



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 Scott Cohen
City Clerk Allison K. Layton

MINUTES

M&CC Regular Meeting
57 N. Liberty St.

DATE: August 5, 2024

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 Laurie P. Marchini
President Raymond M. Morriss

Also Present: Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk;
Shannon Berry, Assistant to City Clerk, Captain James Burt, Captain, Deputy Fire Chief
Stephen Grogg

IV. Statement of Closed Meeting

On August 5, 2024, the Mayor and City Council met in closed session at 4:00 p.m. in the Council Chambers in City Hall to receive legal advice regarding the project at 19 Frederick Street and to consult with staff regarding the City’s lawsuit against CSX as well as to receive the advice of the City Solicitor regarding that matter. Authority to close the session is provided by Section 3-305(b)(7) and (8) of the General Provisions Article of the Annotated Code of Maryland.

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V. Presentations

1. Recognition to Brandi Gochenauer for her Track & Field Championship

Mayor Morriss gave recognition to Brandi Gochenauer for her winning 3 state championships in shot put. A photo was taken with Brandi, her family and council members.

2. Presentation to George Franklin and Raymond Twyman for their gold medal wins at the 2024 National Transplant Games

Mayor Morriss gave recognition to George Franklin for his participation in the 2024 Transplant Games of America and winning 4 gold medals. George is also the longest living transplant recipient in MD and the longest living black recipient in the United States.

Mayor Morriss gave recognition to Raymond Twyman for his participation in the 2024 Transplant Games of America and being awarded doubles in bowling as well as a bronze medal in mixed doubles bowling and a gold medal as the team of Maryland's first place finish in volleyball.

A photo was taken with George, Raymond and council members.

Councilwoman Marchini spoke to the importance of organ donation and how important it is to inform your family members that you are an organ donor and to share the gift of life.

VI. Director's 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.

Director's Reports

(A) Police

1. Police Department Monthly Report for June 2024

(B) Utilities - Flood, Water, Sewer

1. Utilities Division Water/Sewer/Flood Monthly Report for July 2024

VII. Approval of Minutes

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

1. Approval of the Open Work Session and Regular Public Minutes from July 16, 2024

VIII. Public Comments- – FOR AGENDA ITEMS ONLY

IX. Unfinished Business

(A) Ordinances

1. Ordinance 3985 (*2nd and 3rd readings*) - authorizing the execution of (1) a contract for exchange of real estate for the exchange of certain surplus real property owned by the Mayor and City Council of Cumberland located at 454 Goethe Street for the real property owned by James W. Wormack and Joyce E. Wormack at 415 Central Avenue, (2) a deed for the purpose of conveying the property and (3) such supplemental documents as may be required to affect the transaction

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to approve the reading was made by Council Member Cioni, 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.

2. Ordinance 3986 (*2nd and 3rd readings*) - authorizing the transfer of three parcels of real property located at 406, 410 RR and 412 Goethe Street to Dawn Hite for the purchase price of \$300

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to approve the reading was made by Council Member Fraizer, seconded by Council Member Marchini, 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.

3. Ordinance 3987 (*2nd and 3rd readings*) - authorizing the transfer of the parcel of real property located at 469 Goethe Street to Justin Lamp for the purchase price of \$500

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to approve the reading was made by Council Member Cioni, 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.

4. Ordinance 3988 (*2nd and 3rd readings*) - authorizing the transfer of the parcel of real property located at 111 South Street to Covenant Keeper, Inc. for the purchase price of \$2,150

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to approve the reading was made by Council Member Marchini, seconded by Council Member Fraizer, 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.

5. Ordinance 3989 (*2nd and 3rd readings*) - authorizing the transfer of the parcel of real property located at 526 Broadway Circle to James and Terry Froelich for the purchase price of \$2,001

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to approve the reading was made by Council Member Cioni, seconded by Council Member Fraizer, 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.

6. Ordinance 3990 (*2nd and 3rd readings*) - authorizing the transfer of the parcel of real property located at 424 Goethe Street to Jonathan Pressman for the purchase price of \$7,000

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to approve the reading was made by Council Member Fraizer, seconded by Council Member Marchini, 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.

New Business

(A) Ordinances

1. Ordinance 3991 (*1st reading*) - enacting Section 11-115 of the Code of the City of Cumberland pertaining to the prohibition against the smoking of tobacco and cannabis and the use of smokeless tobacco within the right of way of Baltimore Street between its intersections with the East side of Mechanic Street and the West side of Queen City Drive

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

Motion to approve the 1st reading and table until the next meeting, was made by Council Member Fraizer, seconded by Council Member Marchini, and was passed on a vote of 5-0.

2. Ordinance 3992 (*1st reading*) - enacting Section 15-55 of the Code of the City of Cumberland pertaining to the waiver of the ban against the use of alcohol in City Parks and Parklets for pavilion use and special events in Constitution Park, and granting the Director of Parks and Recreation the power to issue permits for the said waiver

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

Motion to approve the 1st reading and table until the next meeting, was made by Council

Member Furstenberg, seconded by Council Member Cioni, and was passed on a vote of

5-0.

(B) Orders (Consent Agenda)

Mr. Silka reviewed each item on the Consent Agenda for orders 27,516-27,535 and Mayor Morriss called for questions or comments. **Motion** to approve Orders 1-20 was made by Council Member Frazier, seconded by Council Member Marchini, and was passed on a vote of 5-0.

1. **Order 27,516** - declaring vehicles and equipment to be surplus and authorizing them for sale, trade in or scrap
2. **Order 27,517** - authorizing appointments to the Arts Commission and the Downtown Development Commission
3. **Order 27,518** - authorizing the Chief of Police to accept the FY25 Sex Offender Compliance grant in the amount of \$19,248 for Cumberland Police Department and Allegany County Sheriff's Office overtime to perform compliance checks by conducting home visits of registered sex offenders to confirm residency
4. **Order 27,519** - authorizing the 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 mediation pick up and take back events in an attempt to prevent opioid misuse
5. **Order 27,520** - authorizing the Chief of Police to enter into a Memorandum of Understanding with the Allegany County Health Department to receive grant funding in the amount of \$3,000 for officers to work overtime conducting overdose follow-ups in conjunction with Peer Support Specialists and Allegany County Parole and Probation
6. **Order 27, 521** - authorizing the Chief of Police to accept the FY25 MCIN Grant in the amount of \$330,750 to be used to support crime reduction patrols, targeted enforcement, intelligence gathering, apprehension of violent criminal, streamline information sharing to address gang and drug trafficking with grant funds being obligated for contractual salaries, personnel services and overtime for increased manpower within allied agencies
7. **Order 27,522** - authorizing an amendment to Order No. 27,388, originally approved on January 16, 2024, to include the cost of shipping in the amount of \$499.84, bringing the new total not to exceed \$41,607.31
8. **Order 27,523** - authorizing the execution of an agreement for the BMX park

9. **Order 27,524** - authorizing the execution of the concession stand agreement with Lisa Gover for the operation of the concession area at the Constitution Park Pool from May 25, 2024 through September 30, 2024, with a license fee of \$500
10. **Order 27,525** - authorizing the City Comptroller to facilitate the purchase of the property at 461 Central Avenue (Tax ID 22-003852) as part of the Central Avenue City/County Initiative for the closing bid price of \$25,000, plus closing costs and auction fees, estimated at \$4,800, bringing the total amount not to exceed \$29,800.00
11. **Order 27,526** - approving the purchase of the property at 425 Central Avenue in Cumberland, MD (Tax ID 22-008277) as part of the Central Avenue City/County Initiative for the price of \$85,000
12. **Order 27,527** - rescinding Order No. 27,492 approved on July 2, 2024 due to a misstated purchase amount and approving the contract renewal with Link Computer Corporation for the renewal of the MuniLink Utility Billing System for a one-year term retroactive to July 1, 2024 the amount not to exceed \$47,064.60
13. **Order 27,528** - authorizing the execution of a grant agreement with Maryland Historical Trust for \$25,000 in grant funds to the City to be used for commissioning a study to implement connectivity between local attractions and services
14. **Order 27,529** - authorizing execution of a grant agreement with MD Department of Housing and Community Development regarding DHCD's provision of \$25,000 in grant funds to the City to support marketing and advertising efforts in conjunction with the Cumberland Main Street Revitalization Project, and further authorizing the City's acceptance of the funds
15. **Order 27,530** - authorizing the execution of Outdoor Dining Lease Agreements with Myla and Maple, Queen City Cravings and Mise en Place
16. **Order 27,531** - approving the emergency repairs to the Koon Dam Bridge by Carl Belt, Inc. for Koon Dam Emergency Bridge Repairs (City Project 2024-15-WFP) in the not to exceed amount of \$63,760
17. **Order 27,532** - authorizing the City Administrator to execute Change Order No. 3, with Harbel, Inc. due to the need for additional concrete repair discovered after the project began, for the repair of Bridge A-C-01 McMullen Bridge (City Project 18-16-BR), in an increased amount of \$15,123.17, bringing the total contract price not to exceed \$542,011.48

18. **Order 27,533** - authorizing the purchase of the property at 411 and 413 Central Avenue in Cumberland, MD (Tax ID's 22-002740 and 22-015427) as part of the Central Avenue City/County Initiative for the price of \$40,000
19. **Order 27,534** - approving the sole source purchase of a clock and clock equipment from Electric Time Company, Inc. For the Let's Beautify Cumberland! Clock to be placed on the parklet at Hendershot Park in the not to exceed amount of \$26,951
20. **Order 27,535** - authorizing the Mayor to sign a Subdivision Participation and Release Form for the Kroger Settlement

Mayor Morriss spoke to the Police Department for the \$353,000 worth of grants they were able to obtain and acknowledging the time and resources spent on writing proposals as well as managing the process.

Mayor Morriss spoke of the Central Avenue project, that is a part of the Blighted Property project and mentioning that one property has been finalized and four more are in progress. He feels that the project is moving along well.

Public Comments

All public comments are limited to 5 minutes per person

Vicki Shubridge addressed the council members that through social media she was made aware that the Cumberland Manor has been experiencing elevator issues for several days and several residents are wheelchair bound so this is creating an issue for them and they are having issues getting help so she wanted to bring it to the attention of the M&CC. Mayor Morriss thanked Vicki and assured her that the issue would be addressed.

X. Adjournment

With no further business at hand, the meeting adjourned at 6:56 p.m.

Minutes approved on August 20, 2024

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk