
Councilman Brian R. Lepley

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

MINUTES

M&CC Regular Public Meeting
57 N. Liberty Street, Cumberland, MD 21502

DATE: August 6, 2025

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, III
Council Member Brian R. Lepley
President Raymond M. Morriss,

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk; Shannon Berry; Assistant to the City Clerk, Acting Police Chief Bonner, and Cody Pearce, Deputy Fire Chief

IV. Statement of Closed Meeting

The Mayor and City Council of Cumberland met in public session beginning at 4:30 p.m. in the 2nd floor Conference Room of City Hall on Wednesday, August 6, 2025 for the purpose of immediately closing the meeting to receive an update pertaining to employee issues. Authority to close the session is provided by Section 3-305(b)(1)(i), of the General Provisions Article of the Annotated Code of Maryland.

Presentations

1. Presentation of a Certificate of Recognition to the Benefactor of the City Christmas Tree.

Mayor Morriss acknowledged Mr. Fred Timbrook for volunteering to purchase the City Christmas Tree and spoke of the great contributions made by the Timbrook family to the community.

Mr. Timbrook thanked us for allowing us to give back to the community. He is honored to have a business here in the community.

V. Approval of Minutes

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

1. Approving the Closed Session Minutes, Open Work Session Minutes, and Regular Session Minutes of July 15, 2025

VI. Public Comments for Agenda Items Only

All public comments are limited to 5 minutes per person

Michelle DeViller spoke about Ordinance 4019, stating that a 30-day notice prior to an event seems excessive, given that unexpected events can occur. She pointed out that the Supreme Court has ruled against holding events in public settings. She believes the insurance language requires modification.

Carmen Jackson spoke of Ordinance 4019 and feels that the insurance policy is unfair. She is asking for a list of insurers who offer these services, as she feels it creates a burden for those trying to express their feelings publicly when needed.

Max Green discussed Ordinance 4019 and expressed concerns that the proposed language introduces unconstitutional barriers. He pointed out issues such as the requirement to obtain a permit 30 days in advance, the financial burden of a \$150 fee, and the need for liability insurance coverage of up to \$2 million. Green suggests that fees should be waived for assemblies that do not require public safety officers. He believes the penalties for violations are too harsh and hinder free speech, and the dual permit process through the DDC and the City should be streamlined.

VII. Unfinished Business

Motion to put Ordinance 4019 on the table was made by Council Member Frazier, seconded by Council Member Cioni, and was passed on a vote of 5-0

(A) Ordinances

1. Ordinance 4020 (*2nd and 3rd readings*) - authorizing the transfer of 491-493 Baltimore Avenue to American Rentals LLC, an adjacent property owner, in exchange for the demolition cost of \$6,500 to be paid by the purchaser

SECOND READING: Motion to accept the second reading was made by Council Member Lepley, seconded by Council Member Furstenberg, and was passed on a vote of 5-0.

Mayor Morriss called for questions or comments. Being none, the ordinance was 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 4021 (*1st reading*) - authorizing the transfer of 315 Bond Street to Christiansen Properties, LLC for the purchase price of \$500

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

2. Ordinance 4022 (*1st reading*) - authorizing the transfer of 310 Columbia Street to Vintage Home Renovation & Properties, LLC for the purchase price of \$6,600

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

3. Ordinance 4023 (*1st reading*) - authorizing the transfer of 111, 113 and 117 Independence Street to Charles Welch for the purchase price of \$600

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

4. Ordinance 4024 (*1st reading*) - authorizing the transfer of 218 Park Street to Joseph Simpson III for the purchase price of \$101

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

5. Ordinance 4025 (*1st reading*) - authorizing the transfer of 461 Goethe Street to SP Marin Trust for the purchase price of \$500

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

6. Ordinance 4026 (*1st reading*) - authorizing the transfer of 463 Goethe Street to SP Marin Trust for the purchase price of \$500

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

7. Ordinance 4027 (*1st reading*) - abrogating Ordinance No. 3976 and authorizing the execution of a first amendment to the Infill Development Agreement with Teabow Residential, LLC for the purpose of amending the agreement dated April 2, 2024 for the purpose of extending certain deadlines, changing the permitted use of 252 E. Elder St, altering the remedies available in the event of a default, decreasing the number of dwelling units and other incidental matters

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

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda with the exception of Order 27,796 and Mayor Morriss called for questions or comments. **Motion** to approve each item was made by Council Member Frazier, seconded by Council Member Furstenberg, and was passed on a vote of 5-0.

