



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: January 7, 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 Adams, Fire Chief; Chief Ternent; Robert Smith Director of Engineering
and Utilities; Ken Tressler, Director of Administrative Services

IV. Statement of Closed Meeting

On January 7, 2025, the Mayor and City Council met in closed session at 5:15 p.m. in the 2nd Floor Conference Room in City Hall for the purpose of immediately closing the meeting to discuss Board and Commission appointments. Authority to close the

session is provided by Section 3-305(b)(1) of the General Provisions Article of the Annotated Code of Maryland.

V. Presentations

1. Presentation of awards given in recognition of employee career milestone anniversaries.

5 Years – Allison Layton – Mr. Silka spoke to Allison's career which began in December of 2019 with Community Development as a Citizens Service Representative where she became a key component to implementing the Citizens Serv software. In September of 2022 she began training under the current City Clerk and on November 1, 2022 she officially transitioned in to the City Clerk position. Her transition was seamless and unbeknownst that she was not in the role for 20 years.

She has completed accomplishments such as the Maryland Municipal Academy for Excellence in Local Government and is currently enrolled in a Certified Public Managers program. Her wealth of knowledge and a spearhead of projects makes her a huge asset to the Mayor and City Council team.

15 Years – Alvin Bogg's – Bobby Smith spoke to Alvin's career saying that he is a valuable part of the plant, he trains employees and does operate from time to time. All that he does is greatly appreciated.

20 Years – Cindy Miltenberger and Sherri Walsh

50 Years – April Howser – Ken Tressler spoke to April and her extraordinary milestone of celebrating 50 years with the City of Cumberland. April began her career with the City in 1974. At that time the internet was a decade and a half away and technology no where near the advancement that it is today along with office equipment such as fax machines, computers and digital records. During April's career she has seen many newly elected officials including 8 Mayor's and assisted in onboarding numerous new employees. Her ability to adapt to all of the changes throughout her career and maintain a professional attitude has left a lasting impression on everyone who has the pleasure to work with her.

VI. Director's Reports

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

(A) Utilities- Flood, Water, Sewer

1. Utilities Division Water/Sewer Monthly Reports for December 2024

VII. Approval of Minutes

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

1. Approving the Closed Work Session Minutes, Open Work Session Minutes and Regular Session Minutes for December 17, 2024

VIII. Public Comments- – FOR AGENDA ITEMS ONLY. All public comments are limited to 5 minutes per person.

Brian Bowers, 113 Karns Ave is the owner of Downtown Hobbies and Toys and wanted to speak in regards to the parking fees. He spoke to the positive feedback and foot traffic since the reopening and feels that the parking fees are going to deter people from frequenting downtown as much as without the fees. He feels that parking should be free but if it is going to be implemented it should be consistent throughout downtown. Those who abuse the parking over a period of time should be fined.

Larry Jackson, 841 Windsor Rd addressed the Mayor and City Council Members on behalf of himself as chair of the DDC and a property owner and advised that the Parking fees were never brought up with the DCBA, DDC or Reimagine Cumberland Committee and feels that in order for a proper decision to be made, proper vetting and discussions from Stakeholders should have taken place. He feels that the City is risking the positivity that is being experienced on Baltimore Street and paid parking will not fix the issue. The older population does not like using Apps and feels they will avoid coming downtown because of this.

Chris Meyers, a resident and business owner downtown and while parking does not affect him it does affect things going on downtown. Chris points out that there are already laws in place for long term parking and currently there are snow covered cars that haven't moved since Sunday and have not been cited. He also mentioned that he has previously addressed the City about handicap permitting due to the City allowing people to park for more than 24-hours in areas which has not been

addressed. EV chargers was presented a year ago and nothing has become of it and addressing parking came overnight without input from Stakeholders.

John Wunderlik, spoke of the City of Frostburg and the 2 hour parking limit signs they have and encourage the City to look in to this.

Jan Wunderlik has owned the building that WCBC resides in and after 50 years resolving parking issues is important to address. She mentioned that a friend of hers from Frostburg will not come to downtown Cumberland because of the parking issues. Parking fines are \$25 and if not paid within 30 days become \$50. She feels that easy access is ideal and having to use an App is not inconvenient.

Tracy Smyth expressed the beauty of downtown and how exciting of a time it is for all to enjoy and believes the parking change is out of character for a Hallmark town. She noted that Frederick uses Apps for parking and says that is the biggest complaints that shop owners receive. She feels that Apps are inconvenient and deter people from visiting and perhaps provide some training of shop owners and employees to not park in the parking areas for customers.

Tama Scarpelli expressed how important user-friendly parking is and feels that we have the chance to get the foot traffic back. She went on to explain that she had given a friend a gift certificate to Basecamp Coffee so they could visit for the Rosenbaum building and when they returned to their vehicle, they had received a parking citation and she feels that they will not visit again due to this experience.

Mayor Morriss thanked those who came to the meeting to speak their thoughts on the Parking issue and updated that tonight's meeting will be tabling the Order to make some modifications. The intentions are not to do anything to jeopardize downtown but the current parking situation need addressed. Councilman Cioni stated the concern is that of those abusing the system.

IX. Unfinished Business

(A) Ordinances

1. Ordinance 3997 (*2nd and 3rd readings*) - authorizing the transfer of 208-210 Virginia Avenue to Goodfellowship Social Club, Inc. for the purchase price of \$2,000

SECOND READING: The ordinance was submitted in title only for its second reading. Motion to approve the reading was made by Council Member Furstenberg, 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 3998 (*2nd and 3rd readings*) - authorizing the transfer of Brookfield Avenue Portion of Lot 1 in Block 28 to Sean B. and Kristie M. Thomas for the purchase price of \$600

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

THIRD READING: The ordinance was submitted in title only for its third reading and was passed on a vote of 5-0.

3. Ordinance 3999 (*2nd and 3rd readings*) - authorizing the transfer of 31 Offutt Street to Covenant Keeper, Inc. for the purchase price of \$800

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

4. Ordinance 4000 (*2nd and 3rd readings*) - authorizing the transfer of 513 Fayette Street to 817 Maryland Ave LLC for the purchase price of \$5,001

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 Lepley, 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.

5. Ordinance 4001 (*2nd and 3rd readings*) - authorizing the transfer of Greene Street Pt Lot 86 and Greene Street Lot 87 to Jake Shade for the purchase price of \$100

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

THIRD READING: The ordinance was submitted in title only for its third reading and was passed on a vote of 5-0.

6. Ordinance 4002 (*2nd and 3rd readings*) - authorizing the execution of a contract of sale and the execution of the deed to transfer 118 Winton Place to Betty Fournier for the purchase price of \$12,000

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 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.

(A) Orders (Consent Agenda)

1. Order 27,616 (*tabled at the December 17, 2024 meeting and January 7, 2025 meeting*)
- authorizing new parking rates for the parking spaces on Baltimore Street,
effective 30 days after passage of this Order

X. New Business

(A) Ordinances

1. Ordinance 4003 (*1st reading*) - authorizing the transfer of 424
Cumberland Street to Sandra Marin for the purchase price of \$29,000

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 Furstenberg, and was passed on a vote of 5-0.

2. Ordinance 4004 (*1st reading*) - authorizing the transfer of 921
Lexington Avenue to Jesse Martin for the purchase price of \$19,200

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

3. Ordinance 4005 (*1st reading*) - providing for the closure of (1) a portion of an unnamed alley between Cecelia Street and Williams Street, running from the property line of a parcel owned by Emily White and Diane White, intersecting with the unnamed alley to the Eastern boundary line of land owned by Cumberland Gateway Real Estate LLC and (2) a portion of another unnamed alley running from the Southern right of way line of Cecelia Street, South 81.01 feet on its East side and 72.9 feet on its West side, the portions of said alleys being located in the City of Cumberland, Allegany County, Maryland

4. **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 Cioni, 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 Morris 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 27,622 - authorizing appointments to the Downtown Development Commission and Shade Tree Commission
2. Order 27,623 - approving a \$10,000 Micro-Revolving loan for Rhiannon Brown, Queen City Creamery & Deli, for working capital associated with the Queen City Scoop Shop at 152 Baltimore Street for the term of a 60-month amortization period at 3% interest with the first payment due March of 2025
3. Order 27,624 - authorizing execution of a Certificate of Satisfaction acknowledging that the Deed of Trust dated April 23, 2003, granted by David F. Romero and Margaret A. Romero to Michael Scott Cohen, Trustee for the benefit of the Mayor and City Council of Cumberland (Allegany County Land Records Book 997, page 587), has been fully satisfied and the lien is hereby released
4. Order 27,625 - accepting the donation of the real property at 315 Bond Street (Tax ID 05-002451) from the Special Administrator for the Estate of Milton S. Sarver
5. Order 27,626 - rescinding Order 27,614, originally approved on December 17, 2024, due to a misstated address, and authorizing the execution of a contract of sale with the personal representative, administrator or other individual legally authorized to sell the assets of Jeffery Vandevander, authorizing the purchase of the property at Cumb Thruway PT Lots 297-298-299 in Cumberland, MD (Tax ID 22-016512) as part of the Central Avenue Initiative for the price of \$7,500
6. Order 27,627 - authorizing the execution of an Employment Agreement by and between the Mayor and City Council of Cumberland and W. Shannon Adams for the position of Fire Chief to be effective January 7, 2025, for a 3 year term, with automatic one-year renewals thereafter contingent upon terms of the agreement
7. Order 27,628 - accepting the proposal from responsive bidder Metro Recreation, Inc. for the 2024 Gene Mason Complex Poured-in-Place Safety Surfacing (City Project 2024-19-RECR) in the amount not to exceed \$136,331, and rejecting all other proposals received for this project

8. Order 27, 629 - authorizing the execution of a Second Amendment to the Operations and Maintenance Agreement with New England Fertilizer Company (NEFCO), relative to the Heat Drying Facility Operations and Maintenance Agreement, which was originally entered into on May 26, 2009, modifying Section 4.01 to reduce the notice of renewal period from 9 months prior to the end of the contract to 120 calendar days
9. Order 27,630 - declaring vehicles and equipment to be surplus for sale, trade-in or scrap
10. Order 27,631 - authorizing the Mayor to sign a second Amended and Restated Tolling Agreement with CSX Transportation, Inc., originally entered into on May 2, 2024 under Order No. 27,584, extending the tolling agreement and its terms through March 17, 2025 unless both parties agree to a different date, and requires both parties to provide status reports every 30 calendar days
11. Order 27,632 - authorizing the execution of a contract of sale to acquire 420 Andrews Street in Cumberland, MD (Tax ID 22-013343) from Daniel L. Stottlemeyer and Dorothy Joe Stottlemeyer for the purchase price not to exceed \$40,000 as part of the Central Avenue Initiative

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

Chief Adams thanked the Mayor and City Council and Mr. Silka for allowing him to serve as the Fire Chief for the City.

XI. Adjournment

With no further business at hand, the meeting adjourned at 7:26 p.m.

Minutes approved on January 21, 2025

Raymond M. Morriss, Mayor

ATTEST: Allison K. Layton, City Clerk