



MAYOR

Brian K. Grim

CITY ADMINISTRATOR

Jeff Rhodes

CITY SOLICITOR

Michael Scott Cohen

COUNCIL

Seth D. Bernard

David Caporale

Richard J. "Rock" Cioni

Eugene T. Frazier

CITY CLERK

Marjorie A. Woodring

AGENDA

**Mayor and City Council of Cumberland
City Hall Council Chambers
Room 212
6:15 P.M.**

DATE 8/15/2017

***Pledge of Allegiance**

I. ROLL CALL

II. CERTIFICATES, AWARDS AND PRESENTATIONS

(A) Presentation from David Hall, Order of the Eastern Star, to the Cumberland Police and Fire Departments in recognition of their work as first responders

(B) Presentation of the "The Mason Cup" to the Mayor and City Council in preparation for the U.S. Marble Championship event to be held on August 26th at the Proudfoot Marble Rings in Constitution Park

III. DIRECTOR'S REPORT

(A) Fire

1. Fire Department monthly report for July, 2017

(B) Public Works

1. Utilities Division & Central Services monthly report for July, 2017

2. Maintenance Division monthly report for July, 2017

IV. APPROVAL OF MINUTES

(A) Routine

1. Approval of the Regular Session Minutes of June 20, 2017

(B) Administrative / Executive

1. Summary Statement of the Closed Meeting held August 15, 2017

2. Approval of the Closed Session Minutes of June 6, 2017

V. NEW BUSINESS

(A) Orders (Consent Agenda)

1. Order authorizing Special Taxing District Residential Exemptions for the 2017-2018 tax year for 27 N. Centre St. in the amount of \$413.59, 107 S. Centre St. in the amount of \$320.70, and 33 N. Centre Street in the amount of \$711.95
2. Order authorizing the abatement of 2017-2018 taxes for City-owned properties containing cellphone towers at 600 Bishop Walsh Road, Eleanor Terrace, and Seneca Avenue
3. Order approving the award of \$10,000 to the Central Business District Facade Improvement Program project application for 45 North Centre Street, owned by Daniel Rhee, to be funded through the State of Maryland Community Legacy Program
4. Order authorizing the Chief of Police to sign a Memorandum of Understanding with the Family Crisis Resource Center, Inc. (FCRC) pertaining to the provision of security for supervised visitation and exchange for the period of June 1, 2017 through July 30, 2018, with FCRC reimbursing the City for services rendered in the amount not to exceed \$14,583
5. Order authorizing execution of an Employee Assistance Program Service Agreement with the Western MD Health System Corp. to provide assistance services to City employees and employee's spouses and dependents for a 1- year term retroactive to July 1, 2017 at the cost of \$27.00/year per employee

(B) Letters, Petitions

1. Request from Meghan O'Connor, Activism Coordinator for the Institute for Justice, to close Emily Street on Saturday, September 23, 2017 from 12:00 p.m. until 4:00 p.m. for the purpose of a block party
2. Letter from Jennifer Spriggs, Programming Director for the Allegany County Library System, requesting permission to close Seymour Street in front of the South Cumberland Library's main entrance on September 15, 2017 from 4:00 p.m. - 9:00 p.m. for the purpose of a block party

VI. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

VII. ADJOURNMENT



Regular Council Agenda
August 15, 2017

Description

Presentation from David Hall, Order of the Eastern Star, to the Cumberland Police and Fire Departments in recognition of their work as first responders

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)



Regular Council Agenda
August 15, 2017

Description

Presentation of the "The Mason Cup" to the Mayor and City Council in preparation for the U.S. Marble Championship event to be held on August 26th at the Proudfoot Marble Rings in Constitution Park

Approval, Acceptance / Recommendation

- Budgeted

- 1st Reading
- 2nd Reading
- 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)



Regular Council Agenda
August 15, 2017

Description

Fire Department monthly report for July, 2017

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

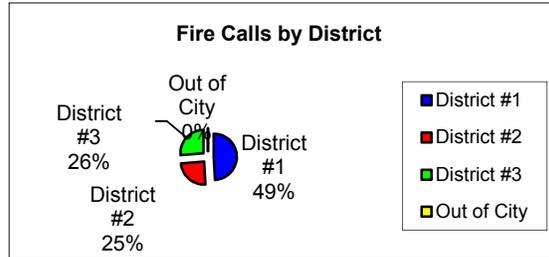
Value of Award (if applicable)

Source of Funding (if applicable)

REPORT OF THE FIRE CHIEF FOR THE MONTH OF JULY, 2017
Prepared for the Honorable Mayor and City Council and City Administrator

Cumberland Fire Department Responded to 155 Fire Alarms:

Responses by District:	
District #1	76
District #2	38
District #3	41
Out of City	<u>0</u>
	155



Number of Alarms:	
First Alarms Answered	155

Calls Listed Below:

Property Use:	
Public Assembly	4
Educational	5
Institutional	7
Residential	92
Stores and Offices	5
Other	1
Undetermined	1
Basic Industry, Utility	1
Special Properties	<u>39</u>
	155

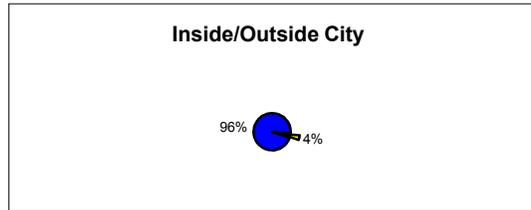
Type of Situation:

Fire or Explosion	6
Overpressure, Rupture	1
Rescue Calls	85
Hazardous Conditions	11
Service Calls	18
Good Intent Calls	13
Severe Weather	0
False Calls	<u>21</u>
	155

Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid in July:	\$1,400.00
Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid Fiscal Year to Date:	\$1,400.00
Total Fire Service Fees for Fire Calls Paid in July:	\$694.48
Total Fire Service Fees for Fire Calls Paid Fiscal Year to Date:	\$550.00
Fire Service Fees for Inspections and Permits Billed in July:	\$50.00
Fire Service Fees for Inspections and Permits Paid in July:	\$100.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	\$100.00

Cumberland Fire Department Responded to 473 Emergency Medical Calls:

In City Calls	453
Out of City Calls	<u>20</u>
Total	473



Total Ambulance Fees Billed by Medical Claim-Aid in J July, 2016:	\$76,733.50
Ambulance Fees Billed Fiscal Year to Date:	\$38,672.50
Ambulance Fees Paid: Revenue Received in July 2017:	\$86,531.58
FY2018 Ambulance Fees Paid in FY2018:	\$0.00
Total Ambulance Fees Paid in FY2018: (Includes all ambulance fees, previous and current fiscal years, p in FY2018.)	\$90,800.54

Cumberland Fire Department Provided 9 Paramedic Assist Calls:

5 Paramedic assist calls within Allegany County	
<u>4 Paramedic assist calls outside of Allegany County</u>	
9	

Cresaptown VFD	4
Frostburg Area Ambulance Serv.	<u>1</u>
	5

Fort Ashby, WV VFD	1
Short Gap, WV VFD	<u>3</u>
	4

Cumberland Fire Department Provided 11 Mutual Aid Calls:

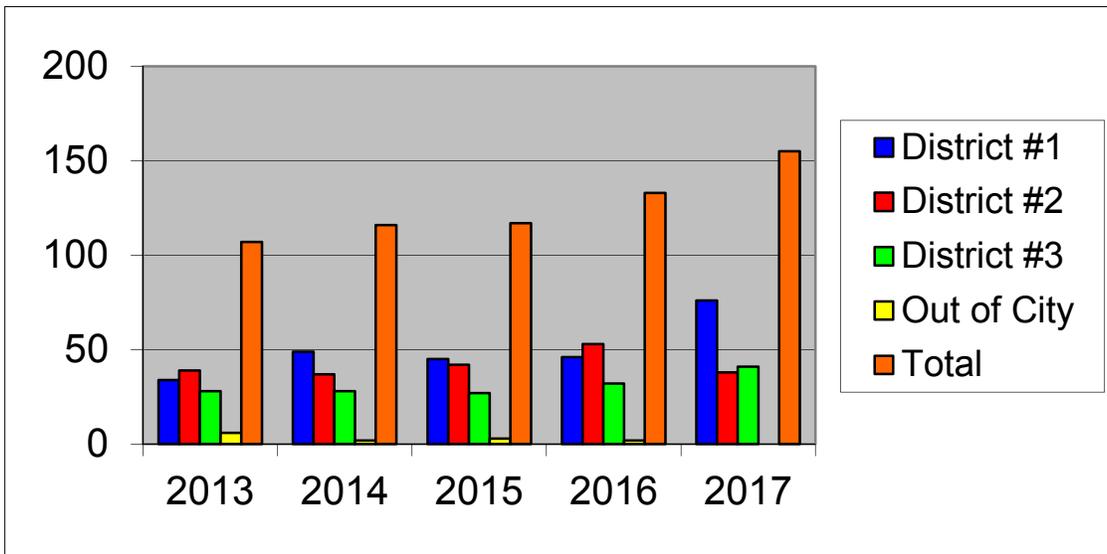
10 Mutual Aid calls within Allegany County	
<u>1 Mutual Aid calls outside of Allegany County</u>	
11	

Bowman's Addition VFD	4
Cresaptown VFD	4
District #16 VFD	<u>2</u>
	10

Wiley Ford, WV VFD	<u>1</u>
	1

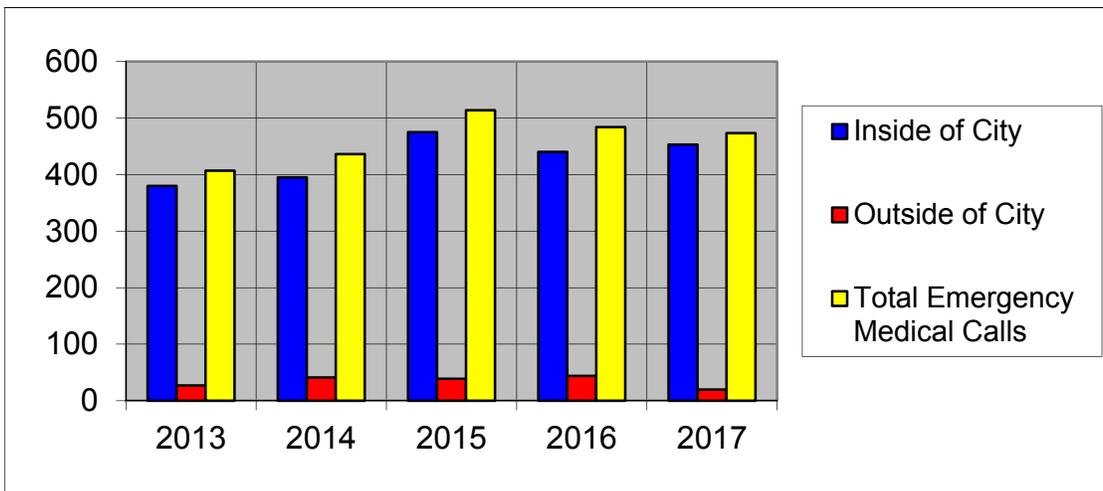
Fire Calls in the Month of July for a Five-Year Period

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
District #1	34	49	45	46	76
District #2	39	37	42	53	38
District #3	28	28	27	32	41
Out of City	<u>6</u>	<u>2</u>	<u>3</u>	<u>2</u>	<u>0</u>
Total	107	116	117	133	155



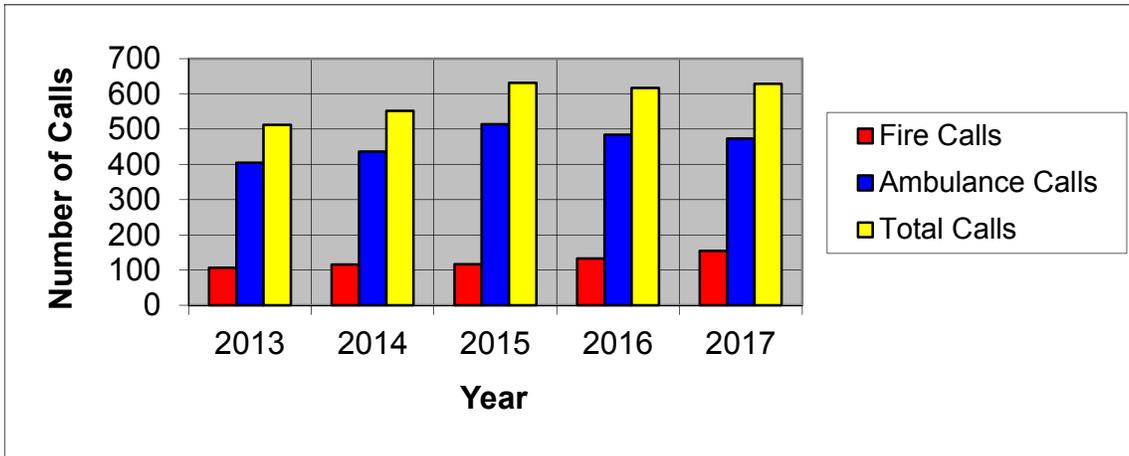
Ambulance Calls in the Month of July for a Five-Year Period

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Inside of City	380	395	475	440	453
Outside of City	<u>27</u>	<u>41</u>	<u>39</u>	<u>44</u>	<u>20</u>
Total Emergency Medical Calls	407	436	514	484	473



Fire and Ambulance Calls in the Month of July for a Five-Year Period

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Fire Calls	107	116	117	133	155
Ambulance Calls	405	436	514	484	473
Total Calls	512	552	631	617	628

**Training**

Training Man Hours:		97.50
Apparatus Check Procedures	19.75	
InService Inspections	33.25	
General Driver Training	4.00	
Drug Box Refresher	1.50	
Post Incident Review	15.50	
Truck Company Jeopardy	16.50	
Officer's Meeting	7.00	
	<u>97.50</u>	

Fire Prevention Bureau

Complaints Received	4
Conferences Held	60
Correspondence	12
Inspections Performed	4
Investigations Conducted	5
Plan Reviews	4
Pre-Incident Surveys by Crews	25

Personnel

Firefighter/Paramedic Jason R. Wolf resigned on July 19, 2017.

Lieutenant/EMT-B Jeffrey M. Grogg retired on July 31, 2017 with 40 years of service.

Statistics Compiled by Julie A. Davis, Fire Administrative Officer



Regular Council Agenda
August 15, 2017

Description

Utilities Division & Central Services monthly report for July, 2017

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

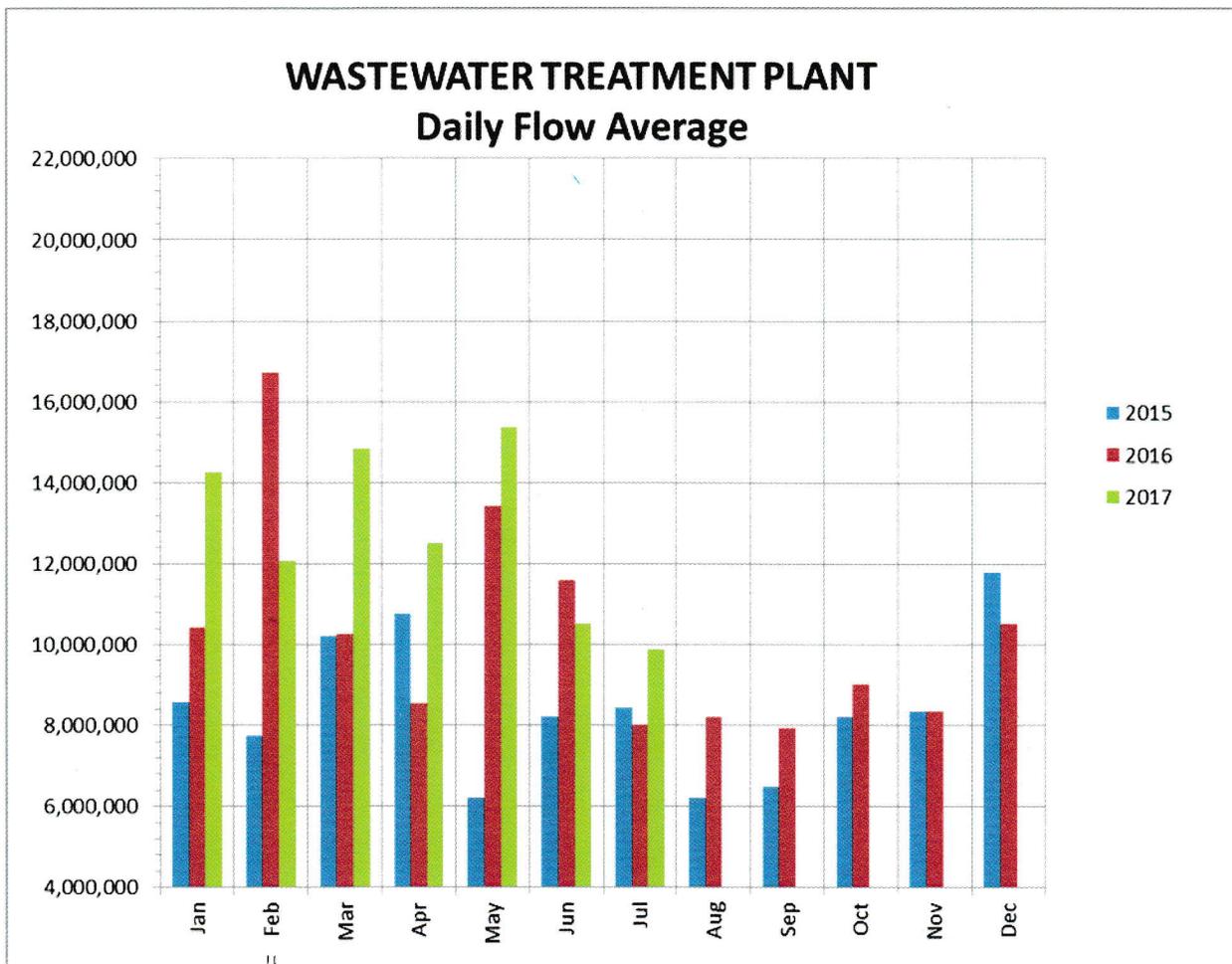
Source of Funding (if applicable)

CITY OF CUMBERLAND
UTILITY DIVISION AND
CENTRAL SERVICES
MONTHLY REPORTS
July 2017

Wastewater Treatment Plant – JULY 2017

OPERATIONS:

Treated 296,384,000 gallons @ an average of 9.879 million gallons per day. Removed 215,830 pounds of total suspended solids, 190,282 pounds of BOD, 33,817 pounds of total nitrogen, and 5,109 pounds of total phosphorous. Processed 377,571 gallons of sludge producing 55.94 Dry tons of Class "A" bio-solids. All Federal and State reporting requirements were in compliance. Monthly Flow Comparison Chart is attached.



Sewer & Flood Monthly Report - July 2017

Sewer

5,175 Ft. Sewer Mains Flushed

2 Service lines repaired:

-Park Craft House

-719 Leiper Street

26 Catch basins cleaned

2 Catch basins repaired

-317 Henderson Avenue

-925 Frederick Street

1,911 Ft. Sewer mains televised

338 Ft. of Sewer lines televised

4 Overflows checked

- Assisted Water Department at two (2) work

site for Hydro Excavating

- General Maintenance

Flood

Test run station pumps

Cleaned pump motor parts at Ridgeley Station

Worked on pump at Ridgeley Station with contractor Marshall Ruby

Installed pump back into service

Mowed 30 acres

Took gate opener out for service at Furlows

Brush cut behind flood wall, west Cumberland

Central Services – JULY 2017

- **City Hall:** Repaired and cleaned chiller. Repaired chilled water pump for A/C. Replaced pop out valve on chilled water system. Hang pictures at city hall.
- **Municipal Service Center:** Replaced hose reel in rear garage. Repaired water leak in roof in street dept. side.
- **Public Safety Building:** Built shelves in records room in basement CPD side. .Repaired door to police side off of lobby. Painted stairwell and hall way. Repaired #5 hot water circulating pump in boiler room.
- **Downtown Mall area:** Installed lights and conduit for new sign on side of CBIZ building. Replaced pump for water fall at lower end of mall. Removed old light poles at center of mall.
- **Evitts Creek Pump Station:** Worked on PLC. Installed temporary pump controller until new part could be ordered.
- **Parks/Recreation:** Constitution park, rebuilt the sand filters and replaced all new valves and conduit in the filter building. Replaced all the plumbing and fixtures in the main pool building.
- **Food Control Ridgeley:** Worked on #2 4160 volt pump motor replaced upper bearing and had it high voltage tested and repaired bad windings.
- **George st parking garage:** Worked on lights on upper deck , replaced photo cells ans lamps

- **Water Filtration Plant:** Recalibrated DP cell on filter # 10. Recalibrated CL2 vacuum switch on pre chlorinator system.
- **Wastewater Treatment Plant:** Helping install the new burners in the digester boilers.
- **Traffic and Street Lights:** Replaced lights on Henderson Ave and Valley St. traffic lights. Repaired crosswalk wiring that got rip out by contractors work on ADA ramps at corner of Queen city Dr. and Baltimore St. Replaced conflict monitor in traffic cabinet on Queen City Dr. and Baltimore st.
- Load-tested generators.



Regular Council Agenda
August 15, 2017

Description

Maintenance Division monthly report for July, 2017

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

MAINTENANCE DIVISION REPORT
July 2017

Street Maintenance Report

Parks & Recreation Maintenance Report

Fleet Maintenance Report

**PUBLIC WORKS/MAINTENANCE
STREET BRANCH
MONTHLY REPORT
JULY 2017**

- **POTHOLES AND COMPLAINTS**
 - Potholed 21 Streets and 5 Alleys using 28 tons of HMA.
 - Placed 13 ton of HMA on Bishop Walsh Drive during permanent patching.

- **UTILITY HOLE REPAIR**
 - Completed 22 Water Utility Hole Repairs using 6 CY of Concrete and 32 tons of HMA.

- **TRAFFIC CONTROL SIGNS/STREET NAME SIGNS**
 - Installed/Repaired 23 Traffic Control Signs.
 - Installed/Repaired 5 Street Name Signs.
 - Installed 4 and Removed 2 HC Signs.

- **STREET SWEEPING**
 - Swept 399 curb miles (approx. 100 cubic yards of debris).
 - Hauled 4 tons of sweeper dumps to landfill.

- **MISCELLANEOUS**
 - Completed 8 Service Request.
 - Cleaned the Baltimore Street underpass 1 time.
 - Brush and tree work 3 days.
 - Placed additional Topsoil (3.2 ton) on Eichner.

STREET MAINTENANCE - JULY 2017		7/2-7/8	7/9-7/15	7/16-7/22	7/23-7/29	7/30-7/31	TOTAL
SERVICE REQUEST COMPLETED		1	3	4			8
PAVING PERFORMED	TONS						0
CONCRETE WORK	CY						0
UTILITY HOLES REPAIRED	WATER	1	7	9	5		22
	SEWER						0
	CY		2.25	2.50	1.50		6
	TONS	4.5	20.0	4.8	2.5		32
POTHoles FILLED	STREETS	2	3	12	4		21
	ALLEYS	1	1	3			5
	DAYS						0
	Cold Mix						0
	TONS	3.5	5.5	9.5	9.5		28
PERMANENT PATCH	CY						0
	TONS				6	7	13
COMPLAINTS COMPLETED							0
	CY						0
	TONS						0
TRAFFIC CONTROL SIGNS REPAIRED/INSTALLED		12	5		6		23
STREET NAME SIGNS REPAIRED/INSTALLED		2	1		2		5
HANDICAPPED SIGNS REPAIRED/INSTALLED/REMOVED							0
		4					4
		2					2
PAINTING PERFORMED	BLUE	4					4
	YELLOW						0
	RED	1					1
PAVEMENT MARKINGS INSTALLED	No.						0
STREET CLEANING	LOADS	6	11		8		25
	MILES	34	166		199		399
SWEEPER DUMPS HAULED TO LANDFILL	TONS	3.7					4
SALT BARRELLS - PICK UP	DAYS						0
CLEANED BALTIMORE ST. UNDERPASS					1		1
CLEAN SNOW EQUIPMENT	Days						0
BRUSH REMOVAL/TREE WORK	Days				3		3
Check Drains/Clean Debris	DAYS						0
LEAF PICK UP	Loads						0
3.2 ton of Topsoil on Eichner 7/5/17							
1.5 tons of HMA Sink Hole on Frederick St 7/26/17							
13 tons of HMA Permanent Patch on BW Drive 7/27/17, 7/31/17							
Excavated Schley St for paving due to water leak 7/31/17							
							Item # 5

**PUBLIC WORKS/MAINTENANCE
PARKS & RECREATION
MONTHLY REPORT
JULY 2017**

- Constitution Park
 - Cleaned up garbage, bathrooms and pavilions 3 time/week.
 - Cut grass in Park and Long Field.
 - Worked the Fireworks and cleaned up after the event.
 - Drained baby pool due to an issue with the liner.
 - Water and Sewer Departments repaired leak in front of craft house.

- Mason Complex
 - Cleaned up garbage 3 time/week.
 - Lined Fields as per schedule.
 - Installed football and soccer fields.
 - Cut grass.
 - Sprayed fence lines and playground with weed killer.

- Abrams, Cavanaugh and JC
 - Cleaned up garbage and bathrooms 3 time/week.
 - Cut grass.
 - Maintained and lined Abrams, JC and Cavanaugh Fields as per schedule.
 - Sprayed fence lines at Cavanaugh with weed killer.

- Miscellaneous Work
 - Continue to maintain, cut grass and pick up garbage at Playgrounds, Parklets and other areas.

Parks and Recreation						
Field Work						
July 2017						
		Line	Spike	Drag		General Cleanup Prior to Season
Flynn		11	1	4		
Nonnenmann		8		3		
Northcraft		10		4		
Bowers		1				
Galaxy		1				
United						
Nonnenmann SF		1				
Bowers FB						
Tigers Practice						
Long		3		1		
Cavanaugh		1				
JC						
Abrams		3				

Parks and Recreation Department	
Grass Cutting	
July 2017	
LOCATION	DATES CUT
Fairmont	July 18, 31
Ridgedale	July 18, 31
Springdale	July 12, 25
Mason	July 6, 11, 17, 18, 19, 20, 24, 25, 31
Park	July 5, 11, 17, 18, 19, 20, 25, 26, 31
Long	July 5, 11, 17, 26
Cavanaugh	July 11, 18, 25
Smith Park	July 12, 25
Vets Park	July 11, 25
Pine Ave	July 13, 26
JC	July 13, 19, 26
Valley St Parklet	July 11, 19, 26
Abrams	July 5, 11, 26
Washington HQ	July 11, 26
Sundial	July 11, 26
Lucys Park	July 18, 25
MCS	July 26, 27
Evitts Creek	
Boat Ramp	
Mullen	July 13
14 Somerville in Rear	July 13
Old HRDC	July 11
Rolling Mills Parklet	July 27
Goethe	
Pistol Range	
Pear St.	July 19, 31
Louisiana Ave. (Hartley's)	July 18, 27
224-226 Cecelia St.	July 27
404/406, 414 Park St.	July 12, 27
513, 529 Maryland Ave.	July 12, 27
Emily St, Dead End	July 27
Centre St Playground	July 27

**Fleet Maintenance
July 2017**

Total Fleet Maintenance Projects	89
Street Maintenance	14
Snow Removal	0
DDC	0
CPD	29
Water Distribution	10
P & R Maintenance	3
CFD	6
Sewer	0
Code Enforcement	0
Flood	0
PIP	0
WWTP	1
Engineering	1
Facility Maintenance	0
Fleet Maintenance	0
Central Services	1
Municipal Parking	1
Public Works	1
Water Filtration	0
Small Engine Repairs	0
Scheduled Preventive Maintenance	19
Field Service Calls	3
 Total Work Orders Submitted	 49
 Risk Management Claims	 0
 Fork Lift Inspections	 0



Regular Council Agenda
August 15, 2017

Description

Approval of the Regular Session Minutes of June 20, 2017

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)



MAYOR
Brian K. Grim

CITY ADMINISTRATOR
Jeffrey D. Rhodes

CITY SOLICITOR
Michael Scott Cohen

COUNCIL
Seth D. Bernard
David J. Caporale
Richard J. Cioni, Jr.
Eugene T. Frazier

CITY CLERK
Marjorie A. Woodring

MINUTES

MAYOR AND CITY COUNCIL OF CUMBERLAND
City Hall Council Chambers
Room 212
6:15 p.m.

DATE: 6/20/17

***Pledge of Allegiance**

I. ROLL CALL

PRESENT: Brian K. Grim, President; Council Members Seth Bernard, David Caporale, Richard J. Cioni, Eugene T. Frazier

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Charles Hinnant, Chief of Police; Donald Dunn, Fire Chief; Kenneth Tressler, City Comptroller; Marjorie Woodring, City Clerk

Mayor Grim recognized dignitaries in attendance, including Mark Widmyer, Western Maryland Representative to the Governor's Office, and Tammy Fraley, Allegany County Board of Education. With regard to the City's proposed budget, Ms. Fraley discussed an economic value survey that was performed relative to the Allegany County Public School System that showed evidence of a reduction in crime related costs and welfare related costs for each ACPS graduating class. She asked the Council to work with the County and Board of Education to determine ways to make each profitable moving forward.

II. DIRECTOR'S REPORT

(A) Police

1. Police Department monthly report for May, 2017

Item Action: Approved

Motion to approve the report was made by Caporale, seconded by Bernard, and was passed on a vote of 5-0.

(B) Fire

1. Fire Department monthly report for May, 2017

Item Action: Approved

Motion to approve the report was made by Caporale, seconded by Bernard, and was passed on a vote of 5-0.

(C) Public Works

1. Maintenance Division monthly report for May, 2017

Item Action: Approved

Motion to approve the report was made by Caporale, seconded by Bernard, and was passed on a vote of 5-0.

III. APPROVAL OF MINUTES

(A) Administrative / Executive

1. Approval of the Closed Session Minutes of March 21, April 4, and May 2, 2017

Item Action: Approved

Motion to approve the minutes was made by Caporale, seconded by Bernard, and was passed on a vote of 5-0.

IV. UNFINISHED BUSINESS

(A) Ordinances

1. Ordinance (*2nd and 3rd readings*) - providing for the City Tax Levy for FY2018; Real Estate = 1.0595 per \$100 of assessed value / Personal Property = 2.648 per \$100 of assessed value

Item Action: Approved

Councilman Frazier read a statement to voice opposition to the proposed tax increase. (Statement is attached.)

Councilman Cioni discussed measures that had been taken over the past several years to address the budget deficit, including the denial of pay raises, changes to employee health care provisions, the elimination of positions and personnel. He discussed concerns over reducing staff to the point that it would affect morale and productivity. He stated that no one was in favor of the tax increase, but the City had to move forward.

Councilman Bernard read a prepared statement in favor of the tax increase. (Statement is attached.)

Mayor Grim read a prepared statement in favor of the tax increase. (Statement is attached.)

Mayor Grim opened the floor to public comment.

Doug Schwab, 9 N. Centre Street, spoke in opposition to the tax increase, noting that the tax would be a disincentive to invest in the downtown.

Tammy Fraley, 913 Growden Terrace, spoke in opposition to the tax increase. She stated she did not want a reduction in public safety services, asked for the departments to make one final cut to their budgets, and recommended seeking loans from the county or state.

James Cordry, 23 Long Drive, spoke in opposition to the tax increase.

Mr. Rhodes reviewed assessable base numbers for FY18 and the tax levy that would be received with the increased tax rate. He discussed challenges in the General Fund, detailing costs for personnel, operating expenses and capital expenditures and noted that without the increased revenue to be gained by the tax increase, either all General Fund departments would have insufficient materials to perform their jobs or personnel in the public safety departments would need to be significantly reduced.

SECOND READING: The Ordinance was presented in title only for its second reading. Motion to approve the second reading and move to the third after comment was made by Caporale, seconded by Bernard, and was passed on a vote of 5-0.

Mayor Grim called for questions or comments. Being none, the Ordinance proceeded to its third reading.

THIRD READING: The Ordinance was presented in title only and was passed on a vote of 4-0 with Councilman Frazier voting nay.

ORDINANCE NO. 3821

2. Ordinance (*2nd and 3rd readings*) - providing for the annual appropriation for the FY18 General Fund

Mr. Rhodes introduced the Ordinance and provided a breakdown of the General Fund appropriations and discussed the debt refinancing costs for FY18.

SECOND READING: The Ordinance was presented in title only for its second reading. Motion to approve the second reading and move to the third after comment was made by Caporale, seconded by Bernard, and was passed on a vote of 5-0.

Mayor Grim called for questions or comments. Being none, the Ordinance proceeded to its third reading.

THIRD READING: The Ordinance was presented in title only for its third reading and was adopted on a vote of 4-1 with Councilman Frazier voting nay.

ORDINANCE NO. 3822

3. Ordinance (*2nd and 3rd readings*) - providing for the annual appropriation for the FY18 Water Fund

Mr. Rhodes introduced the Ordinance and provided a breakdown of the Water Fund appropriations.

SECOND READING: The Ordinance was presented in title only for its second reading. Motion to approve the second reading and move to the third after comment was made by Caporale, seconded by Cioni, and was passed on a vote of 5-0.

Mayor Grim called for questions or comments. Carl Godfrey, Oldtown, expressed concern over the budget. Mayor Grim advised him that no legislation passed by the City Council would affect Oldtown residents and urged him to contact the Allegany County Commissioners.

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

ORDINANCE NO. 3823

4. Ordinance (*2nd and 3rd readings*) - providing for the annual appropriation for the FY18 Sewer Fund

Mr. Rhodes introduced the Ordinance, provided a breakdown of the Sewer Fund appropriations, and discussed the need for the underground storage tank at the WWTP and associated costs.

SECOND READING: The Ordinance was presented in title only for its second reading. Motion to approve the second reading and move to the third after comment was made by Caporale, seconded by Cioni, and was passed on a vote of 5-0.

Mayor Grim entertained questions or comments and the Ordinance proceeded to its third reading.

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

ORDINANCE NO. 3824

5. Ordinance (*2nd and 3rd readings*) - providing for the annual appropriation for the FY18 Special Purpose Funds

Mr. Rhodes introduced the Ordinance and provided a breakdown of the Special Purpose Fund appropriations.

SECOND READING: The Ordinance was presented in title only for its second reading. Motion to approve the second reading and move to the third after comment was made by Caporale, seconded by Bernard, and was passed on a vote of 5-0.

Mayor Grim entertained questions or comments. Doug Schwab, downtown business owner, noted that the Downtown Development Commission appropriations noted in this fund did not represent the special taxing district taxes that were collected from the downtown property owners.

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

ORDINANCE NO. 3825

6. Ordinance (*2nd and 3rd readings*) - providing that no levy of a special ad valorem tax in the Shades Lane Development District be imposed for FY18

Mr. Rhodes introduced the Ordinance, noting that no levy was needed this year to pay the debt service incurred on the project. There were sufficient funds at this time.

SECOND READING: The Ordinance was presented in title only for its second reading. Motion to approve the second reading and move to the third after comment was made by Caporale, seconded by Cioni, and was passed on a vote of 5-0.

Mayor Grim entertained questions or comments and the Ordinance proceeded to its third reading.

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

ORDINANCE NO. 3826

(B) Orders

1. Order authorizing execution of a Billing Agreement with Carter Professional Services, Inc. for

billing and claims service related to EMS transports, fire and rescue incidents, and fire department inspection and permit fees, for a term of five (5) years effective July 1, 2017 and renewable for three (3) additional years upon mutual consent, and a service fee of 7.25%

Mr. Rhodes discussed the billing agreement, noting that a lesser service fee had been negotiated with the service provider. Mayor Grim called for questions or comments.

Motion to approve the Order was made by Caporale, seconded by Frazier, and was passed on a vote of 5-0.

ORDER NO. 26,146

V. NEW BUSINESS

(A) Resolutions

1. Resolution granting the Cumberland Outdoor Club a property tax credit for the tax year 2017-2018

Mr. Rhodes introduced the Resolution.

The Resolution was presented in title only and Mayor Grim called for questions or comments.

Motion to approve the Resolution was made by Caporale, seconded by Cioni, and was passed on a vote of 5-0.

RESOLUTION NO. R2017-09

(B) Orders (Consent Agenda)

Item Action:

Mr. Rhodes reviewed each item on the Consent Agenda and Mayor Grim entertained question or comments.

Motion to approve Consent Agenda Items 1-8 was made by Frazier, seconded by Caporale, and was passed on a vote of 5-0.

1. Order accepting the donation of \$1,000 from Allegany County Health Department to be used by the Cumberland Police Department for the establishment of a healthy eating program

ORDER NO. 26,147

2. Order approving an Historic District Tax Incentive Application for property at 10 N. Liberty Street, owned by Hampstead Cumberland Arms, to provide a property tax credit in the amount of \$417,330.40 for a total of five years and a 7-year property tax assessment freeze equaling 111% of the pre-improvement value of \$3,734,633, effective with the 2016-2017 tax year

ORDER NO. 26,148

3. Order authorizing the acceptance of deeds for 28 parcels of real estate located on Baltimore Avenue, N. Waverly Terrace, and N. Mechanic Street from Cumberland Neighborhood Housing Services, Inc. for the sum of Zero Dollars (\$0.00); that acceptance of the Deed for 332-334 N Mechanic St. be contingent upon the title being good and marketable; and abating all taxes and utilities on all properties listed

ORDER NO. 26,149

4. Order accepting the bid of Casey Smith LLC, d/b/a Service Pro, for the 2017 Grass Mowing Contract for Non-Residential City-Owned Properties (9-17-M), in the estimated unit price of \$35,900

ORDER NO. 26,150

5. Order accepting the proposal of Prestige Lawncare & Landscaping, Inc. for City Project "2017 Grass Mowing - City-Owned Residential Properties" (10-17-M) in the estimated unit price of \$48,160

ORDER NO. 26,151

6. Order authorizing the execution of a Contract of Sale for the purchase of 612-614 Maryland Avenue from Howder, Inc. for the amount of \$15,000, authorizing acceptance of the deed of transfer, authorizing extension of the closing date if necessary, and authorizing the City Solicitor and City Administrator to execute documentation for the sale and transfer

ORDER NO. 26,152

7. Order extending the proposal from Erie Insurance to provide coverage for the City's fleet and parking garages in the amount of \$99,069

ORDER NO. 26,153

8. Order accepting the proposal of CBIZ Insurance to provide FY18 insurance for the Public Officials Policy - \$17,603, Law Enforcement Liability - \$41,170, and Employee Dishonesty Bond - \$861, for a total of \$59,634

ORDER NO. 26,154

(C) Letters, Petitions

1. Letter from the National Kidney Foundation requesting permission to hold the 2017 Western MD Kidney Ride on Saturday, September 16, 2017 from 9:a.m. to 4:00 p.m., beginning at 13 Canal Street and utilizing the Great Allegheny Passage

The letter was acknowledged and entered into public record. Mr. Rhodes noted that Chief Hinnant had reviewed the request and had no issues with it; any need for police presence could be handled by an officer on duty.

Council provided a consensus to approve the event.

VI. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

Harold Martin, 1038 Myrtle Street, discussed concerns regarding the "share the road" signs for bikes that had been placed on Frederick and Bedford Streets. He stated that 56 signs had been placed in a 1.2 mile stretch of each street, the signs looked terrible and ruined the neighborhood. He further stated that the vote in 2016 had been to mark the lane to share the road. Mayor Grim and Councilman Bernard discussed that the vote had been to not designate the road as a bike lane and the law allows the bikes to share the use of the entire lane with the cars.

Tamara Clarke, 811 Memorial Avenue, requested that fluoride be banned from the City's water system. She discussed that fluoride did not provide the health benefits it was purported to have and talked about the values of research and its impact on fluoride information.

Carey Walker, 201 Massachusetts Avenue, discussed concerns regarding the condition of Grand

Avenue. He stated he had also discussed these concerns last year and he requested a list of proposed street repairs. He had been informed by Mr. Rhodes that Grand Avenue was not on the list for repair yet was one of the worst in the city. Mr. Rhodes discussed how the streets are prioritized for repair. Mr. Walker also discussed complaints about an alley between South Street and Pennsylvania Avenue. Mr. Rhodes advised that he would get further information from him and look into the matter.

VII. ADJOURNMENT

With no further business at hand, the meeting adjourned at 7:38 p.m.

Brian K. Grim, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

Statement read by Councilman Frazier at June 20, 2017 public meeting.

Prior to this evening's vote on the city's proposed tax rate increase, I would like to say a few words to explain why I'm opposed.

Most of my fellow council members have served longer and have been through this budget process a time or two. That may give them a little more experience, but sometimes a pair of fresh eyes can help.

Something that has bothered me about this budget shortfall is why it wasn't brought to our attention sooner so that we may have had more time to come up with solutions.

One of my main reasons for voting against the increase is that I believe it will provide a disincentive for both businesses and people thinking of locating to our city. Some of our expressed goals have been to further economic growth, entice our young adults to stay, and encourage others to move here. Why would they invest here, remain here, or move here when they can locate outside our city and still enjoy many of its benefits without paying the higher taxes.

We have had several citizens come to our meetings and express why we shouldn't raise taxes. Several of these individuals are or have been involved with local governments, including Jerry Frantz, Lawrence Becker, and former Councilwoman Mary Beth Pirolozzi. Ms. Pirolozzi has also sent emails with suggestions on steps we could consider to avoid raising taxes. I have talked to them individually, and I concur with many of their ideas.

There have been letters and emails from individuals and organizations, such as Mike D'atri, the Allegany County Chamber of Commerce, and the Historic Highlands Association of Realtors, all of whom have predicted negative consequences this tax increase will have on our city.

Another reason I am against this tax increase is due to the effect it will have on our citizens. Our city is made up of a lot of older citizens who live on modest monthly incomes. Many of them live from paycheck to paycheck, and though this amount may seem trivial to some it will be devastating to others. I use my sister as an example. Through conversations, she has told me how badly this tax increase will affect her.

I don't profess to have all the answers or solutions but many of the ideas and suggestions presented by some of the people I have referenced warrant a closer look and possible implementation. We need to work with the county and other municipalities on ways we can combine services, share responsibilities, and save money.

I, like my fellow council members, want what's best for our city. One thing I have suggested was to have a committee/commission formed that would take a careful look at our budget and how and where we spend our money and determine where we have waste, where we can make cuts, and savings can be made. I realize we have department heads

that have done this, but as I said before sometimes a fresh set of eyes can be helpful. I have also proposed an idea the Mike D'atri suggested, a one time surcharge instead of a tax increase which would give us more time to come up with better solutions. Neither of these ideas I proposed were considered by the council. I've never seen my tax rate go down after it's been raised, and I fear the same for this rate increase.

I will continue to work with my fellow council members to resolve these and other problems and make Cumberland a place where people can live and prosper.

Statement read by Councilman Bernard during June 20, 2017 public meeting

First, I just wanted to thank everyone who participated in this process over the last several months. Being educated and informed is absolutely a hallmark of a healthy society.

All of us here have found ourselves faced with a problem that had been, frankly, avoided for years. But make no mistake, these are absolutely tough problems. None of us here ran for office to raise taxes – but we did run with the promise we would steer the ship away from the storms – and that’s what I view us doing here.

It’s no surprise that the easiest decision aren’t always the right ones. In my opinion, it’s easy to say “cut”, but how can we continue to cut, when further cuts would mean the elimination of police officers, the elimination of fire fighters? That’s not an option at this juncture – especially with our nation in the midst of a heroin epidemic.

The average increase is 6 bucks a month – in my opinion, a small price to pay to maintain services – but at the same time, I’m aware that’s still a lot to ask of some people. That’s why we’re committed to try and do all we can to lower this increase, hopefully as soon as next year.

We recognize the long-term fixes and are already attempting to implement them, such as evaluating employee health costs, as well as collaborating with the County – not to mention this administration’s aggressive efforts in regards to ED and Neighborhood Revitalization. We want to set this up so our City is never faced with this again.

Statement made by Mayor Grim at June 20, 2017 public meeting

This evening, it is important to recognize that the series of votes before the Mayor and Council are among the most serious and significant that I have had to cast a vote in my eight years in office, to date. Speaking for myself, I can assure you that political futures play no role in my own decision making process.

To the gentlemen seated to my right and left, thank you. Thank you for working through a very challenging process, engaging the citizens of Cumberland at every turn, and participating in ten public meetings in which this topic was a part, including a public Town Hall. Thank you for taking on a challenge that has been a can kicked down the road for decades, for generations, for too many administrations, a financial challenge that took root so long ago that some of us sitting here were not yet born when those decisions were being made and local and global economic challenges began brewing. Thank you for enduring a time when the decision made will be unpopular, no matter the decision, as there is no right decision. Thank you for having the fortitude to look out for the future of our community, through this process.

To those very few citizens, far less than 1% of the Cumberland population, who participated in the process, thank you for being heard. It was your voices that impacted the proposal before the Council tonight. It was through ten public meetings, including a Town Hall, where citizens simultaneously demanded service increases, no cuts to city services and no tax rate increases, though there were some who expected elimination of the fire department and others who argued in favor of much higher tax rate increases. In reality, the citizens of this community gave their elected leaders in this Representative Democracy, no consensus. Citizens gave no clear direction. Citizens reached consensus, seemingly, only in the desire not to cut services and not to raise taxes. Those two positions are impossible. Moving forward after the decision tonight, the community must wear the burden on its collective shoulders to decide what we want Cumberland to be in the next five, ten, twenty and fifty years. Without consensus, leaders will

continue to make bad decisions, decisions that are unpopular, and as is the case tonight, decisions which will most certainly leave most everybody angry.

Often I hear from citizens that the fix to our economic woes are more jobs, more population and more economic development. That's all true, but for the city, that all takes place through tax base growth, something we continue to suffer a glut from, to the tune of approximately \$52 million in recent years. While its true that some people need jobs, there are far too many jobs from manufacturing to technology going unfilled right now. Signs and even billboards now announce "now hiring" in Cumberland. Jobs do exist! Population growth is necessary to fuel tax base growth. And more economic development spurs all of these things, though some citizens and even some local business owners continue to fight against any and all development, right down to a local businessman even today taking steps to try to prevent the Rolling Mill project from taking place. But I suggest to you that our biggest problem is not economic, but attitude. Too many negative, pessimistic and self loathing attitudes continue to project the loudest voices while the silent majority sites back...in silence. The attitude of this community must, must, must change. Angst against bicyclists, anger about new restaurants, frustration over road construction, impatience for snow plowing, ignorance toward change and continued words of self loathing are our greatest weakness and greatest enemy.

We are a community suffering tax base decline. We are simultaneously cited as one of the most affordable markets to live in with low housing costs. With those effects come limited revenues to city government to provide basic or desired expanded services. Citizens have been fairly consistent in expecting services from the city, but the chorus of anger toward a tax rate increase has grown.

Let me be very clear to those of you who may have formed an opinion against any tax rate hike, including the Chamber of Commerce and the Realtors Association. This is not a decision as so narrowly suggested, to raise taxes or not. It's a decision to either increase revenues to maintain city services or dramatically cut services.

Demands for more cuts are ignorant to the fact that to this point, every effort has already been undertaken to prevent tax rate increases. Within the past 10-15 years, the city has eliminated 21 management positions and 46 hourly positions, many of which are in public safety services. Cuts are not a way forward, as the real problem is a severely declined tax base. In fact, even with the proposed tax rate increase, the average Cumberland homeowner will still pay less in taxes than several years ago, due to declined property values.

Calls for no tax rate increases should be recognized as calls for deep and potentially dangerous cuts. Without this increase, many city services and programs would not only be jeopardized, but could be eliminated entirely and include cuts to fire and EMS services, cuts to police, closure of the Constitution Park pool, closing city sports fields, elimination of annual city fireworks displays (which are subsidized by donations from local businesses) and reduction of snow plowing services to emergency routes only.

Generic suggestions that more cuts take place to the government "fat" are uninformed and ignore efforts to date. Expectations that across the board cuts occur do not recognize that those cuts would require turning off street lights, slashing the parks and recreation department of only one full time employee, by closing the Park pool and padlocking city ball fields. It could mean, as has been suggested by one citizen in this very chamber, the end of C3I, the narcotics investigation unit.

The Chamber of Commerce stated a desire for the City to "act on all possible alternatives including consolidation of services and adjustments in personnel and benefit expense before considering a tax increase." I agree, however consolidation requires the partnership of Allegany County and cannot be fulfilled unilaterally by the City of Cumberland. It requires that Commissioner Valentine's perceived War on Cumberland end immediately.

Adjustments to personnel have been done for many years with employees today fulfilling the jobs of their previous subordinates as well as supervisors. Jobs are further reduced in the budget proposal before the Council. Benefit expenses must

change and are being undertaken with bargaining units, as they are included in negotiated contracts. With most city employees paying only 3%-10% of their healthcare expenses and healthcare costs exploding by up to \$1 million per year, it is my position that city employees must move to paying 20% of those expenses. This change must be negotiated, however.

As citizens have provided input leading up to a decision about the FY'18 budget, it is important to recognize that input has been weighed constantly and a lack of community consensus about a direction has left the Council with this difficult decision. None of the Council ever desired to have to make this decision to cut city services or implement tax increases. Nobody here is advocating for tax rate increases and nobody is specifically calling for elimination of city services. We have worked diligently to prevent the initial 20% tax rate increase and reduce it to 9.75%. That may have been a mistake. The proposal before the Council now is an attempt to balance the concerns of all citizens and I personally believe, the worst option that could be considered, as it both raises taxes and implements cuts that could put citizens in danger. Even so, the Council has taken on the challenge of resolving a decades-long problem rather than kick it down the road again. For eight years, I have sat at budget presentation meetings and been one of the voices to say, "take tax increases off the table." I even did so this year, but the stark realities are too dire now.

The current proposal reduces firefighters, police officers, the City Planner, and street department staff, as well as reduces spending on economic development and Downtown, all on top of across the board cuts to city departments. It further refinances city debt and implements borrowing for the coming years' capital projects. Even so, some are calling for even more dramatic cuts with the short sighted demand that there be no tax rate increases, even following significant tax base decline in recent years that amounts to a current deficit of \$52 million.

The proposal calls for a 9.75% tax rate increase, which will cost the average citizen of Cumberland, \$6.00 per month. In many cases, even with such an increase in place, citizens will still be paying less in taxes than they did before the tax base

decline occurred. And no increase like this comes without the option to reduce or remove it in the future, as the tax base hopefully grows again.

Times are tough and this action will not end the crisis before our city, but it is a step toward doing so. More difficult decisions are ahead and the community must reach some consensus to solve these systemic deficits. To my colleagues, let me be very clear that tonight we are not just voting for a tax rate increase. A vote of "no" is a vote to cut firefighters, reduce EMS services, cut the police department, close the Constitution Park pool, padlock city sports fields, reduce snow plowing services to emergency routes, only, pull out of C3I and narcotics investigations and cut spending on blight removal efforts that ultimately result in increasing property values and growing the tax base.

Following the outcome of this evening, Cumberland citizens must step up. Complaining without being involved is a waste of time. Negativity and pessimism are the enemy of our future. Lack of true engagement through community services and informed decision making will drive Cumberland over the cliff we are on today, teetering between a future of success and a cataclysmic collapse.

Colleagues, in the course of service, each of us has had to face difficult decisions. However none of us should be subjected to lies, attacks or death threats as was the case, with the threat directed at staff and the Mayor and Council from a citizen in this very building just last week. This body is compensated at 1978 wages for doing the job of looking out for the best interest of Cumberland. Tonight, I am confident that my colleagues will continue to fulfill that duty and whatever the decision made, we should expect the results to be felt for, potentially, decades to come. And while this body may sometimes disagree, I am confident that each member of Council is looking out for what he believes is in the city's best interest.



Regular Council Agenda
August 15, 2017

Description

Summary Statement of the Closed Meeting held August 15, 2017

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)



Regular Council Agenda
August 15, 2017

Description

Approval of the Closed Session Minutes of June 6, 2017

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

Mayor and City Council of Cumberland

Closed Session Minutes

City Hall, 57 N. Liberty Street, Cumberland, MD 21502

Second Floor Conference Room

Tuesday, June 6, 2017

5:30 p.m.

PRESENT: Brian K. Grim, President; Council Members Seth Bernard, David Caporale, Richard J. Cioni, and Eugene T. Frazier

ALSO PRESENT: Jeffrey Rhodes, City Administrator; Michael Cohen, City Solicitor; Marjorie Woodring, City Clerk

MOTION: Motion to enter into closed session to discuss personnel moves was made by Councilman Bernard, seconded by Councilman Cioni, and was passed on a vote of 5-0.

Annotated Code of Maryland, State Government

- Section 10-508 (a) (1): to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals

Minutes approved: _____

Brian K. Grim, Mayor _____



Regular Council Agenda
August 15, 2017

Description

Order authorizing Special Taxing District Residential Exemptions for the 2017-2018 tax year for 27 N. Centre St. in the amount of \$413.59, 107 S. Centre St. in the amount of \$320.70, and 33 N. Centre Street in the amount of \$711.95

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

- Order -
of the
Mayor and City Council of Cumberland
 MARYLAND

ORDER NO. _____

DATE: August 15, 2017

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the following Residential Exemptions from the Special Taxing District Levy for 2017-2018 tax years be and are hereby granted:

Property / Owner	Tax Year / Account No.	Total Tax Due	Exemption Amt.
27 N. Centre St./Saville	2017-2018 Tax No. 14-002618	\$ 827.18	\$ 413.59
107 S. Centre St./ Circosta	2017-2018 Tax No. 04-031601	\$ 593.89	\$ 320.70
33 N. Centre Street / Sasaki and Gusella	2017-2018 Tax No. 14-002847	\$ 1,095.31	\$ 711.95

BE IT FURTHER ORDERED, that these exemptions are hereby granted pursuant to the provisions of Section 235 of the City Charter.

Brian K. Grim, Mayor

City of Cumberland
SPECIAL TAXING DISTRICT REQUEST FOR EXEMPTION

Tax Year 2017

I, Sandra Saville request an exemption from the Special Taxing District Levy for property owned by me at: 27 N. Condo

My request is based upon the fact that:

Residential - this property, or portion thereof, is occupied and used by the owner for his or her residence;

Industrial - this property, or portion thereof, is used solely for light manufacturing purposes, and qualifies for a similar exemption according to the tax provisions of Allegany County, Maryland.

If only part of the property is used for an exempt purpose, designate the percentage so used:

Residential 50 %

Industrial _____ %

As to approved applications, the exemption shall be granted for all fiscal years falling within the calendar year preceding the date of the submission of the application for the exemption.

Signed: Sandra Saville
 Date: Aug 3, 2017

For City use

Tax Account No: 14 002618

	Assessed Amount	Tax Amount
Original	181400	827.18
Exempt	90700	413.59
Billable	90700	413.59

SPECIAL TAXING DISTRICT

REQUEST FOR EXEMPTION

Tax Year 7/2017 - 6/30/2018

I JoAnn Circosta request an exemption from the Special Taxing District Levy for property owned by me at:

107 So. Centre St.
Cumberland, MD 21502

My request is based upon the fact that this property is used for:

Industrial _____

Residential 54%

If only part of the property is used for an exempt purpose, designate the percentage so used:

Industrial % _____

Residential % 54%

Signed [Signature]
Date 7/08/01/2017

	<u>04 031601</u>	
Original	221 600	593 89
Exempt	<u><119664></u>	<u><320 70 ></u>
Billable	101936	273 19

City of Cumberland
SPECIAL TAXING DISTRICT REQUEST FOR EXEMPTION

Tax Year 2017

I, TOMIYO SASAKI / ERNEST GUSELLA - CO-OWNERS request an exemption from the Special Taxing District Levy for property owned by me at: 33 N. CENTREST.

My request is based upon the fact that:

Residential - this property, or portion thereof, is occupied and used by the owner for his or her residence;

Industrial - this property, or portion thereof, is used solely for light manufacturing purposes, and qualifies for a similar exemption according to the tax provisions of Allegany County, Maryland.

If only part of the property is used for an exempt purpose, designate the percentage so used:

Residential 66 %

Industrial _____ %

As to approved applications, the exemption shall be granted for all fiscal years falling within the calendar year preceding the date of the submission of the application for the exemption.

Signed: Sasaki

Date: Aug. 02 / 2017.

For City use

Tax Account No: 14 002847

	Assessed Amount	Tax Amount
Original	240200	1095.31
Exempt	156130	711.95
Billable	84070	383.36



Regular Council Agenda
August 15, 2017

Description

Order authorizing the abatement of 2017-2018 taxes for City-owned properties containing cellphone towers at 600 Bishop Walsh Road, Eleanor Terrace, and Seneca Avenue

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. _____

DATE: August 15, 2017

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the City Comptroller be and is hereby authorized to abate 2017-2018 taxes for the following City-owned properties:

Tax Year 2017-2018	Acct No. 06-050301	Bishop Walsh Road	\$7,290.42
Tax Year 2017-2018	Acct No. 06-011853	Eleanor Terrace	\$1,600.90
Tax Year 2017-2018	Acct No. 06-046908	Seneca Avenue	\$1,589.00

 Mayor Brian K. Grim

(Cellular tower locations)

Inquiry

Prop#...: 06-046908
 Owner...: CUMBERLAND CITY OF
 Address: SENECA AV
 Mail To: CUMBERLAND CITY OF
 MAYOR & CITY COUNCIL CITY HALL
 CUMBERLAND MD 21502-0000
 Phone...:
 School Dist.: CUMB SCHLS
 Payoff Date : 8/09/2017
 Total Billed: 1,589.25
 Tot. Dsc App: .00
 Total Paid...: .00
 Total Due W/SC: 1,589.25

Enter Option: _

F3=Exit

X	Year	Perd	Type	Bill#	Tax	Pen	Int	Collected	Remaining Balance
_	2017	1	1	201764534	1589.25	.00	.00	.00	1589.25

City of Cumberland **Live**
8/09/17

PROPERTY TAX SYSTEM

TA0080S1

Inquiry

Prop#...: 06-011853
Owner...: CUMBERLAND CITY OF
Address: ELEANOR TE
Mail To: CUMBERLAND CITY OF
57 N LIBERTY ST
CUMBERLAND
Phone...:

School Dist.: CUMB SCHLS

MD 21502-0000

Payoff Date : 8/09/2017
Total Billed: 1,600.90
Tot. Dsc App: .00
Total Paid...: .00
Total Due W/SC: 1,600.90

Enter Option: __

F3=Exit

X	Year	Perd	Type	Bill#	Tax	Pen	Int	Collected	Remaining Balance
_	2017	1	1	201763550	1600.90	.00	.00	.00	1600.90

City of Cumberland **Live**
8/09/17

PROPERTY TAX SYSTEM

TA0080S1

Documents Exist

Inquiry

Prop#...: 06-050301
Owner...: CUMBERLAND MAYOR & CITY COUNCIL
Address: 600 BISHOP WALSH RD
Mail To: CUMBERLAND MAYOR & CITY COUNCIL
CITY HALL
CUMBERLAND MD
Phone...:

School Dist.: CUMB SCHLS

Payoff Date : 8/09/2017
Total Billed: 7,290.42
Tot. Dsc App: .00
Total Paid...: .00
Total Due W/SC: 7,290.42

Enter Option: ___

F3=Exit

X	Year	Perd	Type	Bill#	Tax	Pen	Int	Collected	Remaining Balance
_	2017	1	1	201764642	7290.42	.00	.00	.00	7290.42



Regular Council Agenda
August 15, 2017

Description

Order approving the award of \$10,000 to the Central Business District Facade Improvement Program project application for 45 North Centre Street, owned by Daniel Rhee, to be funded through the State of Maryland Community Legacy Program

Approval, Acceptance / Recommendation

See attachment

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

\$10,000

Source of Funding (if applicable)

Community Legacy 114.199AH.CFP.20100

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. _____

DATE: August 15, 2017**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

THAT, the Central Business District Façade Improvement Program project application for 45 North Centre Street, owned by Daniel Rhee, be and is hereby awarded Ten Thousand Dollars (\$10,000), to be funded through the State of Maryland Community Legacy program.

Brian K. Grim, Mayor

Funding: Community Legacy 114.199AH.CFP.20100

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: MAYOR AND CITY COUNCIL
 JEFF RHODES, MARGIE WOODRING

FROM: KATHY MCKENNEY AND JENNIFER LIGHT

SUBJECT: FAÇADE IMPROVEMENT GRANT PROGRAM STAFF RECOMMENDATION

DATE: 8/11/17

On April 28, 2017, the Department of Community Development, working with the Downtown Development Commission received a total of 7 applications for the Central Business District Façade Improvement Program, a program funded by the State of Maryland's Community Legacy program. Applicants had to have property located within the Central Business District, their request could not exceed \$10,000 and they were required to match their request dollar for dollar.

Following receipt of the completed applications, staff began to evaluate each application. Staff has been meeting with applicants on an individual basis so that each project will meet the Secretary of the Interior's Standards.

At this time, the review committee has recommended funding for one project. The project address and recommended funding is as follows:

1	Daniel Rhee	45 North Centre Street	\$10,000.00
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Total	\$10,000.00	(\$50,000.00 Community Legacy 114.199AH.CFP.20100)
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Regular Council Agenda
August 15, 2017

Description

Order authorizing the Chief of Police to sign a Memorandum of Understanding with the Family Crisis Resource Center, Inc. (FCRC) pertaining to the provision of security for supervised visitation and exchange for the period of June 1, 2017 through July 30, 2018, with FCRC reimbursing the City for services rendered in the amount not to exceed \$14,583

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. _____

DATE: August 1, 2017**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

THAT, the Chief of Police be and is hereby authorized to execute a Memorandum of Understanding by and between the Cumberland Police Department and the Family Crisis Resource Center, Inc. (FCRC) pertaining to the provision of security for supervised visitation and exchange for the period June 1, 2017 through July 30, 2018; and

BE IT FURTHER ORDERED, that FCRC agrees to reimburse the City of Cumberland for services rendered in the amount not to exceed Fourteen Thousand, Five Hundred Eighty-Three Dollars (\$14,583).

Brian K. Grim, Mayor

MEMORANDUM OF UNDERSTANDING

between

FAMILY CRISIS RESOURCE CENTER, INC.146 Bedford Street
Cumberland, Maryland 21502

and

CUMBERLAND CITY POLICE20 Bedford Street
Cumberland, Maryland 21502

Through grant monies made available from the Maryland Judiciary, Administrative Office of the Courts, the **Family Crisis Resource Center, Inc. (FCRC)** agrees to pay the **Cumberland City Police** to provide security for supervised visitation and exchange. The grant award period is June 1, 2017 through July 30, 2018. This is a cost-reimbursement contract that provides for payment to the vender of an agreed fixed amount as follows:

1. Overtime hours not to exceed \$14,583

Cumberland City Police agrees to provide the following law enforcement services:

1. Security during supervised visits and exchanges for FCRC's Allegany Safe Haven program.

As a sub-contractor on the Safe Haven grant, **Cumberland City Police** agrees to submit reports and invoices (including overtime vouchers and receipts) for the above stated services on a monthly basis. Deadlines for the monthly reports and invoices are the 5th of the following month. For example, the invoice for law enforcement services for December needs to be submitted to **FCRC** by January 5th.

FCRC agrees to remit reimbursement on a monthly basis after the above services are rendered and related reports/invoices are submitted, based on actual costs, not to exceed the above budgeted amount of \$14,583.

The activities of this agreement must be completed by July 30, 2018.

Chief Charles Hinnant Date
Cumberland City Police

Sarah L. Kaiser, MS Date
Executive Director
Family Crisis Resource Center, Inc.



Regular Council Agenda
August 15, 2017

Description

Order authorizing execution of an Employee Assistance Program Service Agreement with the Western MD Health System Corp. to provide assistance services to City employees and employee's spouses and dependents for a 1- year term retroactive to July 1, 2017 at the cost of \$27.00/year per employee

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

- ORDER -
of the
Mayor and City Council of Cumberland
MARYLAND

ORDER NO. _____

DATE: August 15, 2017

ORDERED, By the Mayor and City Council of Cumberland, Maryland

THAT, the Mayor be and is hereby authorized to execute an Employee Assistance Program Service Agreement by and between the Mayor and City Council of Cumberland and the Western MD Health System Corporation to provide assistance services to City of Cumberland employees, and employee's spouses and dependents, for a 1 (one) year term retroactive to July 1, 2017; and

BE IT FURTHER ORDERED, that pricing shall be based upon an anticipated employee volume of 260 employees at \$27.00 per employee per year with certain contingencies.

Mayor Brian K. Grim

Employee Assistance Program Service Agreement

THIS EMPLOYEE ASSISTANCE PROGRAM SERVICE AGREEMENT (Agreement) is effective as of July 1, 2017, by and between **Western Maryland Health System Corporation** a Maryland not-for-profit corporation (hereafter referred to as WMHS), and the Mayor and City Council of Cumberland (hereafter referred to as “City”).

RECITALS:

WHEREAS:

A. WMHS is a community-based health care delivery system with a specific Behavioral Health Service which provides an Employee Assistance Program within a general hospital setting. WMHS is fully accredited by the Joint Commission, and approved, accredited and fully compliant with COMAR and CMS regulations.

B. City is requesting the provision of an Employee Assistance Program (EAP) from an Independent Contractor, identified in this agreement as WMHS.

C. WMHS is willing to contract with City to provide EAP to City Employees and the employee’s spouse and dependents on the terms and conditions contained herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein and other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto covenant and agree as follows:

1. **EAP SERVICE LINES OFFERED UNDER THE TERMS OF THIS CONTRACT:**

- 1.1 **24/7 Access to services:** WMHS agrees to provide a single access point for City employees, employee’s spouse and dependents that is available 24/7. For this specific service, the direct contact line for services is **240-964-8585**. Routine or traditional service needs will be accommodated with an appointment within 1 business day. On weekends, holidays or other times such as late evening or night, urgent evaluations and appointments are covered through the 24/7 Crisis Counseling Services. All services regardless of time are accessed through the above single access point.
- 1.2 **Critical Incident Stress Debriefing (CISD):** WMHS agrees to provide CISD services, deployed to the specific department or area of need when requested or deemed appropriate by WMHS and/or City
- 1.3 **Management and Employee Training and Support:** WMHS agrees to provide up to 3 on-site training seminars and/or lunch and learn series of topics selected by the City. Additionally, Management consultation including supervisory support, supervisory referrals accepted from HR or managers and additional supervisory training is available as requested.
- 1.4 **Web based Work life, Wellness and Educational Component:** WMHS agrees to provide City employees access to 24/7, State of the Art Wellness Work life Website. The website provides

educational information on 200+ topics and self-scoring tools, as well as legal, financial and Identity Theft Assistance.

- 1.5 **Crisis, Problem Solving and Counseling Component:** WMHS agrees to provide City employees, spouses and dependents in need of services with up to 6 face to face counseling sessions with a licensed mental health professional per Calendar year. Traditional, non-urgent counseling, coaching or consultation needs will be scheduled within 1 business day, excluding weekends or holidays. Urgent or emergent crisis services are available by phone and by face to face intervention 24/7. All services include Case Management, Follow-up and referrals as deemed appropriate.

2. **COMPENSATION, FEES AND BILLING**

- 2.1 **Pricing:** The contract constitutes a comprehensive EAP service with one standard price per employee per year. This contract is based upon City anticipated employee volume of 260 employees at \$27.00 per employee per year. This equals to \$2.25 charge per employee per month (PEPM). WMHS further agrees to maintain the pricing of this service for 1 year unless City increases the number of employees by 10%. City agrees to notify WMHS of any increase in employees and to increase the PEPM by a percentage equal to employee percentage once the increase equals or exceeds 10%.

1 year guarantee with above stipulations and limitations – PEPM Price for comprehensive EAP services: \$2.25

- 2.2 **Professional Liability Insurance:** During the Term of this Agreement, WMHS shall be responsible for obtaining and maintaining professional liability insurance (including any applicable extended reporting endorsement ("tail insurance") upon termination of this Agreement) covering WMHS Counselors and Social Workers for all activities performed as an employee of WMHS in the provision of EAP services under this contract..
- 2.3 **Billing:** WMHS will invoice City on an annual basis for the appropriate charge of \$27.00 per year per employee, identified initially as 260 employees at the inception of this contract for annual invoice of \$7020.00. City shall pay invoices within 30 days of receipt. This Per Employee Per Year rate is guaranteed for a period of 1 (one) year as stipulated under the terms of item 2.1.

3. **TERM AND TERMINATION**

- 3.1 **Term:** The term of this Agreement shall be for 1 (one) year, commencing as of the Effective Date beginning with the first (1st) day of July 2017. Pricing and deliverable services identified in this contract will remain unchanged during this duration with exception as stipulated in item 2.1.
- 3.2 **Termination:** Either party may terminate this Agreement without cause upon ninety (90) days prior written notice to the other party. In such an event, WMHS agrees to work collaboratively with City to ensure a smooth transition to a new vendor and prevent disruption of services to City employees, spouses and dependents.

4.0 **Confidentiality**

- 4.1 **General:** WMHS shall be the sole proprietor of all medical records generated in the course of treatment, and such records are subject to local, state and federal rules, regulations and laws regarding Confidentiality and the limits and exceptions to such. WMHS agrees to maintain full compliance with all local, state, federal and other accrediting organizations.
- 4.2 **Terms of Agreement:** Neither Party shall disclose the contents of this Agreement to any third party, except as may be reasonably required to obtain the services of that Party's professional advisors or as may be required by law. The Parties shall notify the professional advisors of the nondisclosure requirements of this Agreement.
- 5.0 **Legal Fees and Costs:** In the event that a breach of this Agreement for which proper notice has been given has not been cured, and in the additional event that the non-breaching party initiates legal action with regard thereto, the prevailing party will be entitled to recover such reasonable expenses, including without limitation, reasonable attorney's fees, costs, and necessary disbursements, in addition to any other relief to which such party shall be entitled.
- 6.0 **Notices:** All notices and other communications required or permitted to be given hereunder shall be in writing and shall be considered given and delivered when personally delivered to the party or delivered by courier or deposited in the United States mail, postage prepaid, return receipt requested, properly addressed to a party at the address set forth below, or at such other address as such party shall have specified by notice given in accordance herewith:

If to WMHS:

Western Maryland Health System
P.O. Box 539
Cumberland, Maryland 21502
Attention: Mr. Barry Ronan
President/CEO

If to City:

Mayor and City Council of Cumberland
57 N Liberty Street
Cumberland, MD 21502
Attn: Brian Grim, Mayor – City of Cumberland

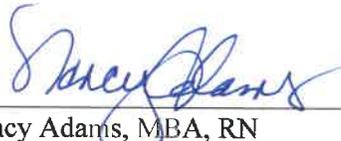
- 6.1 **Governing Law:** This Agreement shall be construed, and the rights and liabilities of the parties hereto determined, in accordance with the internal laws of the State of Maryland.
- 6.2 **Entire Agreement:** This Agreement, along with a separate Business Associate Agreement, constitutes the entire agreement of the parties hereto with respect to the subject matter hereof.
- 6.3 **Severability:** In the event any term or provision of this Agreement is rendered invalid or unenforceable, the remaining provisions of this Agreement shall remain in full force and effect.
- 6.4 **Waiver:** No failure by a party to insist upon the strict performance of any covenant, agreement, term or condition of this Agreement, shall constitute a waiver of any such breach of such covenant, agreement, term or condition. No waiver of any breach shall affect or alter this Agreement, but each and every covenant, agreement, term and condition of this Agreement shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have duly executed this Agreement on the dates set forth below effective as of the Effective Date.

Date

Brian Grim, Mayor – City of Cumberland
57 North Liberty Street
Cumberland, MD 21502

August 3, 2017
Date



Nancy Adams, MBA, RN
Senior Vice President, COO
Western Maryland Health System
12502 Willowbrook Road
Cumberland, MD 21502



Regular Council Agenda
August 15, 2017

Description

Request from Meghan O'Connor, Activism Coordinator for the Institute for Justice, to close Emily Street on Saturday, September 23, 2017 from 12:00 p.m. until 4:00 p.m. for the purpose of a block party

Approval, Acceptance / Recommendation

Staff has reviewed this request and recommends approval.

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)



Margie Woodring <margie.woodring@cumberlandmd.gov>

Permit to Close Emily Street

1 message

Meaghan O'Connor <moconnor@ij.org>

Tue, Jul 18, 2017 at 12:17 PM

To: "margie.woodring@cumberlandmd.gov" <margie.woodring@cumberlandmd.gov>

Hi Ms. Woodring,

We would like to get a permit to close Emily Street for a block party to celebrate the neighborhood and community. Below are the details.

- Institute for Justice
- Saturday, September 23 with a rain date of Sunday, September 24
- 12pm-4pm
- Emily Street
- Expected attendance: 200

Please let me know if you need more information and what next steps we need to take.

Thanks!

Meaghan O'Connor

Activism Coordinator

Institute for Justice

901 N. Glebe Road, Suite 900

Arlington, VA 22203

(703) 682-9320

(703)-682-9321 (fax)

www.ij.org

www.ij.org/action

Item # 14



Regular Council Agenda
August 15, 2017

Description

Letter from Jennifer Spriggs, Programming Director for the Allegany County Library System, requesting permission to close Seymour Street in front of the South Cumberland Library's main entrance on September 15, 2017 from 4:00 p.m. - 9:00 p.m. for the purpose of a block party

Approval, Acceptance / Recommendation

Staff has reviewed this request and recommends approval.

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

31 Washington Street, Cumberland, MD 21502



Telephone (301) 777-1200 Fax (301) 777-7299

Ms. Margie Woodring, City Clerk
City of Cumberland
57 N Liberty Street
P.O. Box 1702
Cumberland, MD 21502

Dear Ms. Woodring,

This letter is a follow-up to our phone conversation this morning about obtaining permission to close the street in front of the library's main entrance on September 15, 2017. The Allegany County Library System will be holding a grand re-opening celebration for its South Cumberland Library on Friday, September 15th at 100 Seymour Street, from 5:30 p.m.-7:30 p.m. We are planning to host local and state dignitaries, including Governor Larry Hogan at this event. This celebration will include a "block party" for the community in South Cumberland, including a 6 p.m. ribbon cutting ceremony. As part of the block party we are having bounce houses and food vendors. For the safety of those attending, we are requesting permission to close the street in front of the library's main entrance to traffic from 4 p.m.-9 p.m. We would like to set-up food, games, booths, and activities in the library parking lot and on 1st Street in front of our parking lot. I hope that this information clarifies my request.

Please contact me with any additional questions.

Thank you,

A handwritten signature in black ink, appearing to read "Jennifer Spriggs".

Jennifer Spriggs
Programming Director

Allegany County Library System
31 Washington St.
Cumberland, MD 21502
Phone: 301-777-1200
Cell: 240-522-6224
Fax: 301-777-7299
Email: jspriggs@alleganycountylibrarysystem.info
Web: <http://www.alleganycountylibrary>