1. Order 27,787 - authorizing the Acting Chief of Police to accept the FY26 Community Grant in the amount of \$40,000 to provide funding for officers to attend community events and conduct neighborhood foot and bike patrols, as well as attend PLAY program events
2. Order 27,788 - authorizing the Acting Chief of Police to enter into a Memorandum of Understanding with the Allegany County Health Department to receive grant funding in the amount of \$1,295 for officers to work mediation pick up and take back events in an attempt to prevent opioid misuse
3. Order 27,789 - authorizing the Acting Chief of Police to enter into a Memorandum of Understanding with the Allegany County Health Department to receive grant funding in the amount of \$1,500 for officers to work overtime conducting overdose follow-ups in conjunction with Peer Support Specialists and Allegany County Parole and Probation
4. Order 27,790 - accepting the proposal from Quality Pipe Cleaning Co., Inc. to perform pipe jetting services for debris removal at the Mill Race CSO building in the amount not to exceed \$31,234
5. Order 27,791 - approving the fuel contract for Inventory Gasoline and Diesel Fuel from Oakland Oil and Propane (DBA Stuck Enterprises) in the not to exceed amount of \$290,000, piggybacking off of the Allegany County Commissioners' contract, in accordance with City Code Section 2-171(c)
6. Order 27,792 - authorizing the Acting Chief of Police to accept the FY26 Police Recruitment and Retention Grant from the Governor's Office for Crime Control and Prevention in the amount of \$23,310 to assist with the state-wide shortage of police candidates by providing funds to help local agencies recruit and retain police officers
7. Order 27,793 - accepting the bid from Laurel Auto Group Inc. for two 2025 Ford Interceptor Utility Police vehicles, including upfit, at a cost of \$60,525.90 per vehicle for a total cost not to exceed \$121,051.80

8. Order 27,794 - authorizing the Acting Chief of Police to accept the FY26 Entertainment Security Grant in the amount of \$48,126 to purchase signage and barricades for events and provide funding for officers to attend community events and conduct foot and bike patrols
9. Order 27,795 - authorizing payment to various community groups from the hotel/motel tax receipts in an amount not to exceed \$45,000, when added to the community groups detailed in Order 27,796, also dated August 6, 2025
10. Order 27,796 - authorizing payment to various community groups from the hotel/motel tax receipts in an amount not to exceed \$45,000 when added to the community groups detailed in Order 27,795, also dated August 6, 2025
11. Order 27,797 - lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol within a defined area of the downtown for the "Savage Mountain Punk Festival " Event on August 9, 2025 from 5:00 PM to 11:59 PM; notwithstanding, that open glass containers shall not be permitted
12. Order 27,798 - rescinding Order No. 27,781 originally approved on July 15, 2025 due to changes requested by New Cingular Wireless after original approval, and authorizing the execution of a Second Amendment to a Lease Agreement with Cingular Wireless PCS, LLC for space on the City-owned water tower on Haystack Mountain located at 600 Bishop Walsh Road, extending the expiration date to August 31, 2033 at an increased monthly rate of \$3,656.24, effective September 1, 2025, with a 4% escalation beginning on September 1 each year thereafter
13. Order 27,799 - authorizing the bids from Belt Paving, Inc. and/or IA Construction Corporation for the purchase of Black Top Materials for Spring Street Paving Projects in the not to exceed amount of \$400,000, based on product availability when needed
14. Order 27,800 - authorizing the Sole Source purchase of the City's annual amount of water meters and smartpoints from L/B Water Service in the amount not to exceed \$287,500 for the entire fiscal year
15. Order 27,801 - authorizing the Sole Source purchase of the City's annual amount of Meter Setters, Meter Boxes and Frost Free Lids from L/B Water Service in the amount not to exceed \$41,000 for the entire fiscal year
16. Order 27,802 - authorizing the Sole Source purchase of the City's annual amount of Meter Setters, Meter Boxes and Frost Free Lids from Core & Main LP in the amount not to exceed \$41,000 for the entire fiscal year

17. Order 27,803 - authorizing the Sole Source purchase of the City's annual amount of Meter Setters, Meter Boxes and Frost Free Lids from CITCO Water in the amount not to exceed \$41,000 for the entire fiscal year
18. Order 27,804 - authorizing the Sole Source purchase of the City's annual amount of Meter Setters, Meter Boxes and Frost Free Lids from Ferguson Waterworks in the amount not to exceed \$41,000 for the entire fiscal year
19. Order 27,805 - declaring certain equipment to be surplus property and authorizing it for sale, trade in, scrap or disposal
20. Order 27,806 - accepting the proposal from CDW-G for the purchase of the Palo Alto PA-1420 yearly support and software subscriptions to provide updates and maintenance for the City's Firewalls in the amount not to exceed \$40,395.01
21. Order 27,807 - authorizing the execution of Change Order No. 2 with Harbel Inc., for additional work not specified in the original contract for pier cap repair and safety lagging for the Marion Street Bridge Repairs (City Project 2023-12-BRDG) in the amount of \$100,362.99, bringing the new contract value to \$369,775.06
22. Order 27,808 - accepting the proposal from Vialytics for software to aid with pavement management that will help inform yearly pavement plans in the annual cost of \$15,908.64 plus a one-time Onboarding and Training fee of \$950, for a total not to exceed cost of \$64,584.56, with the cost broken down annually for four years
23. Order 27,809 - accepting the bids from Allegany Aggregates, Inc./Allegany Concrete and/or American Concrete, LLC and/or Red Barn Concrete for the purchase of Concrete Materials in the not to exceed amount of \$100,000, based on product availability when needed
24. Order 27,810 - Rescinding Order 27,705, originally approved on May 6, 2025 due to misstated terms and approving a Historic District Tax Incentive Program credit and assessment freeze for property at 305 Washington St. (Tax No. 06-042007) owned by Hemlock Leasing LLC, based on total eligible project costs of \$81,390 for a Property Tax Credit of \$8,139 valid for 5 years and a Property Tax Assessment Freeze for 3 years
25. Order 27,811 - rescinding Order 27,709, originally approved on May 6, 2025 due to misstated terms and approving a Historic District Tax Incentive Program credit for property at 208 Washington St. (Tax No. 06-029736) owned by Mike Clark, based on total eligible project costs of \$14,565.73 for a Property Tax Credit of \$1,456.57 valid for 5 years

26. Order 27,812 - rescinding Order 27,710 originally approved on May 6, 2025 due to misstated terms and approving a Historic District Tax Incentive Program credit and assessment freeze for property at 619 Washington St. (Tax No. 06-035418) owned by Mary Margaret Dusenbery, based on total eligible project costs of \$270,800 for a Property Tax Credit of \$13,540 valid for 5 years and a Property Tax Assessment Freeze for 6 years
27. Order 27,813 - authorizing the requirement that persons entering any City-owned building must wear a shirt, pants and shoes

(C) Consent Agenda

Order 27,796 was separated due to Mayor Morriss recusing himself from this vote. **Motion** to approve this item was made by Council Member Cioni, seconded by Council Member Furstenberg, and was passed on a vote of 4-0, with Mayor Morriss abstaining.

1. Order 27,796 - authorizing payment to various community groups from the hotel/motel tax receipts in an amount not to exceed \$45,000 when added to the community groups detailed in Order 27,795, also dated August 6, 2025

XIII. Public Comments

All public comments are limited to 5 minutes per person.

Dana Tinnen is inquiring about the search for the Police Chief position, specifically whether it is a nationwide search and the timeframe for accepting applications. He emphasized that this is an opportunity to diversify the police department and has requested that a minority candidate be considered for the role.

Mr. Silka advised that the search is in Maryland and the application period will end on August 15, 2025.

Gary Price spoke of a water issue at his residence, 505 Valentine Ave. Three weeks prior to the date, he experienced a deluge of water on his property that came down from Bedford St. He went on to speak of

pictures dated from October to the present of the individual contributing to the issue. The City has informed him that the issue is caused by grading modifications made by the owner. However, Mr. Price stated that he did not alter the grade and has pictures to support his claim. He also mentioned that the City attempted to resolve the drainage issue but was unsuccessful. Additionally, the culvert is clogged with brush and yard clippings.

Mayor Morriss thanked Gary for bringing this to the attention of the Council and asked him to please forward his pictures to address the issue.

Tiffany Fisher, the historian for the Metropolitan Church, invites the city to celebrate an important anniversary. The church is the oldest Black structure within the city limits and the second oldest in Allegany County. It also played a significant role as part of the Underground Railroad. She is requesting support from the City to demonstrate their involvement to the community. The event will take place on Friday, August 22, 2025. On August 23rd, there will be a fish fry, and on August 24th, a service will be held at 11:00 AM.

IX. Adjournment

With no further business at hand, the meeting adjourned at 7:11 p.m.

Minutes approved on September 2, 2025

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk