



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: May 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; Chief Adams; Chief Ternent

IV. Statement of Closed Meeting

The Mayor and City Council of Cumberland met in public session beginning at 4:00 p.m. in the 2nd floor Conference Room of City Hall, for the purpose of immediately closing the meeting to discuss matters relating to employee compensation and to receive an update on Police Collective Bargaining. Authority to close the session is provided by Sections 3-305(b)(1)(i) and (9) of the General Provisions Article of the Annotated Code of Maryland.

V. Presentations

1. Recognition of the Baltimore Street Project Workgroup for the Baltimore Street Revitalization Project being awarded two State awards.

Matt Miller spoke of the Baltimore Street workgroup, which became part of the steering committee in the design phase and stayed engaged until the project was completed in November 2024.

The CEDC received two awards, and the support from the Baltimore Street workgroup made the project successful. The first award was the Transformative Project of the Year, which was specifically created for this project, making the CEDC the first recipient. The second award was the Sustainable Growth Award. Matt acknowledged those present who participated in the project: Dave Romero, Becky McFarren, Melinda Kelleher, Laurie Marchini, Stu Czapski, and Sandi Saville. A photo was taken with the City Council members.

VI. Proclamation

1. Proclaiming May 4-10 2025 as Municipal Clerks Week

Mayor Morriss spoke of Allison Layton as the City's Municipal Clerk and acknowledged the service she provides far exceeds what is outlined in the City Charter. He also mentioned additional clerks

throughout the City that provide support. A photo was taken with Allison and the City Council Members

2. Proclaiming May 2025 as Historic Preservation Month in Cumberland

Mayor Morriss read the Historic Preservation Proclamation, and a photo was taken with Ruth Davis-Rogers and the City Council Members.

Mayor Morriss invited Senator Mike McKay to speak. Mike addressed everyone in attendance and announced that the 447th session of the General Assembly has concluded. He shared that a 90-day report has been compiled in the form of a book, listing all the votes that passed and will become law. He presented this information to the Councilmembers and encouraged anyone interested in the book to download it from his website.; <https://mikemckaymd.com/>

VII. Directors 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) Police Department

1. Police Department Monthly Report for March 2025

(B) Utilities- Flood, Water, Sewer

1. Utilities Division Water and Sewer Department Monthly Report for April 2025

VIII. Approval of Minutes

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

1. Approving the Closed Session Minutes, Open Work Session Minutes, and Regular Session Minutes of April 15, 2025, and the Open Work Session Minutes of April 22, 2025

IX. Public Hearing

1. A third public hearing for the 2025-2029 Community Development Block Grant (CDBG) Consolidated Five Year Plan/2025 Annual Action Plan accompanied by mention of the proposed Substantial Amendment #1 04112025

Convened: 6:37 PM

Lee Borrer thanked attendees and turned the Hearing over to Manuel Ochoa with Urban Collaborative to discuss the Consolidated Plan. Manuel thanked all who participated in focus groups and surveys to help provide goals and actions for the next five years.

A process required by HUD, the Action Plan is done every five years. Information is collected through the Analysis of Impediments of Fair Housing Choice, surveys, interviews, focus groups, and census surveys. The data collected indicates the improvements that the community would like to see.

- Transform abandoned and vacant properties into community assets.
- Prevent and end homelessness.
- Add community facilities.

Data shows that over 30% of income is allocated to housing costs, with 19% of individuals paying more than 50% of their annual income for housing. Additionally, 23% of the population is classified as disabled.

Additionally, 90% of occupied housing units require rehabilitation due to aging, and 41.3% of these units are occupied by single residents.

Targeted areas of low to moderate income (shown on the slide presentation) are being included in the \$750K of block funding. Goals included:

- Improve public areas such as parks, open space, and museums.
- Improving City sidewalks.
- Increase housing opportunities and provide homeownership assistance.
- Support individuals and families at risk of losing their homes.
- Promoting revitalization, providing public services, and educating the community on Fair Housing Rights.

The Five-Year Plan overview includes estimated funding of \$3.5 million and 33 project applications for a total of \$4.8 million. These projects include first-time home buyer assistance and residential façade grants.

A ride-share program through the CEDC would help address the transportation issue faced by many residents, as well as continuing the foot and bike patrol through the Police Department.

Topics still being discussed include the Community Housing Development Organization, the Building Acquisition Fund, Expanded Home Rehab, the Virginia Ave Main Street program, and Youth Sports.

Lee Borrer updated the 2025 action plan, which includes 12 projects totaling \$750K. Applicants were chosen based on the goals and objectives of the 2025-2029 Consolidated Plan. The Citizen Participation Process was published in January and adopted in February, and it included focus groups and interviews. Public Hearings were held on February 18, March 18, and May 6, 2025, and the comment period ended on June 6, 2025.

Applications received totaled 17 for a total of \$1.3 million of those, 11 projects were recommended with a contingency plan for receipt of a smaller allocation. Administration projects are capped at \$140K and include the following requests:

- HRDC asking for \$10K for Closing Cost assistance for new home buyers
- City Infrastructure/Sidewalk Construction (Oldtown Rd. from Maryland Ave. to Arch St.; \$242K)
- Allegany Museum (\$249,040)
- CEDC Rideshare Program (\$12K)
- Public Service activities \$96,960

Balances leftover from projects are to be reallocated to a shovel-ready project. At this time, Grove 4 in the Constitution Park fits this criterion from a project in 2024 with leftover funds totaling \$82,398. The project would link the two with loading/unloading zones with a sidewalk. The total budget would be \$241,933

Hearing Adjourned: 7:01 PM

X. Public Comments for Agenda Items Only

No One Signed Up

All public comments are limited to 5 minutes per person

XI. Unfinished Business

(A) Ordinances

1. Ordinance 4008 (2nd and 3rd readings) - 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, increasing the number of dwelling units and other incidental matters

SECOND READING: Motion to accept the second reading was made by Council Member Frazier, 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.

XII. New Business

(A) Resolution

1. Resolution R2025-05 (*1 reading only*) - granting the Western Maryland Scenic Railroad Corporation, Inc. a property tax credit for the 2025-2026 tax year, as provided for by Section 9-302(b)(4) 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 Lepley, 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 Cioni, seconded by Council Member Furstenberg, and was passed on a vote of 5-0.

1. Order 27,703 - executing a donation agreement between the Mayor and City Council and 5 National Hwy, LLC for the donation of the parcel of real property at 491 Baltimore Avenue and the improvements thereon, if any, to the City, and accepting the deed effecting the transfer of said property
2. Order 27,704 - granting the City's attorneys and the City Solicitor the authority to consent to changes to the draft of the Fourth Amended and Restated Tolling Agreement with CSX Transportation, Inc. which they believe to be in the best interest of the City
3. Order 27,705 - 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
4. Order 27,706 - authorizing the execution of an agreement with SADA Systems, Inc., for one year of Virtru Encryption Services for Google Mail/Drive in the not to exceed amount of \$28,887.07
5. Order 27,707 - authorizing the renewal to the MOU with the Maryland Department of Information Technology for the renewal of the Maryland State

Fiber Internet Service currently serving the City at a cost not to exceed \$56,000 per year for a term of five years with automatic five year renewals

6. Order 27,708 - accepting the 2025 Analysis of Impediments to Fair Housing Choice in the City of Cumberland, which provides findings and a potential plan of action to determine how Community Development Block Grant Program (CDBG) funds can be leveraged to affirmatively further fair housing and to address impediments in Cumberland

7. Order 27,709 - 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

8. Order 27,710 - 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

9. Order 27,711 - authorizing the execution of an Outdoor Dining Lease Agreement with Phat Boy Ramen LLC (DBA Mad Hatter Boba Emporium) and The Arcadian 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 May 6, 2025 through May 6, 2026

10. Order 27,712 - authorizing the execution of Change Order No. 1 with Harbel Inc., for additional work not specified in the original contract for replacing three bearing anchor bolts, a design oversight, for the Marion Street Bridge Repairs (City Project 2023-12-BRDG) in the amount of \$16,192.07, bringing the new contract value to \$269,412.07

11. Order 27,713 - authorizing the execution of a reimbursement and release agreement with Cogeco US (PEN) LLC for the restoration and paving work on George Street from Baltimore Street to Queen City Drive and portions of Dexter Place for a lump sum payment to the City of \$77,185

12. Order 27,714 - authorizing the acceptance of a FY25 Strategic Demolition Fund Grant, administered by the Maryland Department of Housing and Community Development, in the amount of \$200,000 which will be utilized to assist with the "Central Avenue Gateway Project"

13. Order 27,715 - rejecting the bid from Tyler Thompson for the purchase of 461 Goethe Street, originally approved by Ordinance 3978 and approved on

June 4, 2024 due to the failure to make the final payments necessary to complete the purchase of said property

XIII. Public Comments

All public comments are limited to 5 minutes per person

Harvey May addressed the Mayor and City Council members and presented two different-sized garbage bags that represent the amount of trash he uses vs what larger households use. He is concerned that he is charged the same amount as residents who put out double what he does. He believes the garbage fee should be included in taxes, noting that many senior citizens live on Social Security.

Tiffany Fisher greeted the Mayor and City Council Members and spoke of Pine Avenue Day, scheduled for May 26, 2025, that will be held on the Playground as a reunion to celebrate the neighborhood. After discussing the details with Ryan Mackey, and no mention of a permit being required, she is asking for clarification as to why a permit and insurance are needed for an event held on Park property. She also inquired about the basketball lines that were to have been painted on the court three years ago. She was advised that the lines would be painted around May 24th, weather permitting, and offered for the NAACP to pay for the lines to be painted earlier.

Mr. Silka advised that the permit is not dependent on the street being closed but on the event being held on public property, which is included in the City Code. Insurance is required to relieve the City of liability. The City needs to review the contractor they vetted to pay for the basketball court lines.

Seth Messinger, the Environmental Chair for the NAACP Chapter, addressed the Mayor and City Council and highlighted the meaning behind Pine Ave, which is viewed as a hub for outreach to engage the community. The frustration with event planning is not receiving support from the City.

Joseph Khachan, a 14-year-old student at Bishop Walsh School, presented a solution to poverty. Aquaponics combines aquaculture, fish farming, and hydroponics, growing plants without soil. Fish waste is filtered and converted into energy for plants, and the plants use the nutrients and send clean water back to the fish. They currently grow cucumbers, kale, lettuce, and tomatoes used for school lunches in their cafeteria and donate them to those in need. He believes this can be expanded to the City by converting unused buildings into Aquaponics facilities to provide nutrition to the homeless and the poor.

Lark Muncey, representing Saint Luke's Lutheran Church, addressed an issue that recently took place. The choir director observed someone breaking into her car and described how they handled the situation. He went on to mention unsafe situations that happen at places of worship in different areas. Expressing their concerns, Lark asked for suggestions to enhance safety. Chief Ternent recommended that the Police Department could speak with the church members about strategies for managing disorderly behavior.

XI. Adjournment

With no further business at hand, the meeting adjourned at 7:47 p.m.

Minutes approved on May 20, 2025

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk