



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: September 17, 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; James Burt, Police Captain; Michael Cohen, City
Solicitor

IV. Proclamation

Proclaiming September 20, 2024 as POW/MIA day in Cumberland.

Brian Lepley and David Biser accepted the award and a photo was taken with the Mayor and City Council members.

V. Director's Reports

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

(A) Administrative Services

1. Administrative Services Monthly Report for August 2024

(B) Public Works

2. Maintenance Division Monthly Report for August 2024

(C) Police

3. Police Department Activity Monthly Report for August 2024

(D) Utilities- Flood, Water, Sewer

4. Utilities Division Water/Sewer/Flood Monthly Report for August 2024

VI. Approval of Minutes

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

1. Approval of the Closed and Open Work Sessions and Regular Public Minutes from September 3, 2024

Public Comments

All public comments are limited to 5 minutes per person, no comments were made.

VII. New Business

(A) Ordinances

1. Ordinance 3993 (*1st reading*) - providing for the closure of (1) a portion of Cat Alley located between but not abutting Maryland Avenue on the Northeast Side and Park Alley on the Southeast Side and (2) a portion of an unnamed alley abutting the South Side of Cat Alley, and running Southeast to Cecelia Street, with both portions being located in the City of Cumberland, Allegany County, Maryland

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

2. Ordinance 3994 (*1st reading*) - to enact Section 15-56 of the Cumberland City Code prohibiting food and beverages at the Riverside Parklet

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.

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

1. Order 27,561 - authorizing Special Taxing District residential exemptions for 107 S. Centre Street (\$714.04); 33 N. Centre Street (\$636.63); 45 N. Centre Street (\$749.44); 50-52 N. Centre Street (\$307.04); 43-45 N. Liberty Street (\$213.49); and 27 N. Centre Street (\$345.42)
2. Order 27,562 - authorizing the execution of an Outdoor Dining Lease Agreement with Daniel Malamis (DBA Cafe Mark) 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 September 17, 2024 through October 31, 2025
3. Order 27,563 - authorizing the Chief of Police to accept the FY25 SRO/Adequate Coverage Grant made available through the Maryland Center for School Safety, in the amount of \$49,000 to cover overtime salaries for School Resource Officers (SROs) to provide adequate coverage in and around the assigned schools within the jurisdiction of the Cumberland Police Department, for the period July 1, 2024 – June 30, 2025
4. Order 27,564 - declaring vehicles and equipment to be surplus and authorizing them for sale, trade in or scrap

5. Order 27,565 - authorizing the appointment of Gilbert Cochrum to the Arts Commission
6. Order 27,566 - approving the purchase from CDWG of the Palo Alto yearly firewall software subscription/maintenance to provide main firewall and backup firewall protection as well as maintenance due to any hardware failures in the amount not to exceed \$48,878.64
7. Order 27,567 - authorizing a change order for Longview Network AD Migration services adding 55 days to the project schedule with a new completion date of 9/30/2024, at an increased cost of \$1,442, bringing the total cost not to exceed \$60,968
8. Order 27,568 - authorizing the Fire Chief to accept the FY23 Staffing for Adequate Fire and Emergency Response Program (FY23 SAFER) grant in the amount of \$2,510,976.24, awarded by DHS and FEMA, with the award (EMW-2023-FF-01220) being used to hire nine new fire fighters for the department
9. Order 27,569 - authorizing the City Administrator to enter into a Project Development Agreement with Centrica Business Solutions for the proposed development of a bundled energy solutions project at the Water Reclamation Facility to potentially provide turn-key solutions for energy related projects to include solar panels, recommissioning the anerobic digester, replacement of the main switchgears and other components that may be related
10. Order 27,570 - declaring computer equipment as surplus property and authorizing it to be scrapped or e-cycled
11. Order 27,571 - authorizing the City Administrator to offer free parking at all City lots, City parking garages and metered downtown spaces (excluding any parking spaces on Baltimore Street) from Thursday, November 14, 2024 through Saturday, November 16, 2024 for the Baltimore Street Grand Opening festivities.

IX. Public Comments

All public comments are limited to 5 minutes per person

Ed Taylor, President of the Cemetery Organization addressed the Mayor and City Council on behalf of the Organization saying they have been involved in Heritage Days since 1983 and are asking for Peggy Keane to be a member of the committee. He went on to say that the CO has asked this from Mr. Dave Williams in a letter dated May 14, 2024 to the Heritage Days committee, with a copy sent to the Mayor and City Council members as well as the City Commissioners. Ed says that the request seems to fall on deaf ears year after year and that several years prior when Councilwoman Marchini and Councilman Fraizer were a part of the committee things ran more efficiently. The CO reaches out months in

advance but no communication is received back to them (May-September). Ed stated that it is his understanding that it is Heritage Days festival and not the Allegany County Historical Society (ACHS) and he feels that any organization that has been a part of Heritage Days for an extended period of time, should have a seat at the table as a committee member. It should be a community effort because it is a community festival held on public property utilizing public money and use of City payroll. Ed also went on to say that he and Dave Williams do not get along and he no longer wants to be on the committee and would like the Mayor and City Council to approve Peggy Keane to be on the committee and he feels that every group should also have a seat at the table as a committee member.

Mayor Morriss saying that the Councilmembers would have a discussion with the ACHS who are a separate 501C3, and advised that suggestions can be made but we cannot advise them how their Bylaws work. Laurie asked if there were things the CO wanted to happen that did not.

Ed responded requests have been made for the name of the tours to be the Cumberland Historic Cemetery Organization Guided Tours. He has been non-profit for 41 years and says that promotion is worth more than cash, so that name change is of importance. And again, he stressed that communication is needed in order to move forward. He also feels that a Councilmember and a City Commissioner should have a seat at the table as a member of the committee.

Robert Parks addressed the Mayor and City Council members about the metal planters that were installed downtown and saying that he felt they were ugly and stated that they need to be clear coated because if brushed against they leave a rust residue. He then went on to mention the dog park at Constitution Park and the trash that does not get emptied enough as well as the water being turned off to provide water for dogs. He says there is money for a bike trail around the pond that no longer has ducks in and no fence which is a danger as he observed a child slide down the hill in to the pond, so he would like to see the dog park taken care of. He went on to say that he cleans up after other animals and he would like to see a sign stating the State of MD requires you to clean up after your dog or a fine is issued.

Mayor Morriss agrees that there is some work that needs to be done and the dog park is on the list of issues the City is addressing in the Park and signage would be addressed right away so we can provide a better area for residents to bring their dogs to exercise. Robert also added that having gates that latch would also be helpful.

Ed Mullaney addressed the Mayor and City Council that there are so many positive things going on with Let's Beautify Cumberland (LBC) that started with a Mayor and City

Council initiative back in 1996 with Ed Athey and Butch Hendershot. He went on to introduce members of the Cumberland Clock committee; Greg Hendershot; chair, Wanda and Margie Hartman, Maryanne Coil, Paul and Charlotte Lapp, Jan Wanderlick, Liason and Chris Meyers and Fiona. There were great contributions received at Heritage Days matched by the Getty family to help reach the goal amount needed. Ed went on to speak about the Cas Taylor bridge and how beautiful it has turned out and mentioned a letter that was written to show appreciation to the Mayor and City Council, City staff and building and construction companies involved in the bridge project saying the bridge went from "bland to grand" transforming the railroad crossing in to an attraction to reenergize the historic center. A beautiful tribute to Cas Taylor who treasured his community. The bridge is a pathway connecting West Side to Walnut bottom, the Gap trail, downtown Cumberland at the convergence of four major thoroughfares for not only vehicle traffic but bicycle and pedestrian traffic admiring the beauty of the City. To protect that flowing over the bridge, LBC petitions the Mayor and City Council to maintain the open beauty highlighted by the absence of parked cars. Without parking it feels expansive and inviting, the openness enhances the aesthetics of the views down Baltimore Street, over to the Train station, up to Hendershot Park, the Cumberland Clock and the Emanuel Episcopal Church.

Paul and Charlotte Lapp spoke of LBC and informed the Mayor and City Council that they have been apart of LBC for many years and pointing out there are only 12-15 members. He takes care of all of the flags around Cumberland. He says that he is very happy to work with Ed Mullaney and proud to call the members his friends.

Chris Meyers addressed the Mayor and City Council as a business owner in downtown Cumberland and a member of LBC, and wanted to discuss the visual quality of the Cas Taylor bridge and supporting the effort of no parking on the bridge and to bring to the Mayor and City Council's attention to the Kensington and Cumberland Arms and to consider a 15-minute loading/unloading zone in front of both facilities and possibly an EMS/Bus area. Chris mentioned that the Fire Department responds to several calls to the Cumberland Arms, The Kensington and the Eagle Living and having that reserved area would keep traffic flowing. With its current design it does not allow for those reserved areas.

Dana Tinnen addressed the Mayor and City Council about the 3rd annual Christmas Smiles Project and that he is looking for support from the City to serve 200 youths this year. He prepared a packet that was distributed to all Councilmembers, explaining the Christmas Smiles Project. Dana also mentioned that he is running for City Council and wanted to propose that the City establish an annual Youth fund of \$150,000 to support any program servicing the Cumberland Youth, with \$70,000 being set aside for a recruiting coordinator

for the two area High Schools. He feels that it is embarrassing that our local students do not receive the same opportunities as those in other areas. We need to invest in our youth and foster development. He would like the City Council to vote on this proposal.

Margie Hartman addressed the Mayor and City Council that while she was visiting the downtown mall area last week before Heritage Days, she observed feces on the sidewalk in front of the Rosembaum building and asking who should be contacted when things of this nature are observed and if the security cameras are installed and working. Mayor Morriss confirmed that the cameras are working and directed Margie to contact the Police Department to address the situation moving forward,

Max Green updated that last month would mark the 1-year anniversary of the West Side Neighborhood Association and highlighted the point that Cumberland has an aging population and the need for new blood and he views the neighborhood associations as a feeder program. He said that he hears the question of how people can get involved and he mentioned the number of first-time volunteers for the Heritage Days event for the West Side area and the Historical Society allowed the association to host a Holiday party and Pot Luck at the Gordon Roberts House the 2nd Wednesday in December and all are invited. Next Max addressed the Councilmembers concerning the letter he sent to them regarding Public Safety issues on the West Side and added how much the association appreciates Lt. Tichnell for attending the meetings and saying how it raises trust in the community. The first issues he mentioned was the illegal drug activity on Patterson Avenue that is owned by a local business Dotson's Contracting LLC, this is an ongoing issue that is being investigated. The next issue of concern is of traffic safety at the Moose Curve that was due to traffic at the Apothecary, the City is actively working to resolve the issue and to improve safety. Next Max mentioned the property at the Lee Street/ Beall Street intersection that has been purchased by Grow West and while the association is very supportive of the new business, the concern is with safety issues due to the proximity of the entrance to I68. Mayor Morriss advised the City is aware and addressing the issue. Last Max asked the Councilmembers about the new traffic devices and if the County or City installed them, Mayor Morriss advised the City installed the devices and thanked Max and the association for the efforts they make to the City and assured him that the City is aware of the issues he presented and are actively working on resolving them. He mentioned that he has spoken with Grow West and they have provided assurance that their drive thru design would be more effective than their competition. Mayor Morriss encourages West Side residents to install Ring doorbells and cameras as they can be of assistance in the event of an investigation.

X. Adjournment

With no further business at hand, the meeting adjourned at 7:05 p.m.

Minutes approved on October 1, 2024

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk