



# 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 Public Meeting  
57 N. Liberty Street, Cumberland, MD 21502

DATE: August 20, 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, President

**Also Present:** Jeffrey F. Silka, City Administrator; Allison K. Layton, City Clerk;  
Shannon Adams, Fire Chief; Chuck Ternent, Police Chief

### IV. Presentations

#### 1. Presentation of the 2024 Let's Beautify Cumberland Blue Ribbon Award Winners

Mayor Morriss expressed how much he enjoys this night every year and how it makes Cumberland shine as it showcases the work being done in the neighborhoods

and community and thanked Ed Mullaney for everything that he does for this cause.

Ed Mullaney Co-chair thanked Mayor and City Council for the invitation tonight and stated that there is a team behind him that contributes to this celebration that have worked very hard to achieve this recognition. Ed also introduced Ginny Decker, Co-chair and a few other LBC members, Margie Hartman, Wanda Floto, Chris Meyers & Fiona, Jan Wunderlick and Andrea who has helped coordinate a lot with the award ceremony this year which will help streamline the presentations and also thanking Allison Layton for putting together a slide presentation showcasing the recipient properties, pictures were taken by Photographer John Bone. Ed also mentioned to please check out LBC Facebook page that is managed by Sharon Kuhlman, for photos as well.

Ed spoke of the great neighbors that are in the area and how hard they work to make Cumberland beautiful and spoke of a time in 1996 when Ed Athey was acting Mayor started Operation Gateway and Councilman Butch Hendershot worked to change the name to Let's Beautify Cumberland. Still 28 years later continuing to make LBC happen. Councilman Cioni and Mayor Morris are also members of LBC and attend meetings. The motto for LBC originated with Butch Hendershot which is "simply enjoy the beauty that surrounds you". Ed went on to say that the program honors those who have gone the extra mile for their properties with Blue Ribbon awards for residential, commercial, good neighbor awards, and an ABCD award for above and beyond the call of duty.

Andrea and Ed presented the slide presentation for the award recipients.

#### Blue Ribbon Awards Residential

Terie Jewell - 813 Shawnee Avenue

Susan Johnson - 733 Gephart Drive

Cheryl Kearchner - 783 E. Fourth Street

Cheryl & Bryan Linder - 1035 Frederick Street (not present)

Floyd Martin - 850 Gephart Drive

Leslie & Scott Miller - 223 Pennsylvania Avenue (not present)

Sharon & Mick O'Neal - 541 Patterson Avenue

Dorothy Renee Page - 240 Blackiston Avenue (not present)

Debbie Scott - 1101 Lafayette Avenue

Andee & Joe Thompson - 302 Cumberland Street

Natalie Wartzack - 821 Gephart Drive

Dr. Terry & Sharon Williams - 212 Washington Street (not present)

#### Blue Ribbon Awards Commercial

Bella's Bargains - 220 N. Mechanic Street (not present)

The Kensington - 1 Baltimore Street (not present)

Western Maryland Collision - 1312 Shades Lane

#### Good Neighbor Awards

Catherine Kazlo - 192 North Centre Street (not present) - Ed spoke about Catherine who moved to Cumberland from New York and she is referred to as mother nature because of all of the work that she puts into the Monastery Parklet by the Cumberland Theatre. Ed said that he often takes plants that were donated to him or just not thriving to Catherine and she will bring them back to life.

Dave Romero - 55 Baltimore Street (not present) - Ed spoke about Dave and Meg and referred to them as the poster children of upper story living and how they took the old Lazarus building, developed the 2nd and 3rd floor apartments and opened them for dwelling.

Cumberland Times News - 19 Baltimore Street - Ed spoke about the project and how much it has meant to Let's Beautify Cumberland because Cumberland Times News offered their parking lot for an evening around Christmas time while the Polar Express was operating and as a result Let's Beautify Cumberland profited from the generosity.

WCBC Radio - 35 Baltimore Street - Ed spoke to WCBC and mentioned that Dave Norman was one of the first people to step up and offer to help with the clock project. We are thankful for the publicity from everyone at WCBC including Mary Clites and Chris Meyers.

#### We Care Award

Jeff Summers - 222 E. Harrison Street - Ed spoke about a time when Cumberland was known as the Queen City Railroad Station and was later replaced with the Amtrak Station. Ed acknowledged Jeff's hard efforts noting how clean and well-kept the station is at all times, and thanked him for making the station a beautiful first impression for visitors to the City.

#### ABCD Award

Mayor and City Council and City Staff - 57 N. Liberty Street - Ed spoke to the Mayor and City Council regarding this award and stated that this is the first time they have presented this award. He went on to say that The wind beneath Let's Beautify

Cumberland's wings has been the City of Cumberland including the Police and Fire Departments. He thanked Mayor and City Council for always being there for them when they needed anything and for the energy and safety they bring to the community and reminded them that they are valued.

## **V. 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

### **(A) Administrative Services**

1. Administrative Services Monthly Report for July 2024

### **(B) Public Works**

2. Maintenance Division Monthly Report for July 2024

### **(C) Fire**

3. Fire Department Activity Monthly Report for July 2024

### **(D) Police**

4. Police Department Monthly Report for July 2024

## **VI. Approval of Minutes**

**Motion** to approve the minutes was made by Council Member Fraizer, 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 August 5, 2024

## **Public Comments**

All public comments are limited to 5 minutes per person

Chris Meyers, 15 S. Liberty Street, mentioned that a few months ago he had approached Mayor and City Council about the Rock the Block open container permit order that will be voted on in tonight's meeting and asked Mayor and City Council to redefine the area to include all of downtown businesses and advised council that the event would be held on Pershing Street between Mechanic and Liberty Streets.

Mayor Morriss thanked Chris for his request and responded that council will most likely be approving the order and that consideration to extend the coverage area would be considered.

## **VII. Unfinished Business**

### **(A) Ordinances**

1. Ordinance 3991 (*2nd and 3rd readings*) - 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

**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 Cioni, 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.

2. Ordinance 3992 (*2nd and 3rd readings*) - 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

**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.

**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) Resolutions**

1. Resolution 2024-05 (*1 reading only*) - declaring the official intent of the Mayor and City Council of Cumberland to reimburse expenditures paid with respect to projects generally identified as police vehicles, 45' lift, skid steer, fire engine, tack tank, paver, roller and ammonia gas modification from proceeds of "Reimbursement Bonds" in accordance with U.S. Treasury Regulation Section 1.150-2

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

1. Order 27,536 - authorizing the Chief of Police to accept the FY25 Community Grant in the amount of \$25,000 which will be utilized to provide funding for personnel and program supplies for officers to attend community events and conduct neighborhood foot and bike patrols
2. Order 27,537 - authorizing the Chief of Police to accept the FY25 Warrant Apprehension & Absconding Grant in the amount of \$30,000, which will be utilized to purchase equipment and supplies to assist with reducing the number of open warrants, especially warrants for violent crimes
3. Order 27,538 - accepting a State and Local Cybersecurity Grant Program (SLCGP) award in the amount of \$37,296 for the project titled, "Purchase and Implementation of Water/Wastewater External IC's" to purchase replacement endpoint devices for our SCADA and water systems networks
4. Order 27,539 - accepting a Project Restore 2.0 grant from the MD Department of Housing and Community Development (DHCD) in the amount of \$300,000 for the purpose of being distributed to sub-grant recipients for use in revitalizing downtown buildings owned by the sub-applicants
5. Order 27,540 - lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol within a defined area for the "Rock the Block" event on October 12, 2024 from 11:00 a.m. and ending at 9:00 p.m.; notwithstanding, that open glass containers shall not be permitted

6. Order 27,541 - authorizing the execution of an Outdoor Dining Lease Agreement with Pepper in a Bottle (DBA Sabroso Tacos), Ristorante Ottaviani, L.L.C. and Ottaviani's Tasting Room, L.L.C., for the use of the public right of way immediately in front of and adjacent to the property for outside cafe dining for a term effective August 20, 2024 through October 31, 2025
7. Order 27,542 - authorizing the abatement of taxes and interest for three City-owned properties at 445 Waverly Terrace, 424 Cumberland Street and 212 Baltimore Avenue
8. Order 27,543 - declaring certain City-owned property located on Brookfield Avenue, Portion of Lot 1 in Block 28 to be surplus and authorizing it for sale
9. Order 27,544 - accepting the proposal from MERJE to develop a wayfinding master plan for the City of Cumberland in the amount not to exceed \$44,990, and rejecting all other proposals received for this project
10. Order 27,545 - accepting the sole source purchase of public works software as a service from iWorQ Systems for a web-based work flow management program which allows the Public Works Departments to track and manage work and assets under one system in an amount not to exceed \$38,000 a year for three years
11. Order 27,546 - approving the sole source purchase from Frostburg Rental and Sales for a Haulotte 45' Lift in the not to exceed amount of \$39,916.65
12. Order 27,547 - accepting the proposal from Whitman, Requardt and Associates, LLP for the WRF Biosolids Study to review operations at the Heating Drying Facility (City Project 2023-18-WRF) in the amount not to exceed \$39,483.60
13. Order 27,548 - authorizing the execution of Change Order No. 1 with Triton Construction, for the installation of sprinkler and fiber taps after the fact to certain Baltimore Street properties during the Baltimore Street Access Project, (12-16-M), in the amount of \$6,130.16, bringing the new contract price not to exceed \$54,985.16
14. Order 27,549 - accepting the proposal from Shaffer Construction to provide mill, patch and paving work on Marion Street and Weber Street (City Project 2024-11-PVG) in the amount not to exceed \$36,088.50
15. Order 27,550 - authorizing the execution of Change Order No. 4 with Triton Construction for additional time and work including additional fiber conduit and handhole boxes on all side streets, for the Baltimore Street Access Project (City Project 12-16-M), in the amount of \$17,459.80, bringing the new contract value to \$14,920,120.74

16. Order 27,551 - accepting the bid from Laurel Auto Group Inc. for four (4) 2024 Ford Interceptor vehicles, including upfit, at a cost of \$55,789.26 per vehicle for a total cost of \$223,157.04

## **IX. Public Comments**

All public comments are limited to 5 minutes per person

Brian Lepley addressed Mayor and City Council that he was present tonight as a citizen of Cumberland and went on to express how unfortunate it is that in the past citizens have come to the meeting to complain so he was there to bring praise and give recognition to the City. Brian lives on Memorial Avenue and went on to explain that due to a lot of road work being done in that area a few weeks ago, he woke on a Sunday morning to a large rupture in the street and water running down the road. He made a phone call to the city and within 15 minutes someone was out to address the problem, within 30 minutes a crew had showed up to start working on the issue and had the water restored in hours. Brian thanked the City of Cumberland for their quick response to the issue.

Mayor Morriss thanked Brian for sharing his experience with the Mayor and City Council and how much it is appreciated to hear positive comments about the City's performance.

Peggy Keane addressed Mayor and City Council asking if there have been any updates since the last time she had brought her concerns to the council's attention in June.

Mayor Morriss advised the City has been doing the best they can in regards to the George Washington Headquarters.

Peggy went on to update that she had attended DAR Continental Congress and there were 5,000 women in attendance and she shared that she always hears positive feedback about how great Cumberland is. There are two DAR Chapters that want to bring members to visit George Washington's Headquarters but she mentioned that she gave excuses such as maintenance that is being done to deter them because she wanted to see what is being done to address the issue with the vermin and restroom that is causing the issue with flies. She mentioned that she sent Ruth Davis-Rogers a copy of her notes from the June 18<sup>th</sup> meeting and Ruth advised that she was not aware of the issues going on and she sent her suggestions to help address the issue.

Mayor Morriss thanked Peggy for her continued efforts and advised that in the future when she has a group scheduled to come in to let the City know and they will be sure to address the conditions beforehand.

Peggy replied that there is currently a waiting list until she updates them when to come visit. She was hoping to be able to have a group visit for Heritage Day's because she has

brochures to hand out for venues that do not get enough publicity such as the Toll House. Peggy stated that it would be nice if the Mayor and City Council could come to the house for lunch one day to discuss what can be done.

Max Green greeted Mayor and City Council and updated that he is the President of the West Side Neighborhood Association and that the reason for his attendance was to bring three topics to the council's attention. The first one being the representation of West Side through the LBC awards and how proud he is of how the neighbors represented the City of Cumberland. The second topic is in regards to Community Garden Pots located at Fairmont Avenue and Ritchie Street, the neighborhood association has been advocating the revitalization of these gardens. Max goes on to explain to the council that the association has been presented with an opportunity from UPMC as they have advised the association that all of their Community Garden Pots throughout the City will cease activity on November 1, 2024. The association noticed the planters were being under-utilized so they put together a detailed plan to take over the nine pots on the West Side that would not require any costs from the City and ask that water be maintained. The Nine pots would be operated during the planting season with activities and events to focus around them. Max added that this proposal is not to rebuild community garden planters and their hopes are that it could serve as a baseline for other communities that may have interest.

Max also wanted to bring to the Mayor and City Council's attention the traffic trailers that were set up for speeding issues in neighborhoods and the data that was shared at a public safety meeting in April that identified speeding issues and asked Mayor and City Council to look at that data and consider taking additional steps such as painting lines, adding areas for parking to narrow the street. Max ended by saying that the association is looking for low- cost solutions to help slow down traffic.

Mayor Morriss thanked Max and advised that was the first he had heard about UPMC stepping away from the community pots and assured him that the council would review his proposal.

Jeff Silka added that Ryan Mackey has been working with UPMC on a disengagement strategy and does not foresee issues with the idea.

Ryan Plitnik a lifelong resident of Western MD who has worked with Council woman Marchini on the Historic Preservation Commission, and became interested in HP when he purchased a house on 117 Columbia Street that was designed by Ray Butler. He went on to explain that Columbia Street is in need of some attention and that he was present tonight representing 12 other residences looking for a plan of action to improve the neighborhood. They feel that the City could be of assistance with code enforcement and went on to say that according to the City's list of code violations, there are several residences that fall

under those violations. There is an Urban Legend that at one point there was money available for infrastructure projects between Decatur Street and Columbia Street and Decatur Street was chosen and Columbia Street was left behind says Ryan. Ryan goes on to remind the Mayor and City Council that with all of the exciting projects going on in Cumberland, Columbia Street does not want to be left behind and that there are plenty of owners who care.

Mayor Morriss replied to Ryan that he agrees with him and added that the first few blocks of Columbia Street have potential and that is one of the areas the Mayor and City Council have observed and discussed. Mayor Morriss thanked Ryan for bringing this concern to the council's attention and said that it is always best to bring those concerns to Council's attention, he advised that his concern would be forwarded to Code Enforcement so we can see what we can do to make improvements.

Mayor Morriss added that there is tremendous potential on Columbia and Independence Streets that are included in historical neighborhoods. A lot of work has been concentrated on downtown the past two years but the City is also looking to make improvements in areas of need as well

#### **X. Adjournment**

**With no further business at hand, the meeting adjourned at 7:23 p.m.**

**Minutes approved on September 3, 2024**

**Raymond M. Morriss, Mayor**

**ATTEST: Allison K. Layton, City Clerk**