



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: September 2, 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; Lieutenant Tichnell, Chief Adams and Michael Cohen, City Solicitor

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 Tuesday, August 26, 2025 for the purpose of immediately closing the meeting to consult with counsel to obtain legal advice about the pending opioid litigation. Authority to close the session is provided by Section 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland.

The Mayor and City Council of Cumberland met in public session beginning at 5:00 p.m. in the 2nd floor Conference Room of City Hall on Tuesday, September 2, 2025 for the purpose of immediately closing the meeting to discuss Board and Commission appointments as well as personnel matters in regard to the recruitment of a Chief of Police. 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. Proclaiming September 2, 2025 to be Resources for Independence Day in honor of 30 years of service to the community.

Mayor Morriss read the proclamation into record and a photograph was taken with Lori, John from Resources for Independence and the Mayor and City Council Members.

V. Approval of Minutes

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

1. Approving the – Regular Session Minutes of August 6, 2025, Closed Session Minutes, Open Work Session Minutes, Regular Session Minutes of August 19, 2025 and the Closed Session Minutes of August 26, 2025

VI. Public Comments for Agenda Items Only

All public comments are limited to 5 minutes per person

No public comments were received

VII. New Business

(A) Resolution

1. Resolution R2025-06 (*1 reading only*) - granting the Chamber of Commerce Inc. W MD a property tax credit for the 2025-2026 tax year, as provided for by Section 9-302(d) of the Tax Property Article of the Annotated Code of Maryland

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

1. Order 27,823 - accepting the proposal from Gwin, Dobson & Foreman, Inc. for the "WFP Membrane Filtration Building" (City Project 2023-20-WFP) for the preliminary design services to include a full topographic site survey, GPR and EM underground utility location, geotechnical services and other services for the new membrane filtration building at the City's Water Filtration Plant \$171,725

2. Order 27,824 - accepting the quote from Environmental Systems Research Institute, Inc. for a 3-year license agreement for its GIS program in the amount not to exceed \$30,200 for each year, for a total cost not to exceed \$90,600 by the end of FY28
3. Order 27,825 - authorizing the City Administrator to sign and execute the Appalachian Regional Commission Grant Agreement between the State of Maryland, acting through the Department of Housing and Community Development, accepting grant assistance in the amount not to exceed \$120,000 for the Messick Road Sewer Extension Project (City Project 2025-06-SANS)
4. Order 27,826 - accepting the bid from Carl Belt, Inc. for the "Evitts Creek Phase IV – Interceptor Sewer" (City Project 06-08-S) for the replacement and rehabilitation of approximately 6,500 liner feet of primarily 24" sewer line in the not to exceed amount of \$2,096,326
5. Order 27,827 - accepting the proposal from Belt Paving, Inc. for the "Union Street Reconstruction" (City Project 2025-16-PVG) for full depth roadway restoration for approximately 533 square yards, patching the Park Street intersection and mill & overlay approximately 800 square yards in the not to exceed amount of \$72,457
6. Order 27,828 - accepting the sole source proposal from Cleveland Brothers CAT for the purchase of one new Caterpillar 305 Mini Excavator in the total amount not to exceed \$88,100, in accordance with City Code Sec 2-171 (c) relating to purchasing cooperatives and piggyback contracts
7. Order 27,829 - accepting the proposal from Belt Paving, Inc. to provide, mill, patch and paving work on US 220 SB Patch & Fayette Street (City Project 2025-16-PVG) in the total amount not to exceed \$78,574
8. Order 27,830 - approving the new City Volunteer Time Off Policy to support employees in giving back to the community, effective this date
9. Order 27,831 - accepting the recommendation from the Cumberland Planning and Zoning Commission, dated August 25, 2025, to approve a Site Plan Review (SPR #25-000003) for a proposed new 65-unit housing development at the former Allegany High School site
10. Order 27,832 - granting the Heritage Days Committee permission to place a banner on the side of the George Street Parking Garage and Frederick Street Parking Garage for a period not to exceed thirty (30) days from the date of installation

11. Order 27,833 - approving the proposed settlements with Purdue Pharma/the Sackler family and with the eight Defendants group, provided the Maryland Attorney General agrees that the Maryland Plaintiffs will receive 70% of the proceeds of those settlements and the State will receive 30%; and authorizing the City's local counsel in the opioid litigation, D. Bruce Poole, the Mayor, and the City Administrator to execute such documents as are necessary to participate in those proposed settlements and any changes to their terms that are expected to be approved by the majority of Maryland and other states' plaintiffs
12. Order 27,834 - accepting the sole source proposal from CDW Government for renewal of the support/maintenance/subscription for Broadcom VMWare in the amount not to exceed \$31,473.60

XIII. Public Comments

All public comments are limited to 5 minutes per person.

George Franklin spoke of receiving a grant for a roof replacement and gutter work on his house. He thanked the City for providing this service to him due to homeowner issues. Additionally, he is celebrating 50 years since his kidney transplant and is an invited guest of his transplant surgeon who will be running in the Marine Corps marathon.

Al Feldstein expressed that although he opposes many of the political signs and sentiments presented on signs at local protests and rallies, he feels that it needs to be articulated in Ordinance 4019 that the right to a spontaneous protest is not affected, preventing it from being left up to interpretation as it pertains to the 30-day time frame and requirements involved in obtaining an event permit.

He went on to mention the Allegany site plan and stated that a year ago, the Allegany class of 1967 expressed a desire to establish a historical marker, once approved by the HPC, which would be funded by the class.

Michael Mudge stated the trust he has in the Mayor and City Council and their word, but cannot say the same for future leadership. He feels that it would be beneficial to provide clarity in Ordinance 4019 to address concerns expressed by those at the previous meeting.

Ellen McDaniel-Weissler expressed her appreciation for the opportunity to speak and noted that most of the public will not hear her due to the meetings not being livestreamed. She stated she was offended by how Mayor Morriss referred to her on WCBC and thought his words were condescending and diminished. She requested a public apology.

Mayor Morriss responded that his comment did not come with disrespect; he acknowledged her feelings and apologized that she took exception to it.

Ellen went on to add that unless Ordinance 4019 specifies the First Amendment right of free speech, public protesting is not protected. She feels that without written clarification, future leadership can use the Ordinance as they choose. She is requesting that the Ordinance be amended.

Yvonne Perret spoke of Ordinance 4019 and feels the language should be reviewed and written to avoid possible misinterpretation. She offered her time to help revise the Ordinance.

Mike Cornelius spoke regarding the homeless individuals leaving shopping carts throughout the city and using them for storage. Additionally, he spoke of the minimal use of the stage at the Canal Place and inquired about the City's plans for our Country's 250th anniversary.

Mayor Morriss advised that a group has been formed to plan for the anniversary celebration, and the Canal Place is run by the State, but increased use of the space is welcomed. The Amish Outlaws concert recently held there received a great turnout this past Friday.

Kit Pepper Lescalette spoke of the engagement the Mayor and City Council seek from the public, and questioned if they invite citizens to be informed or just tolerate it? She added that Maryland law states that policy decisions should be made publicly. Her two-year review of public meeting minutes has shown no real discussion between the Mayor and City Council, suggesting this action is an intentional lack of transparency.

The absence of livestreaming or audio recordings of meetings makes it difficult for citizens to have access to such discussions., such as being able to hear the opposition expressed around adding clear language

confirming that protesting is excluded from Ordinance 4019. This is a route that forces citizens to pursue the Public Information Act and she feels that the City needs to do better being transparent.

Tracy Malloy addressed 8 areas of guardrails that are currently missing on Henderson Avenue coming off of Pear Street. She also noted junk cars that are in the grass at the Pear Street light as well.

Mayor Morriss advised that contact has been made with CSX regarding the condition of the fencing needed for the described area.

Joe Blackburn, A volunteer for the Green Safe Committee, is here to discuss the speed limits on Oldtown Road and Louisiana Avenue, which are both set at 25 mph, and the drivers' lack of regard for these limits. He is coming to the Mayor and City Council with a solution for the installation of speed bumps. He ended by adding that the Wright company parks its truck on the corner of Blackiston Avenue, which impedes the view of traffic.

Mayor Morriss advised that a review of both issues would take place, along with a conversation with the Acting Chief of Police

VIII. Adjournment

With no further business at hand, the meeting adjourned at 6:55 p.m.

Minutes approved on September 16, 2025

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk