



MAYOR

Brian K. Grim

CITY ADMINISTRATOR

Jeff Rhodes

CITY SOLICITOR

Michael Scott Cohen

COUNCIL

Nicole Alt-Myers

Seth D. Bernard

David Caporale

David Kauffman

CITY CLERK

Marjorie A. Woodring

AGENDA

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

DATE 4/21/2015

***Pledge of Allegiance**

I. ROLL CALL

II. PROCLAMATIONS

(A) Proclaiming the month of April, 2015 to be Fair Housing Month in Cumberland.

III. CERTIFICATES, AWARDS AND PRESENTATIONS

(A) Presentation of City Star to Joe Metzner to recognize his clean-up efforts on Oldtown Road.

IV. DIRECTOR'S REPORT

(A) Police

1. Police Department monthly report for March, 2015.

2. Report regarding the Frederick Street Bike Lane Study submitted by Lt. Chuck Ternent of the Cumberland Police Department.

(B) Fire

1. Fire Department monthly report for March, 2015.

(C) Public Works

1. Engineering Division monthly report for March, 2015.

2. Maintenance Division monthly report for March, 2015.

3. Utilities Division & Central Services Monthly Report for March, 2015.

V. APPROVAL OF MINUTES

(A) Administrative / Executive

1. Approval of the Administrative Session Minutes of March 3 and 17, 2015.

VI. NEW BUSINESS

(A) Ordinances

1. Ordinance (*1st reading*) - to approve, with restrictions, conditions and limitations, an application by Thomas W. Pittman and Christina R. Pittman to rezone property located at 208-210 Oldtown Road from R-U (Urban Residential) To R-R (Rehabilitation and Redevelopment) in order to re-establish a commercial use at that location.

(B) Resolutions

1. Resolution granting the Carver Community Center, Inc. property tax credits for the 2013-2014 and 2014-2015 tax years.

(C) Orders (Consent Agenda)

1. Order authorizing the execution of an "Amendment to Collective Bargaining Agreement" with the United Food and Commercial Workers Local 1994 MCGEO to modify the Collective Bargaining Agreement covering the period July 1, 2012 through June 30, 2015.
2. Order authorizing the execution of an "Assignment and Assumption of Agreement for Payment in Lieu of Taxes" by and between Hampstead Cumberland Arms Partners, L.P. and Hampstead Cumberland Arms Partners II, L.P., and consented to by the City, pertaining to the original PILOT agreement with Hampstead relative to the Cumberland Arms Apartments.
3. Order accepting the sole source proposal from Skyline Technology Solutions to provide material and labor for the construction of MD Department of IT OMBN fiber to the Municipal Service Center and Wastewater Treatment Plant in an amount not to exceed \$76,639.61, in conjunction with Allegany County Public School's fiber extension project for John Humbird Elementary School.
4. Order lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol on the Downtown Mall between Centre and Liberty Streets and an extended walkway to 49 Baltimore Street for designated dates throughout the summer, with the exception that open glass containers shall not be permitted in the defined area.
5. Order accepting the bid of Here at Home, Inc. to provide services for the operation of the concession stand at Constitution Park for the 2015 Season in the base amount of \$1,250 plus 3% of the gross sales; authorizing execution of a contract for the services; and authorizing the option for two additional 1-year terms upon mutual consent.
6. Order declaring a 2001 Chevrolet Pickup Truck (VIN: 1GCCS19W418203013) to be surplus equipment and authorizing its trade-in to Timbrook Automotive.
7. Order declaring City-owned property at 446 Bond Street to be surplus property and declaring the City's intent to transfer the property to the adjacent property owner, Robert T. Fravel, for a purchase price of \$1,500 after the passage of 20 days' public notice and subsequent Ordinance authorizing the transfer.

8. Order authorizing a 5-year Historic Tax Credit for 518 Washington Street (Tax Acct. 06-029868) in the amount of \$4,646.30 and a 2-year property tax freeze based on the pre-improvement market value of \$184,259.

(D) Letters, Petitions

1. 2014 Award of Recognition from the PA Department of Environmental Protection presented to the City of Cumberland Water Treatment Facility for outstanding efforts toward optimizing filter plant performance. The City's facility was awarded this honor for the second consecutive year and was one of 13 out of 353 Surface Water Treatment Facilities in PA to be recognized.

2. Letter from the Ed Mullaney, Flag Project Coordinator for the Let's Beautify Cumberland! Committee, asking permission to place 10 American Flags at the Veterans Memorial Park on South Centre Street and 8 American flags at the Giarritta Park opposite City Hall.

VII. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

VIII. ADJOURNMENT



Regular Council Agenda
April 21, 2015

Description

Proclaiming the month of April, 2015 to be Fair Housing Month in Cumberland.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)



Regular Council Agenda
April 21, 2015

Description

Presentation of City Star to Joe Metzner to recognize his clean-up efforts on Oldtown Road.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)



Regular Council Agenda
April 21, 2015

Description

Police Department monthly report for March, 2015.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)



City of Cumberland Department of Police

Monthly Report
March 2015



City of Cumberland Department of Police

Monthly Report

March 2015

Part 1 Crimes for the Month

	2014		2015		2014		2015		2014		2015	
Aggravated Assaults	2	2	B & E (All)	26	23	Murder	0	0	Rape	1	2	
Robbery	1	2	Theft - Felony	2	5	Theft - Vehicle	3	1				

Selected Criminal Complaints for the Month

	2014		2015		2014		2015		2014		2015	
Theft - Misdemeanor	39	34	Theft - Petty	28	60	Domestic Assaults	30	26	CDS	46	59	
Disturbances	158	212	DOP/Vandalism	32	25	Indecent Exposure	2	2	Sex Off - Other	3	4	
Suicide	0	0	Suicide - Atmpt.	1	2	Tampering M/V	0	0	Abuse - Child	4	2	
Trespassing	12	9	Assault on Police	2	0	Assault Other	58	51				

Selected Miscellenous Incidents for the Month

	2014		2015		2014		2015		2014		2015	
Alcohol Volations	5	2	Juvenile Compl.	18	14	Missing Persons	14	10	School Resource	89	101	
School Threat	2	2	Sex Off. Regist.	28	26	Truancy	16	13	Death Investigation	3	3	

Selected Traffic Incidents for the Month

	2014		2015		2014		2015		2014		2015	
DWI	8	15	Hit & Run	24	26	M/V Crash	80	79	Traffic Stop	628	375	

Selected Service Calls for the Month

	2014		2015		2014		2015		2014		2015	
Alarms	52	59	Assist Motorist	34	30	Check Well-Being	69	79	Foot Patrol	37	4	
Assist Other Agency	53	76	Bike Patrol	1	0	Special Events	9	7	Suspicious Activity	82	63	

Arrests Totals for the Month

	2014		2015		2014		2015		2014		2015	
M/V Citations	115	95	M/V Warnings	523	274	Adult Crim.	149	171	Juvenile Crim.	30	24	

Total Incidents Reported : **2014** **2015**
2,644 **2,218**


 Charles Hinnant - Chief of Police

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

MARCH 2015

SWORN PERSONNEL: 51 SWORN OFFICERS

Administration	5 officers
Squad 1A	8 officers
Squad 1B	8 officers
Squad 2A	9 officers
Squad 2B	9 officers
C3I/C3IN	7 officers
School Resource	2 officers
Academy	3 officers

CIVILIAN EMPLOYEES: 6 full time, 6 part time

CPD Office Associate	1 full time
CPD Records Clerk	1 full time
Safe Streets Coordinator	1 full time
CPD Crime Analyst	1 full time
CPD Maintenance	1 part time
C3I Office Associate	1 full time
C3IN Office Associate	1 part time
MPA Supervisor	1 part time
Parking Meter Supervisor	1 full time
Parking Enforcement	2 part time
MPA Garage Attendants	2 part time
Code Enforcement	2 part time

LEAVE REPORT

VACATION TAKEN: 477 HOURS

COMP TIME USED: 178 HOURS

SICK TIME USED: 405 HOURS

YEAR TO DATE (beginning 7/1/14): 7985 HOURS

YEAR TO DATE (beginning 7/1/14): 1279 HOURS

YEAR TO DATE (beginning 7/1/14): 2985 HOURS

OVERTIME REPORT

OVERTIME WORKED: 401 HOURS

HOSPITAL SECURITY: 96

COURT TIME WORKED: 30 HOURS

YEAR TO DATE (beginning 7/1/14): 3239 HOURS

YEAR TO DATE (beginning 7/1/14): 591 HOURS

YEAR TO DATE (beginning 7/1/14): 274 HOURS

TRAINING REPORT

13 OFFICERS TRAINED FOR 234 HOURS

YEAR TO DATE (beginning 7/1/14) 3994 HOURS

**CPD ACTIVITY
OUTSIDE CPD JURISDICTION
MARCH 2015**

3/29/15 CPD responded to Artmor Plastic on Wills Mountain to assist State and County units with a trespassing complaint. Upon arrival officers assisted with several juvenile arrests.

3/1/15 CPD responded to Artmor Plastic on Wills Mountain for a report of a burglary. CPD checked the area for the suspects who fled the scene and were unable to locate anyone.

3/2/15 One of our female officers responded to MSP Barracks C to assist Troopers with a search of a female prisoner.

CUMBERLAND POLICE DEPARTMENT

Warrant Fugitive Initiative

March 2015 totals for warrant initiative, broken down by agency:

CPD	13 arrests	13 warrants served	1 criminal summons served
ACSO	12 arrests	20 warrants served	
MSP	0 arrests	0 warrants served	
FPD	0 arrests	0 warrants served	
C3I	3 arrests	3 warrants served	
C3IN	0 arrests	0 warrants served	
OTHER	0 arrests	0 warrants served	
TOTALS	28 arrests	36 warrants served	1 criminal summons served

Of these, Detective David Broadwater arrested 28 people, served 36 warrants, and 1 criminal summons.

He opened 30 “Fugitive” investigations and made arrests in 5 existing cases, for a total of 35 cases generated for the month.

SIGNIFICANT CASES:

1.) On March 9, 2015 Detective Broadwater received information on the whereabouts of a suspect, one of the Top 25 under the Safe Streets initiative, who was wanted for Violation of Probation (original charge – burglary) and who had been actively avoiding arrest. With the assistance of the Cumberland Police and the Allegany County Sheriff’s Office, he responded to that location. A search of the residence was conducted and the suspect was located hiding in a detached garage. He was taken into custody at that time.

2.) On March 10, 2015 the C3I Narcotics Task Force served a search warrant at a private residence in Cumberland related to the manufacture and sale of methamphetamine. The suspect was wanted on a total of four different warrants in the State of Pennsylvania, all for Violation of Probation in CDS cases, in addition to Driving While Revoked charges in Maryland and the pending Meth charges in Maryland. The suspect was not home at the time of the search warrant and, despite an extensive search of the Cumberland area, was not located. When Detective Broadwater became aware of the situation, he began actively searching for the suspect. Within two hours he had located the suspect and placed the suspect under arrest. In addition, he contacted C3I Narcotics in order to facilitate a debriefing of the suspect.

3.) During the week of March 16-20, 2015 a warrant sweep was conducted in Allegany County as part of the “Safe Streets” initiative. Detective Broadwater was personally responsible for arresting 18 suspects and serving 18 warrants as well as 1 criminal summons during the week-long operation.



Regular Council Agenda
April 21, 2015

Description

Report regarding the Frederick Street Bike Lane Study submitted by Lt. Chuck Ternent of the Cumberland Police Department.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

CUMBERLAND POLICE DEPARTMENT
FREDERICK STREET BIKE LANE STUDY

To assist in the Frederick Street bike lane study the Cumberland Police Department deployed a Stealth Stat covert traffic measuring device in the mid-point of the study area in the 1100 block of Frederick Street just past Eichner Avenue. The Stealth Stat is an unmanned RADAR unit, which counts the number of passing vehicles and measures their speed and tracks the time of day. The amount of time the Stealth Stat device can be deployed is dependent on battery life.

On Monday, March 30, 2015, the Stealth Stat was placed on a telephone pole in the area of 1104 Frederick Street prior to any trial bike lane controls being done. The study lasted until Thursday, April 2, 2015.

During this time, 16,693 vehicles passed the device in 84 hours with an average speed of 28.94. The ten mile pace (the block, which the majority of the 16,693 vehicles traveled) was 25 to 34. Further, 50% of the vehicles passing the device traveled at 29 MPH or lower and 85% of the vehicles traveled at a speed of 34 MPH or lower (percentile).

A check of the collected data revealed that the times with the heaviest traffic load were between 14:15 and 17:15 daily.

Further, during this time period CPD worked their normal enforcement efforts along Frederick Street making six traffic stops for speeding violations with the speed violation averaging 39 MPH.

On Friday, April 3, 2015, the Stealth Stat was again placed in the same location in the area of 1104 Frederick Street after the City Street Department had placed a trial bike lane using traffic cones. The study lasted until Wednesday, April 8, 2015.

During this time, 16,554 vehicles passed the device in 116 hours with an average speed of 28.18. The ten mile pace (the block, which the majority of the 16,554 vehicles traveled) was 24 to 33. Further, 50% of the vehicles passing the device traveled at 28 MPH or lower and 85% of the vehicles traveled at a speed of 33 MPH or lower (percentile).

A check of the collected data revealed that the times with the heaviest traffic load was not as consistent in this study with the heaviest traffic load being between 16:30 and 17:15 with a few spikes 1400 Friday afternoon and 10:30 Friday morning.

Further, during this time period CPD worked their normal enforcement efforts along Frederick Street as well as monitoring the coned trial bike lane area for problems. During this time officers monitored traffic in the trial area recording the speeds which averaged 29 MPH, during this time one traffic stop was made for one vehicle going 44 MPH. During the early stages of the study officers noted that there did appear to be some confusion when vehicles encountered the cones, which is normal when a new

CUMBERLAND POLICE DEPARTMENT
FREDERICK STREET BIKE LANE STUDY

traffic pattern is encountered. These issues subsided as time passed and some signs were repositioned making the intent clearer to the drivers. One officer monitoring the traffic during school bus time did note that the traffic slowed and caused congestion while buses were making stops. One officer spoke to some residents who thought the trial area favorably slowed traffic and made it easier to enter Frederick Street from private driveways. Only one Officer reported seeing a bicyclist and spoke to him and he spoke favorable of the bike lane. Most officers reported that it appeared that traffic was traveling slower and safer.

In comparison of the two studies, one with and one without the trial bike lane, there appeared to be little effect on traffic speeds. The study with the bike lane present reduced speeds by only .76 MPH with the pace and percentiles being within one mile per hour; however, it gave the perception of slower moving traffic.

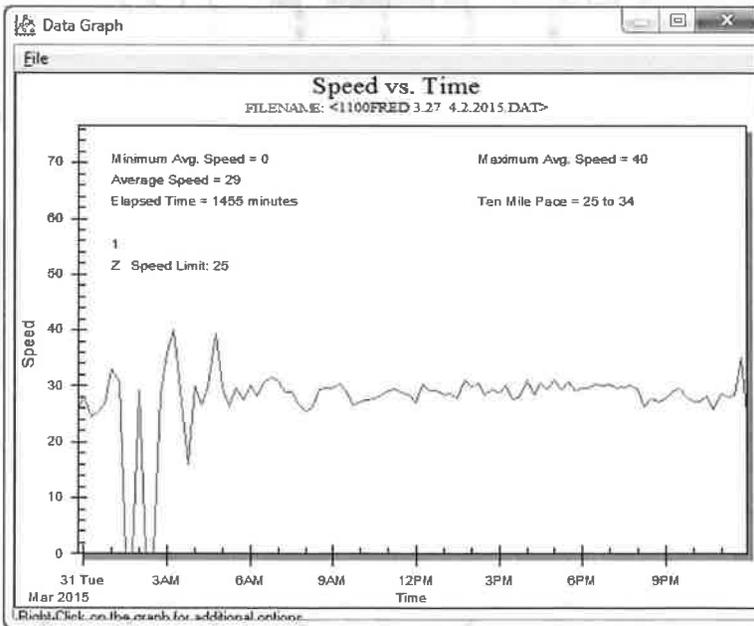
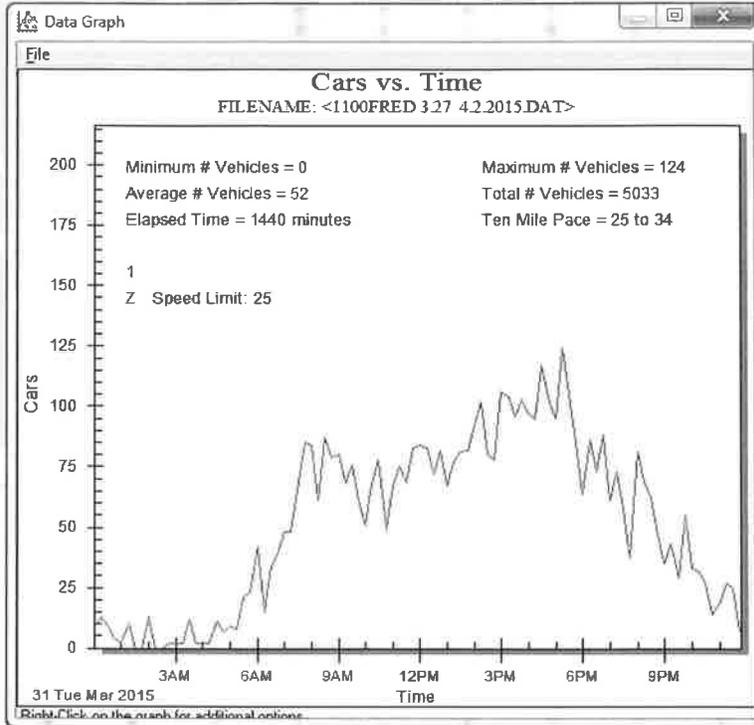


CUMBERLAND POLICE DEPARTMENT FREDERICK STREET BIKE LANE STUDY

TUESDAY, March 31, 2015

1100 block Frederick Street

No bike lanes

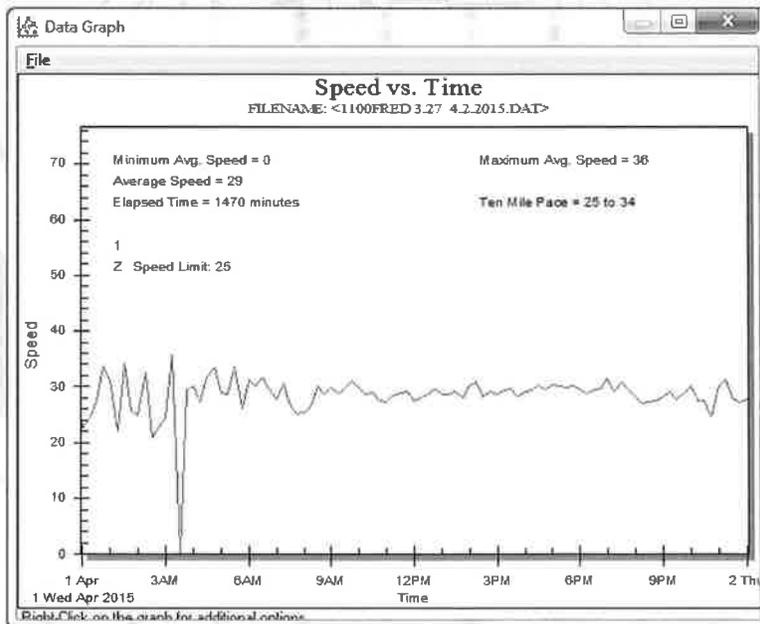
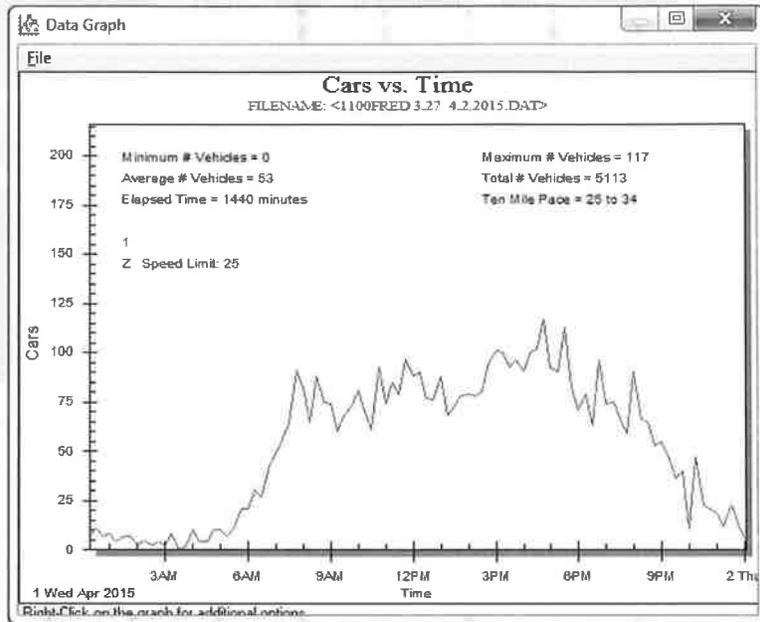


CUMBERLAND POLICE DEPARTMENT
FREDERICK STREET BIKE LANE STUDY

Wednesday, April 1, 2015

1100 block Frederick Street

No bike lanes

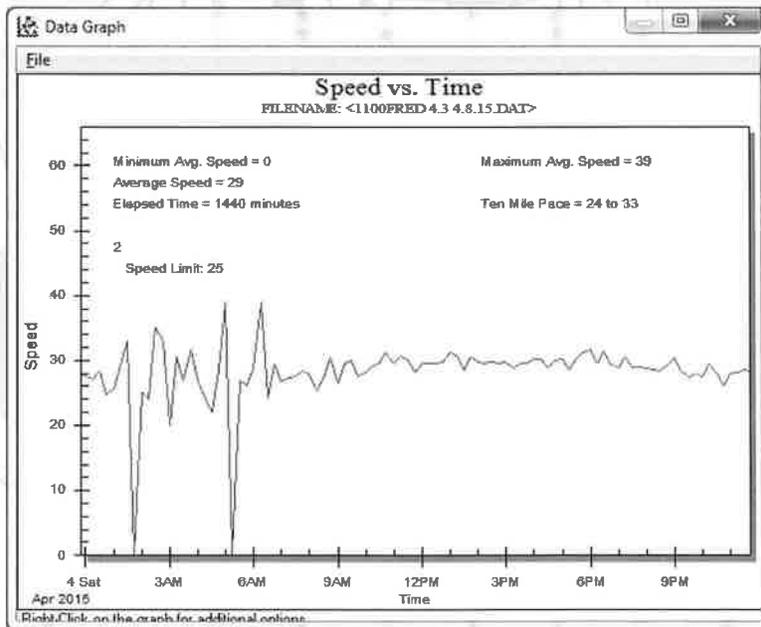
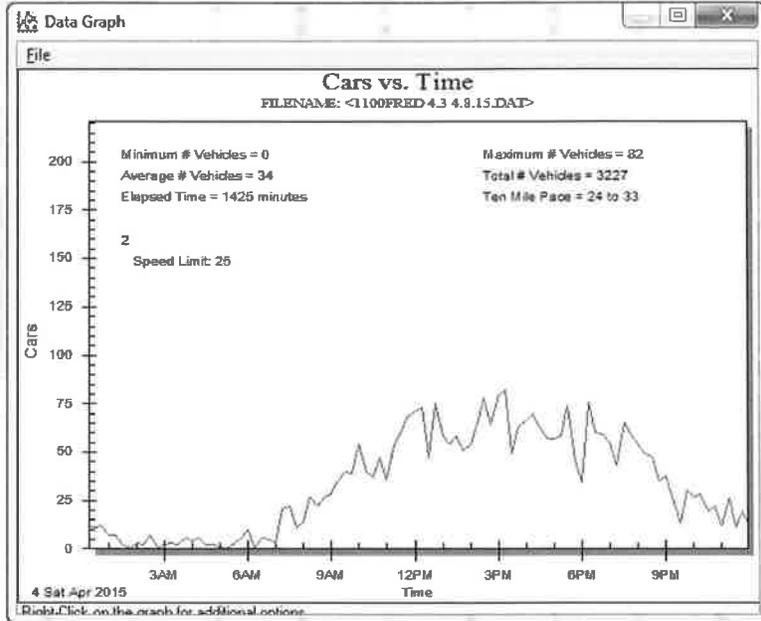


CUMBERLAND POLICE DEPARTMENT
FREDERICK STREET BIKE LANE STUDY

SATURDAY April 4, 2015

1100 block Frederick Street

Bike lanes in place

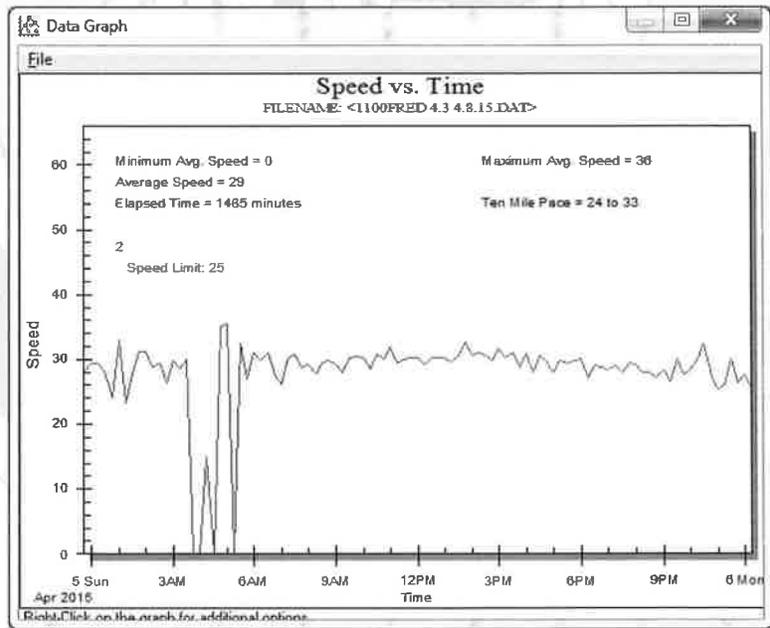
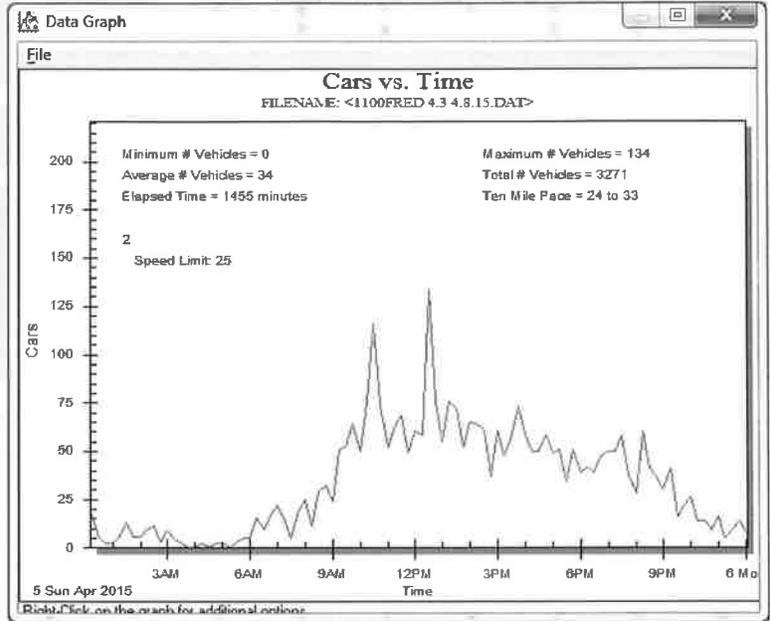


CUMBERLAND POLICE DEPARTMENT
FREDERICK STREET BIKE LANE STUDY

Sunday, April 5, 2015

1100 block Frederick Street

Bike lanes in place

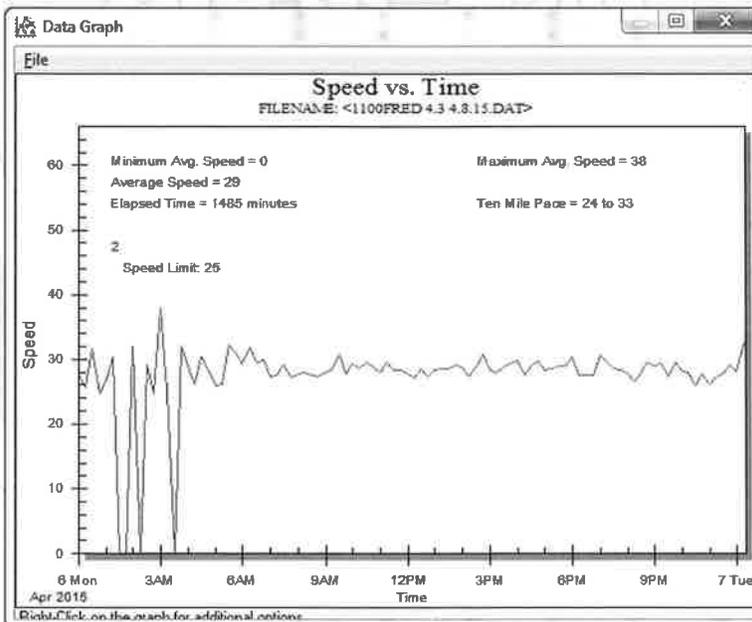
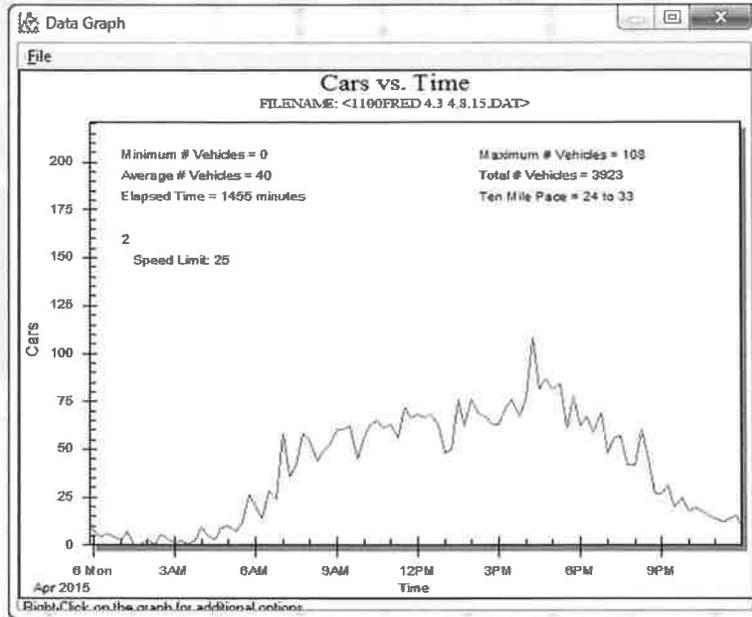


CUMBERLAND POLICE DEPARTMENT
FREDERICK STREET BIKE LANE STUDY

Monday, April 6, 2015

1100 block Frederick Street

Bike lanes in place

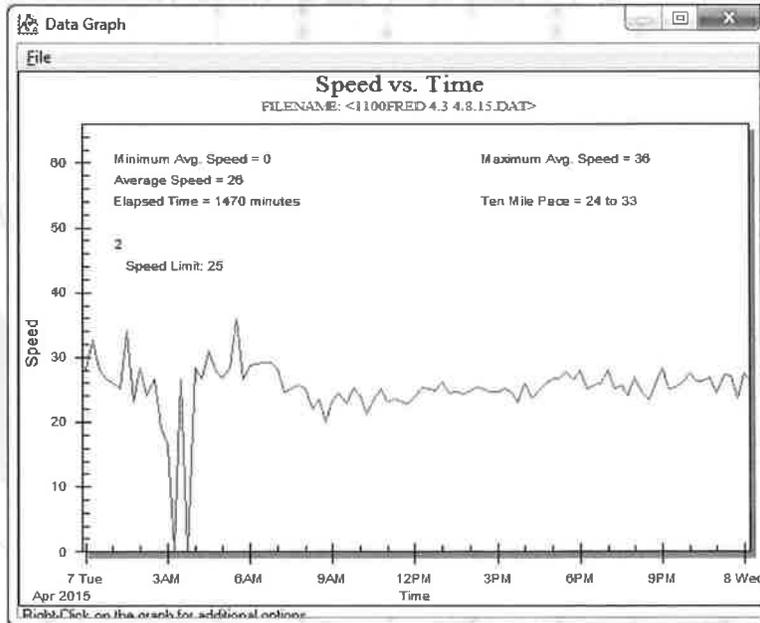
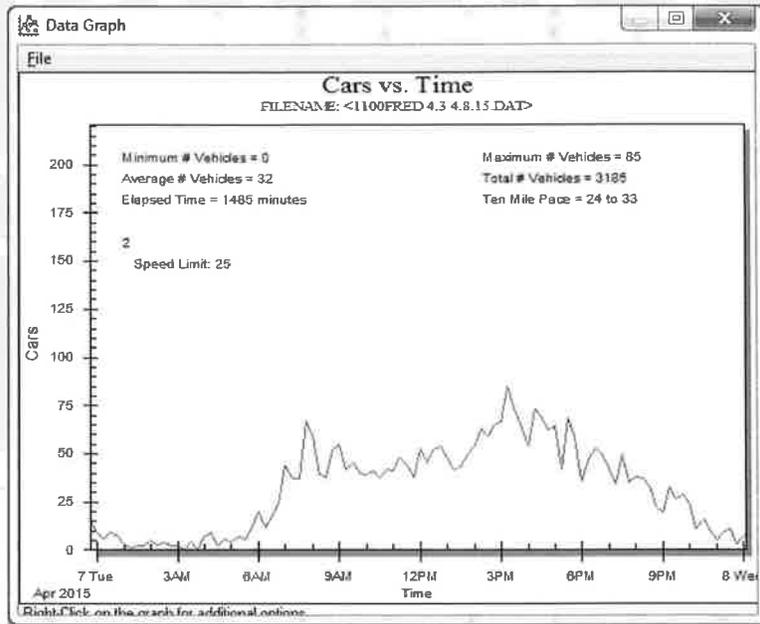


CUMBERLAND POLICE DEPARTMENT FREDERICK STREET BIKE LANE STUDY

Tuesday, April 7, 2015

1100 block Frederick Street

Bike lanes in place

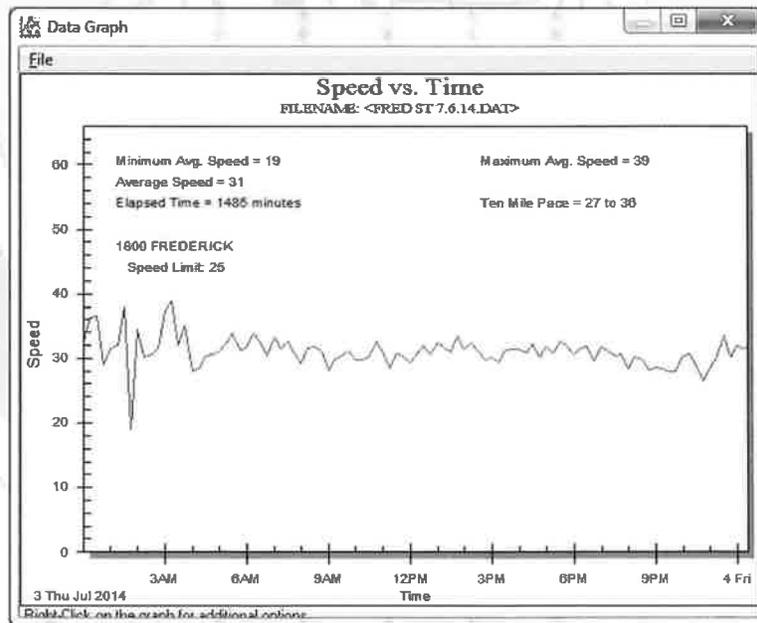
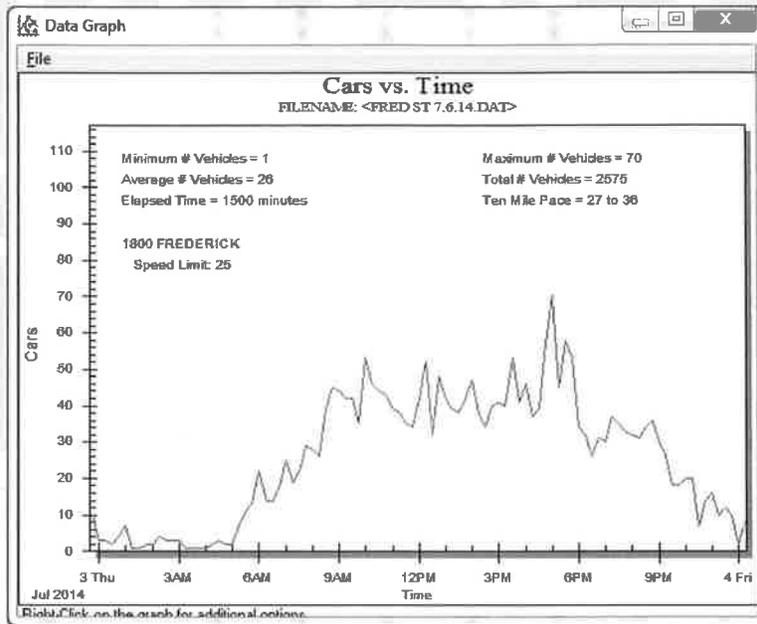


CUMBERLAND POLICE DEPARTMENT
FREDERICK STREET BIKE LANE STUDY

Thursday, July 3, 2014

1800 block Frederick Street

No bike lanes

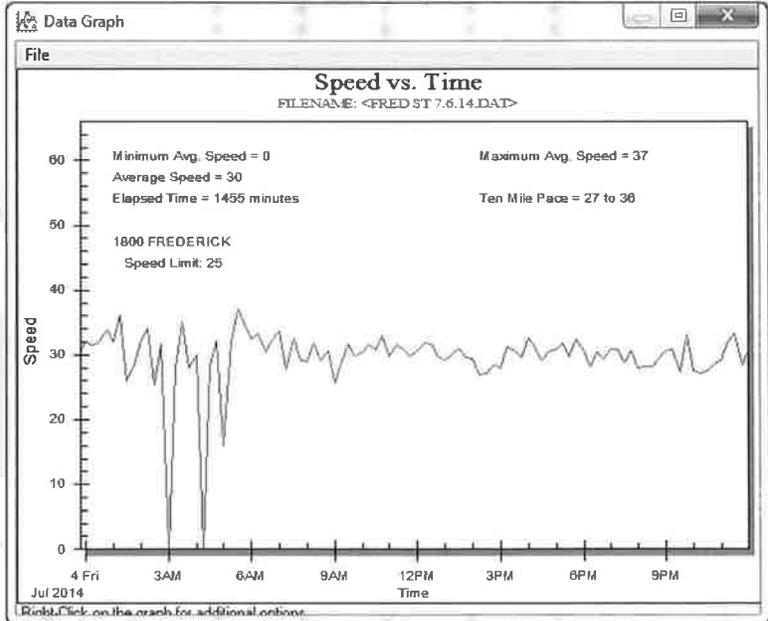
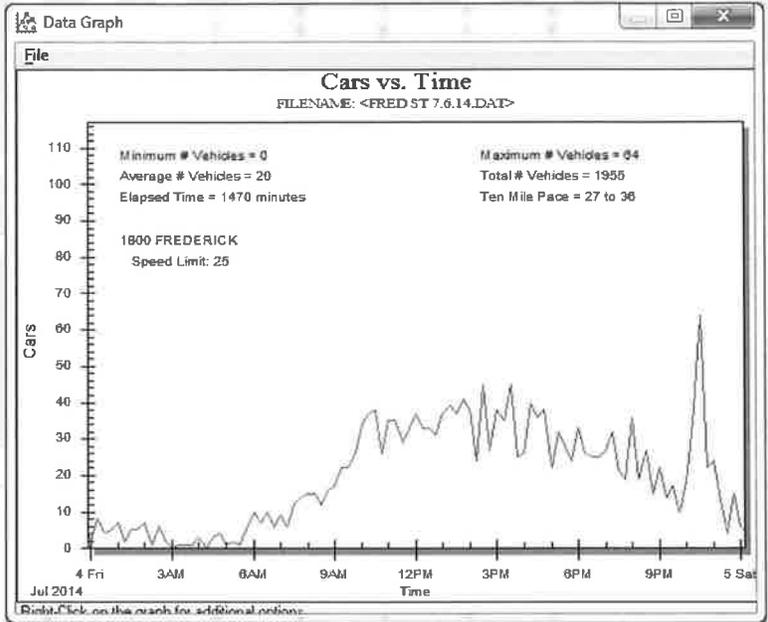


CUMBERLAND POLICE DEPARTMENT
FREDERICK STREET BIKE LANE STUDY

Friday July 4, 2014

1800 block Frederick Street

No bike lane

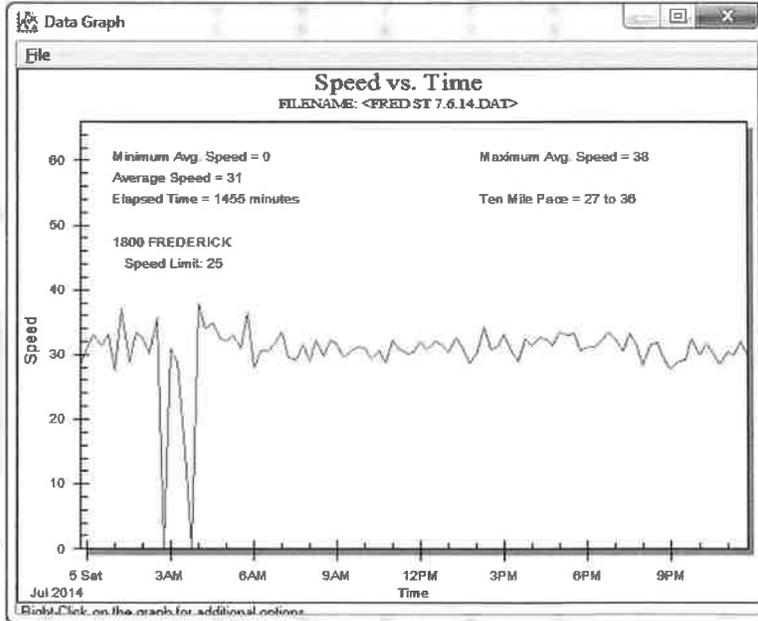
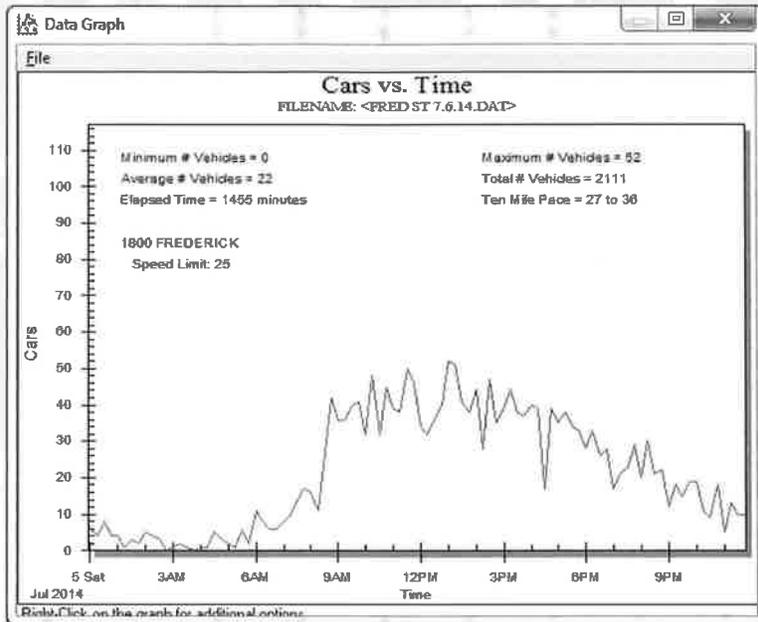


CUMBERLAND POLICE DEPARTMENT FREDERICK STREET BIKE LANE STUDY

Saturday, July 5, 2014

1800 block Frederick Street

No bike lane





Regular Council Agenda
April 21, 2015

Description

Fire Department monthly report for March, 2015.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

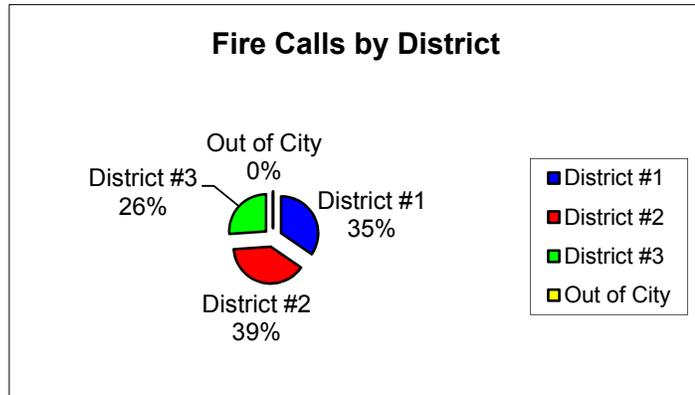
Source of Funding (if applicable)

REPORT OF THE FIRE CHIEF FOR THE MONTH OF MARCH 2015
Prepared for the Honorable Mayor and City Council and City Administrator

Cumberland Fire Department Responded to 107 Fire Alarms:

Responses by District:

District #1	37
District #2	42
District #3	28
Out of City	0
	<hr/> 107



Number of Alarms:

First Alarms Answered 107

Calls Listed Below:

Property Use:

Public Assembly	2
Industry, Utility	0
Educational	5
Institutional	8
Residential	57
Manufacturing	1
Mercantile, Business	3
Storage	0
Special Properties	31
	<hr/> 107

Type of Situation:

Fire	4
Overpressure, Rupture	2
Rescue Calls	51
Hazardous Conditions	11
Service Calls	12
Good Intent Calls	11
False Calls	16
	<hr/> 107

Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid in March:	\$900.00
Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid Fiscal Year to Date:	\$24,110.00
Fire Service Fees for Fire Calls Paid In March:	\$1,150.00
Total Fire Service Fees for Fire Calls Paid Fiscal Year to Date:	\$8,768.26

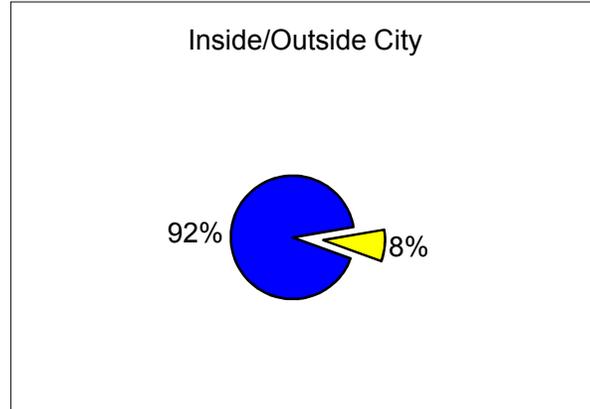
Fire Service Fees for Inspections and Permits Billed in March:	\$0.00
Fire Service Fees for Inspections and Permits Paid in March:	\$100.00

Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:

\$900.00

Cumberland Fire Department Responded to 472 Emergency Medical Calls:

In City Calls	433
Out of City Calls	<u>39</u>
Total	472



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	

Cumberland Fire Department provided 28 Medic Assist Calls:

13 Paramedic Assist Calls within Allegany County	
<u>15 Paramedic Assist Calls outside of Allegany County</u>	
28	

Total Ambulance Fees Billed by
Medical Claim-Aid for March:

\$147,661.00

Ambulance Fees Billed Fiscal Year to Date:

\$1,262,352.69

Ambulance Fees Paid:
Revenue Received in March:

\$96,654.66

FY2015 Ambulance Fees Paid in FY2015:

\$681,665.17

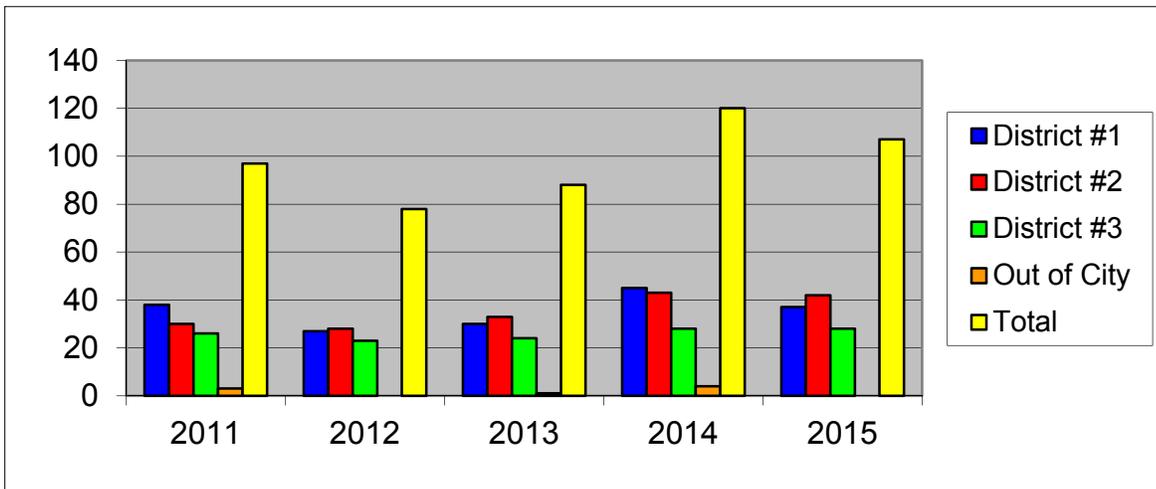
Total Ambulance Fees Paid in FY2015:

\$810,700.26

(Includes all fees paid, previous and current fiscal years -- FY2015.)

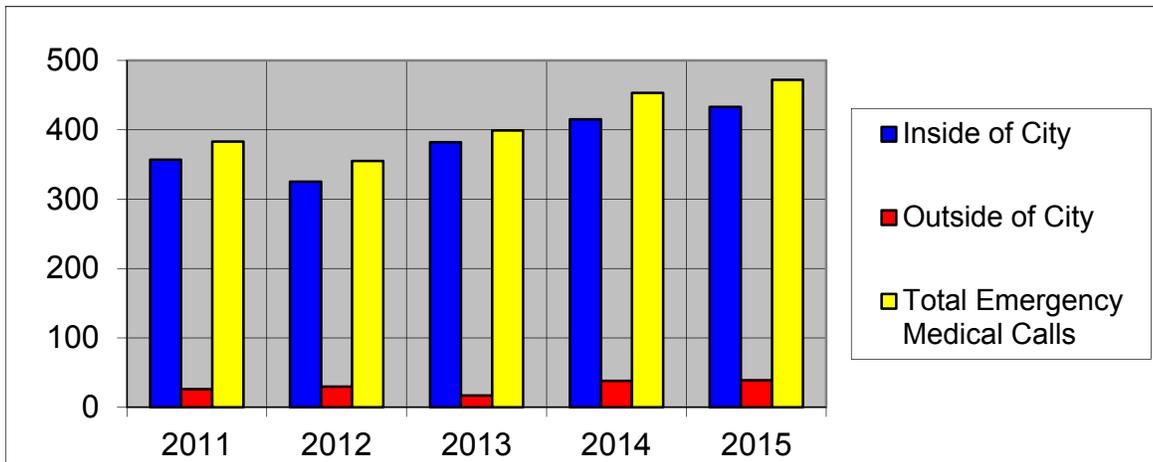
Fire Calls in the Month of March for a Five-Year Period

	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
District #1	38	27	30	45	37
District #2	30	28	33	43	42
District #3	26	23	24	28	28
Out of City	<u>3</u>	<u>0</u>	<u>1</u>	<u>4</u>	<u>0</u>
Total	97	78	88	120	107



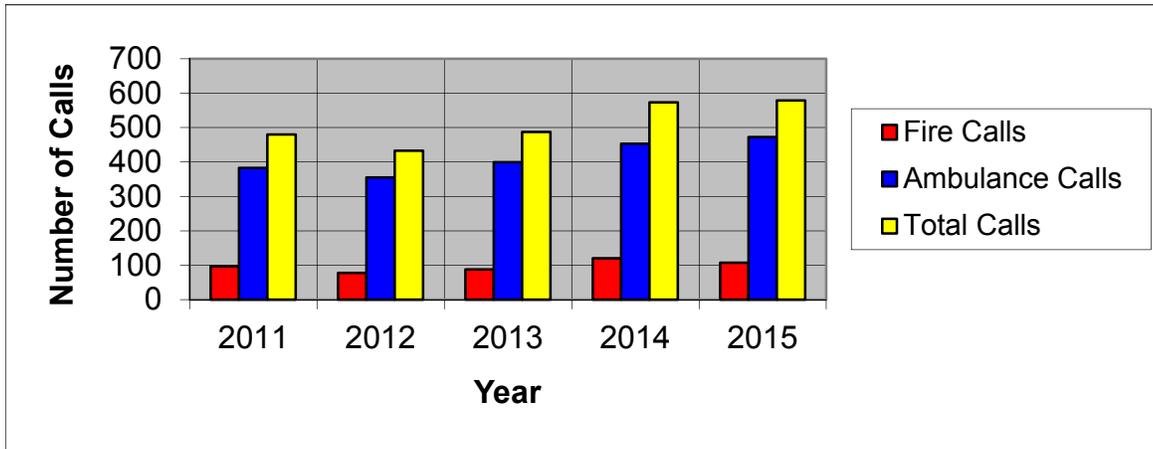
Ambulance Calls in the Month of March for a Five-Year Period

	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Inside of City	357	325	382	415	433
Outside of City	<u>26</u>	<u>30</u>	<u>17</u>	<u>38</u>	<u>39</u>
Total Emergency Medical Calls	383	355	399	453	472



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

	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Fire Calls	97	78	88	120	107
Ambulance Calls	<u>383</u>	<u>355</u>	<u>399</u>	<u>453</u>	<u>472</u>
Total Calls	480	433	487	573	579

**Training:**

Training Man Hours: 209.00

Training Listed Below:

Administrative Policy and Procedures	7.00
Safety	65.00
SCBA Inspection and Care	24.50
Inservice Inspections	6.00
Fire Officer I	24.50
Meth Labs	39.00
Physical Fitness	10.00
Officer Meeting	5.00
Amtrak Emergencies	16.00
Tactical Medical Training	12.00
	<u>209.00</u>

Fire Prevention Bureau:

Complaints Received	0
Conferences Held	43
Correspondence	3
Inspections Performed	18
Investigations Conducted	9
Plan Reviews	3
Pre-Plans conducted by Crews	6

Statistics Compiled by Julie A. Davis, Fire Administrative Officer



Regular Council Agenda
April 21, 2015

Description

Engineering Division monthly report for March, 2015.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

City of Cumberland, Maryland Engineering Division - Monthly Report

Capital Projects						March 31, 2015	
Order	Project No.	Project Nam	Description	Phase	Comments	Updated By	Date of Update
2009	15-09-M	Amtrak Station Streetscape Improvements	Replacement of all sidewalk, surface drain, and light fixtures on Queen City Pavement from Baltimore St to Union St, ADA ramps at the intersections Baltimore St with Queen City Dr, George St, and Mechanic St.	Design	<p>UPDATE - This project has been split into multiple projects in order to complete the project within the time allotments of the various funding sources. These projects are as follows:</p> <p>15-09-M will be the portion of project along the railroad tracks, and will be completed if and when funding allows.</p> <p>10-14- M Baltimore Street Trail Connection, see project listed below.</p> <p>11-15-M Baltimore Street Rail Connection, see project listed below.</p> <p>12-14-M Canal Street Rehabilitation Improvements, see project listed below.</p>	JRD	11/5/2014
2009	12-09-T	Circulation, TAC Signing and Traffic Signal Studies	Three traffic related planning studies	Study	No Change - Allegany County Tourism has take the lead role in this project. A meeting to review this project has been scheduled for August 14, 2014 and another meeting will be schedule to review it at a Mayor and City Council Meeting in September.	JDF	8/4/2014
2010	01-10-WWTP	CSO Storage Facility At WWTP	CSO storage and handling facility in accordance with LTCP	Design	No Change - Specs revised to separate the basketball court work, since MDE won't fund that.	PJD	4/9/2015
2011	24-11-W	Water Line Extension From MD 144 to Ali Ghan Shrine Club	Add water line supply as part of a proposed Love's Country Store Development. Includes approximately 960 feet of 12", 350 feet of 6" and 1,200 feet of 10" main, as well as a stream crossing.		NO CHANGE - The water line installation is complete. It can't be extended to Loves until after site excavation is complete, but that will be done under a separate contract. Progress has been made on the site work at Love's in September and October, 2013.	JDF	10/31/2013
2011	25-11-SWM	25-11-SWM Love's Country Store and Travel Stop	SWM review for a proposed development	Construction	SWM submittal for hotel addition approved. Site work started last week of March, 2015. City-owned water line being extended into property.	PJD	4/9/2015
2011	26-11-SWM	Chessie FCU-IB & Messick Road	SWM review for a proposed new branch office	Design	No change - SWM Plan approved (but still waiting on signed O & M Agreement). Design drawings for sanitary line, to ECPS, from the Owner's agent received. Bidding documents to be prepared.	PJD	4/9/2015

City of Cumberland, Maryland Engineering Division - Monthly Report

Capital Projects						March 31, 2015	
Order	Project No.	Project Nam	Description	Phase	Comments	Updated By	Date of Update
2012	2-12-M	Baltimore Avenue Improvements	Resurfacing of Baltimore Ave. from Front Street to Marion Street; with ADA and bicycle safety improvements, water main replacement (Goethe St to Marion St), and traffic safety improvements.	Construction	UPDATE - Work slowed through he winter, but picked up in March with the installation of signs. That work will continue and we anticipate some pavement repairs being done in late April and may after the plants open.	JDF	4/9/2015
2012	10-12-M	Bike Improvements on Mechanic and Centre St	Bike Lane Markings and Signs on Centre and Mechanic Sts from Henderson Ave to Harrison St	Design	This project was to be designed by SHA, however they have not been able to get design plans done and have asked that the City take on the responsibility. We can do that, but need to resolve the general issues related to the Frederick Street / Bedford Street Bike improvements before we start another Bike Project. We are also planning paving work for a portion of Mechanic Street and Centre Street, and that would be the best time to place markings.	JDF	4/9/2015
2012	12-12-SWM	Canal-River-Tunnel Park	Proposed campground near Elizabeth Street	Construction	NO CHANGE - Meeting held 1/28/14. Response to the owner to be developed.	PJD	1/5/2015
2012	13-12-T	MD 51 at Virginia Ave. Intersection Study (2012)	SHA traffic study of the signal and intersection	Study	The design is in progress and plans for review are anticipated in April 2015.	JDF	4/9/2015
2012	15-12-BR	Washington Street Bridge - Emergency Lane Closing and Inspection	Work with CSX to get the bridge inspected and then repaired or replaced as soon as possible.	Inspection	See Project No. 21-13-BR West Side Planning Study related to CSX Bridges. There has been no change to the status of the Washington Street Bridge, however the condition of each of the three CSX Bridges is very poor.	JDF	4/3/2014
2012	19-12-M	Demolition of Memorial Hospital	Demolish the site and restore to grade contours, except for portions of structures that are going to be turned over to other entities for their use.	Construction	Demolition is approximately 95% complete. Concrete and masonry crushing is approximately 75% complete. Final grading and topsoil placement expected to get underway for the Phase I area (former MOB site) the week of 4/13/15.	PJD	4/9/2015
2013	1-13-FPM	Misc Flood Control System Concrete Repairs	Repairs to various points of FCS system per USACOE inspection	Design	NO CHANGE - Specifications 90% complete. Awaiting response from USACE re one other item, the extension of short lengths of the floodwall. Drafting of the items currently in scope will be started in March, 2015.	PJD	4/9/2015
2013	4-13-SWM	Avirett Development at 12313 Messick Road	Development at Messick Road, north of the proposed Chessie Federal Credit Union site.	Design	SWM submittal comments reviewed with Owner's Agent 4/1/15, awaiting response.	PJD	4/9/2015
2013	5-13-WFP	Sodium Hypochlorite Conversion Feasibility Study	Investigate feasibility of converting from usage of chlorine gas to sodium hypochlorite.	Construction Bidding	Construction bidding to be scheduled shortly.	PJD	4/9/2015
2013	6-13-RE	Cumberland Skate Park		Study	The Skate Plaza will be located in Constitution Park, additional information should be in the next report. The Cumberland Recreation Board will need to be involved , and fund raising will need to start soon.	JDF	4/9/2015

Item # 6

Attachment number 1 \nPa

City of Cumberland, Maryland Engineering Division - Monthly Report

Capital Projects						March 31, 2015	
Order	Project No.	Project Nam	Description	Phase	Comments	Updated By	Date of Update
2013	9-13-WFP	2013 Dam Inspections and EAP update	RFP from consultants for the 2013 Annual Inspection of the Dams, and an EAP update that has been requested from PADEP	Design	2014 Inspection reports completed and submitted in December 2014.	JDF	1/5/2015
2013	10-13-M	MD 51 Intersection Modeling	This is the second part of a traffic study for the Rte. 51 / Virginia Avenue Intersection.	Study	Plans for review should be available in April 2015	JDF	4/9/2015
2013	11-13-M	Frederick & Bedford Sts. Bike Lane Improvements	Proposed bicycle safety improvements; including, bike lanes along Frederick Street and Bedford Street from the Mechanic Street to the City Limits, where possible, and traffic calming	Design	A test will take place in April 2015. Traffic and speed counts will be done with CPD equipment.	JRD	4/9/2015
2013	12-13-FPM	Flood Control Encroachment Tree Project	Removal of Trees along Flood Wall and Levees per requirements of US Army Corps of Engineers specifications	RFP	UPDATE - Contractor removed trees and stumps along the flood wall in the Narrows. (Note added by JDF: communication with eh COE continues into April.)	PTE	4/2/2015
2013	17-13-M	Municipal Solid Waste Service	Cumberland's curbside trash hauling contract will be up in July 2014. Services to be rebid winter/spring 2014.	RFP	NO CHANGE - 2015 recycling calendar and new recycling outreach for the curbside program are available at City Hall and both Cumberland Libraries.	RJK	4/6/2015
2013	18-13-M	Chase Street Improvements	Reconstruction of Chase Street after a water line leak and full water line replacement.	Design	NO CHANGE - The water line replacement by the Water Department is complete, and a project to reconstruct the pavement will be bid out for construction this coming construction season.	JRD	2/6/2014
2013	21-13-BR	West Side Planning Study related to CSX Bridges	A planning study to determine the best alternative to handle traffic over and under CSX track in the West Side and also provide modern clearance over CSX	Planning	UPDATE - A meeting to review preliminary alternatives took place on March 5, 2015. Serious problem with meeting required clearances was discussed, and alternative review with City staff and CSX staff. A public meeting is planned for the end of April	JDF	4/9/2015
2014	04-14-WWTP	Sludge Screening Study	Study to select the best alternative to keep rags out of the recently cleaned and modified digester because the modifications will make it impossible to	Study	UPDATE - Design work will start in April or May.	JDF	4/9/2015
2014	10-14-M	Amtrak Station Streetscape Improvements - Baltimore Street Trail Connection	ADA improvements to curbs and sidewalks along Baltimore Street from Mechanic Street to Canal Street. Also included with be the replacement /adjustment of utility frames in the street.	Construction	Construction is expected to resume in April 2015.	JDF	4/9/2015

City of Cumberland, Maryland Engineering Division - Monthly Report

Capital Projects						March 31, 2015	
Order	Project No.	Project Nam	Description	Phase	Comments	Updated By	Date of Update
2014	10-14-M	Amtrak Station Streetscape Improvements - Baltimore Street Rail Connection	ADA improvements to curbs and sidewalks along Baltimore Street from George Street to Chessie System Railroad Tracks.	Design	Plans have been submitted to SHA and bidding is anticipated by the end of April or early May.	JDF	4/9/2015
2014	10-14-M	Canal Street Rehabilitation Improvements	This project will make bicycle safety improvements to Canal Street.	Design	NEW - Design is scheduled to occur in early 2015, with a Spring or Summer 2015 construction schedule.	JRD	11/5/2014
2014	13-14-M	Mechanic Street Access Road Improvements	Repaving and ADA ramp improvements to the section Mechanic Street from I-68 to Bedford Street. Includes improvements to the block of Bedford Street from N. Centre to N. Mechanic Street and Baltimore Street to the Bridge.	Study	NO CHANGE - The ARC application for \$640,000 for the street work portions of the project was submitted (corrected name Access Roads) in late December 2014. Staff is in the process of completing the Environmental Reviews with the assistance of SHA.	RJK	4/6/2015
2014	16-14-M	2014 Fall Tree Removal Project	Removal of Trees along streets.	Complete	NO CHANGE - Work completed for removal of hazardous street trees. Last report on this project.	PTE	2/17/2015
2014	17-14-M	Demolition of East Side School		Design	UPDATE - EADS has been awarded the contract to prepare demolition plans and contract documents.	JDF	1/5/2015
2014	18-14-SWM	New HS at site of SHH - SWM	SWM for new Allegany High School	Design			
2014	19-14-M	Greene Street Complete Street Plan		Planning	The Design Charrette took place on February 10 and 11 at the Allegany County Museum. The Plan is now being prepared by Alta Planning + Design for City review.	JDF	4/9/2015

City of Cumberland, Maryland Engineering Division - Monthly Report

Program Projects Update							March 31, 2015	
Order	Department	Program/Project Name	Description	Phase	Comments	Updated By	Date of Update	
	WWTP	Cumberland Pretreatment Program	City Ordinance No. 3251 regulates industrial and significant dischargers to Cumberland's sewer and POTW. There are 4 Significant Industrial Users (SIUs) permitted under this Ordinance. Program may also regulate non-significant users that pose a threat or cause problems to the system or POTW.	Regulatory	UPDATE Sampling continues to occur concurrent of Fibred-Maryland's industrial discharge sampling. The intention of Fibred is to continue to dewater Lagoons 3 & 4 then switch to a new permanent discharge point of Pond 2. WR&A are contracted to evaluate the impact of Fibreds pretreatment improvements on the City's WWTP. A status meeting is scheduled for April 9, 2015.	RJK	6-Apr-15	
		POTW NPDES Permit	Requirements for compliance		UPDATE The City was issued the new NPDES permit (13-DP-0567) for the WWTP effective April 1, 2015. New sampling, reporting and monitoring is required within the permit. Monthly DMRs submitted electronically. Other reports either to be submitted electronically or both electronic or via mail. A Waste Capacity Management Plan is complete for submittal April 1, 2015. A Flow Capacity Report is included within the WCMP submittal. A biomonitoring plan is in the process of being completed by MICROBAC. Bio & Toxics monitoring will take place annually starting February 2016.	RJK	6-Apr-15	
	WWTP/CSO	CSO Consent Decree Compliance Reporting	Reporting/Inspections	Semi-Annual/As Needed	UPDATE The next semi-annual report is due July 10, 2015. Engineering continues to work with other Department's staff regarding future proposed connections. The City of Cumberland is limited annually to 23,000 gpd in connections (or about 92 new housing units).	RJK	6-Apr-14	
	Watershed	Evitts Creek Steering Committee	Cross-jurisdictional committee working on source water protection efforts.		UPDATE The next meeting is April 16. James Smith from PA Forest Service will provide an update on a proposed parking area within the adjacent (recently enlarged) Buchanan State Forest.	RJK	6-Apr-15	
	STC	Shade Tree Commission	Care of trees along city rights of way and in parks.	NA	UPDATE Planning for Spring planting season and Arbor Day Celebration on 4/30/2015.	PTE	2-Apr-15	

City of Cumberland, Maryland

Engineering Division - Monthly Report

Program Projects Update							March 31, 2015	
Order	Department	Program/Project Name	Description	Phase	Comments	Updated By	Date of Update	
	Evitts Creek Water Company	Forest Stewardship Plan (aka Resource Management Plan)	Management of the forested property around Lakes Gordon and Koon	NA	UPDATE Met with stakeholders and interested parties about update of Lake Gordon/Koon property stewardship plan on March 2nd at Allegany College.	PTE	2-Apr-15	



Regular Council Agenda
April 21, 2015

Description

Maintenance Division monthly report for March, 2015.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

MAINTENANCE DIVISION REPORT
March 2015

Street Maintenance Report

Parks & Recreation Maintenance Report

Fleet Maintenance Report

**PUBLIC WORKS/MAINTENANCE
STREET BRANCH
MONTHLY REPORT
MARCH 2015**

- POTHOLES AND COMPLAINTS
 - Potholed 14 days using approximately 15 ton of cold mix.

- UTILITY HOLE REPAIR
 - 3 Water Utility Hole Repairs using approximately 1 CY of concrete.

- TRAFFIC CONTROL SIGNS/STREET NAME SIGNS
 - Installed/Repaired 8 Traffic Control Signs.
 - Installed/Repaired 4 Street Name Signs.
 - Installed/ Removed 4 HC Sign.

- SWEEPER
 - Swept 29 curb miles (approx. 12 cubic yards of debris).

- MISCELLANEOUS
 - SNOW REMOVAL-5 days with 6 shifts of overtime.
 - Removed Salt Barrels.
 - Cleaned snow equipment 2 days.
 - Hauled 30 ton of debris to landfill.
 - Repaired 3 Sink Holes.
 - Removed wash on Independence St from Water Leak.
 - Repaired 2 alleys with stone.
 - Installed 8 Bollards for Cumberland Fire Department.

STREET MAINTENANCE - MARCH 2015		3/1-3/7	3/8-3/14	3/15-3/21	3/22-3/28	3/29-3/31	TOTAL
SERVICE REQUEST COMPLETED							0
PAVING PERFORMED	TONS						0
CONCRETE WORK	CY					6	6
UTILITY HOLES REPAIRED	WATER			2		1	3
	SEWER						0
	CY			1.00			1
	TONS						0
POTHoles FILLED	STREETS						0
	ALLEYS						0
	DAYS	2	4	3	4	1	14
	Cold Mix						0
	TONS						0
PERMANENT PATCH	CY						0
	TONS						0
COMPLAINTS COMPLETED							0
	CY						0
	TONS						0
TRAFFIC CONTROL SIGNS REPAIRED/INSTALLED			2		6		8
STREET NAME SIGNS REPAIRED/INSTALLED			1		3		4
HANDICAPPED SIGNS REPAIRED/INSTALLED/REMOVED					1		1
			2		1		3
			3		3		6
PAINTING PERFORMED	BLUE		3		3		6
	YELLOW						0
	RED				1		1
PAVEMENT MARKINGS INSTALLED	No.						0
STREET CLEANING	LOADS					3	3
	MILES					29	29
SWEPPER DUMPS HAULED TO LANDFILL	TONS				26.8		27
SALT BARRELS	DAYS	1			Removed 1	Removed 1	1
CLEANED BALTIMORE ST. UNDERPASS							0
CLEAN SNOW EQUIPMENT	Days		1		1		2
Check Drains/Clean Debris	DAYS	1					1

Snow Removal	11-7	7-3	3-11	Sidewalks	Pre-treat
3/1/2015		6 hrs - 2 trcks	2 trcks - 8 hrs		
3/2/2015	8 hrs - 2 trcks	3 trcks - 4 hrs		4 hrs	
3/5/2015	8 hrs - 4 trcks	7 trcks - 8 hrs	5 trcks - 8 hrs		
3/6/2015				4 hrs	
3/20/2015	2 trcks - 8 hrs	5 trcks - 8 hrs			
Sink Holes					
3/10/15 - Repaired Sink Hole on Maryland Ave					Clean up wash on Independence Street from Water Leak 3/11/15
3/12/15 - Repaired Sink hole on Bopp					Repaired Emily Street Ext with stone 3/12/15
3/12/15 - Repaired Sink Hole on Johnson					Repaired Kinsley Place with stone on 3/17/15
					Road Repair in Park 3/16/15-3/19/15, 3/24/15
Set out traffic control for Hooley					
Excavate trench in Cavanaugh for Terry Boutwell for field light wire.3/23-3/24/15					
Moved planters from Mason Complex to Harrison Street for Paul Erickson 3/27/15					
Bollards for CFD					
Excavated and poured 4 bollards under 68 @ Harrison 3 cy					
Excavated and poured 4 bollards under 68 @ Salem 3 cy					

**PUBLIC WORKS/MAINTENANCE
PARKS & RECREATION
MONTHLY REPORT
MARCH 2015**

- Snow Removal/Sidewalks
 - Worked on snow removal and sidewalks 4 days.

- Constitution Park
 - Turned water on at Restrooms and Pool House.
 - Repaired pool deck.
 - Replaced slide in Playground.
 - Removed tree in grove 4.
 - Repaired road in Grove 4 with 7 loads of stone. Still needs paved.

- Field Work
 - Began field work on Long, Cavanaugh, JC, Nonnenmann, and North Craft.
 - Long: worked 2 days with clean up, dragging field and turning water on.
 - Cavanaugh: worked 3 days on clean-up& turning water on. Also spiked, dragged and lined for AC and Washington Middle Girls SB 4 times.
 - Began work on Fields @ Riverside 3 days. Lined and dragged Nonnenmann and North Craft.
 - JC: worked 2 days on general clean up. Also, spiked and drug field.

Parks and Recreation						
Field Work						
March 2015						
		Line	Spike	Drag		General Cleanup Prior to Season
Flynn				1		1 day
North Craft		1		1		1 day
Nonnenmann SF		1		1		1 day
Galaxy		1				
United		1				
Long				1		2 days, water turned on
JC			1			2 days, water turned on
Cavanaugh		4	1	4		St. Dept. excavated trench & Terry Boutwell installed new wiring for field lights. Repaired score board

Fleet Maintenance

March 2015

Total Fleet Maintenance Projects	134
Street Maintenance	41
Snow Removal	6
DDC	1
CPD	22
Water Distribution	23
P & R Maintenance	5
CFD	1
Sewer	4
Code Enforcement	5
Flood	2
PIP	0
WWTP	0
Engineering	1
Facility Maintenance	0
Fleet Maintenance	0
Central Services	2
Municipal Parking	0
Public Works	0
Water Filtration	0
Small Engine Repairs	0
Scheduled Preventive Maintenance	16
Field Service Calls	5
Total Work Orders Submitted	42
Risk Management Claims	0
Fork Lift Inspections	0



Regular Council Agenda
April 21, 2015

Description

Utilities Division & Central Services Monthly Report for March, 2015.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

UTILITIES DIVISION CENTRAL SERVICES MARCH 2015



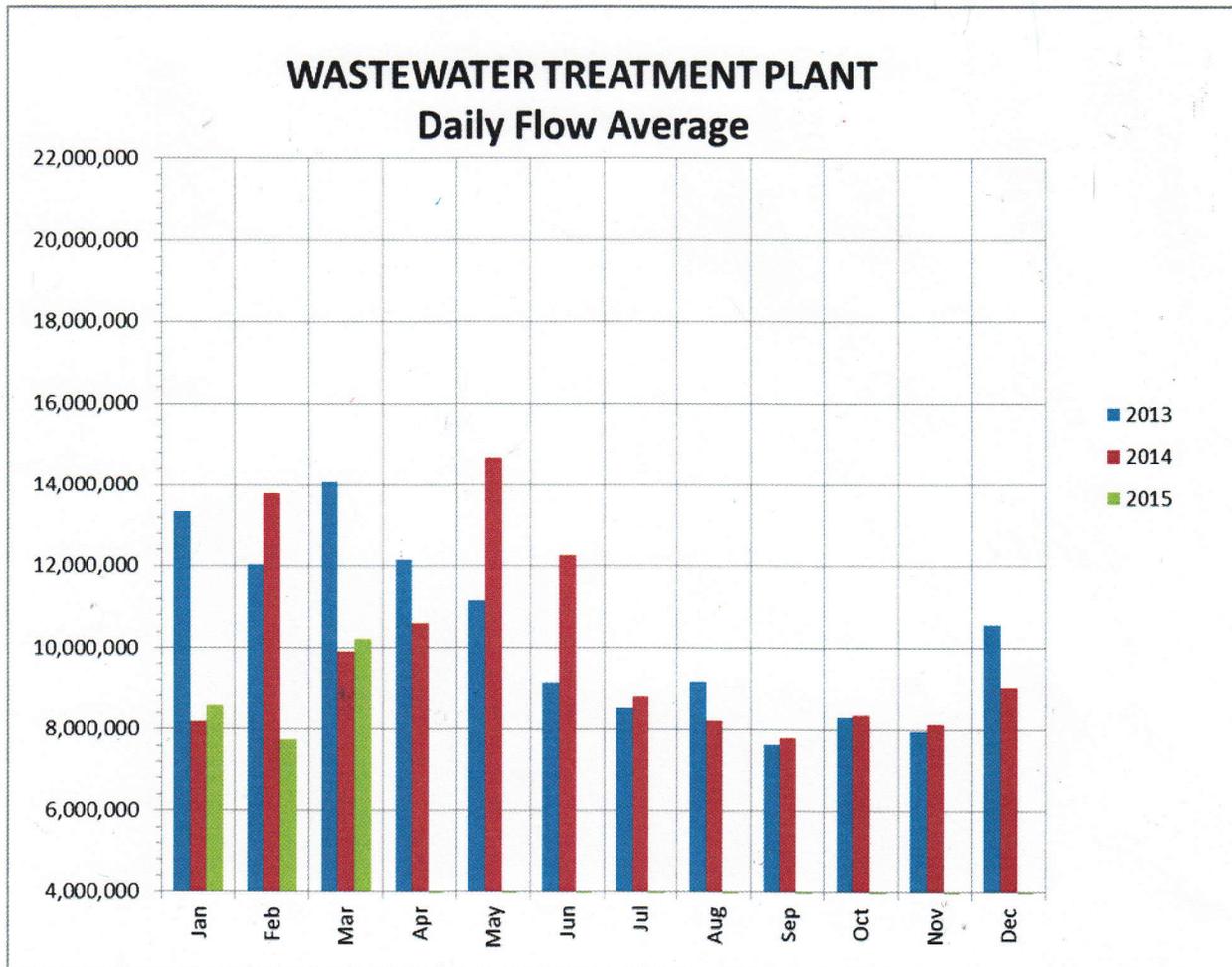
Wastewater Treatment Plant – March 2015

OPERATIONS:

Treated 316,270,000 gallons @ an average of 10.202 million gallons per day. Removed 228,633 pounds of total suspended solids; 265,515 pounds of BOD; 51,394 pounds of total nitrogen; and 4,370 pounds of total phosphorous. Processed 598,686 gallons of sludge producing 70.79 Dry Tons of Class A bio solids. 46 work orders were completed. Attended the Federal Correctional Institute (FCI) yearly site inspection on the 3rd and a meeting about the Sludge Screening Project on the 18th. Allegany College class toured the Plant on the 24th. All Federal and State reporting requirements were in compliance. Monthly Flow Comparison Chart is attached.

MAINTENANCE:

Installed new panel for phone lines in Dewatering Bldg. basement. Painted motors, pumps, and pipes in Operations Bldg. basement. Replaced delpac chemical pump for Reactor #2. Calibrated D.O. Meters on all Reactors. Cleaned Final Clarifier weirs and scum wells. Manufactured bird guard and installed in Lachat exhaust duct. Removed trash and duck weed from all Reactors. Welded belt alignment paddles on Gravity Belt Thickener and installed new belt. Repaired methanol sump pump. Installed air release valve on mud well pump line. Cleaned Chem Scan screens.

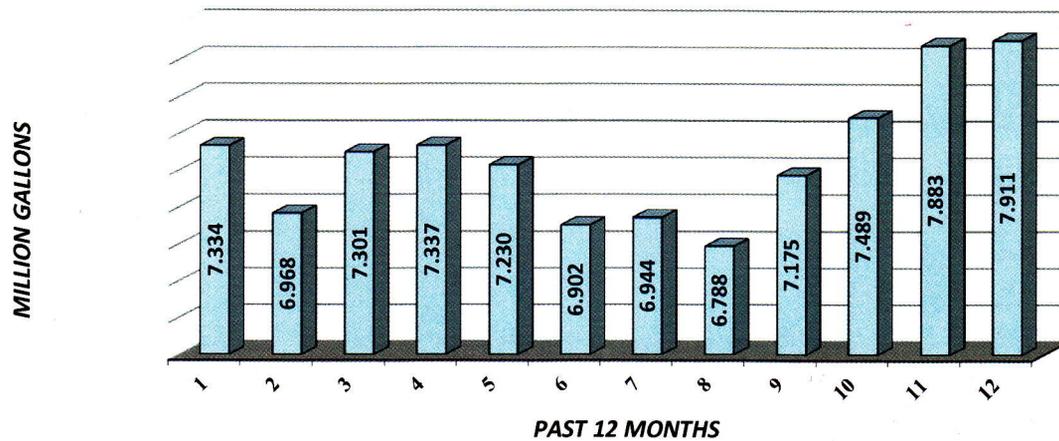


CITY OF CUMBERLAND'S WATER TREATMENT PLANT

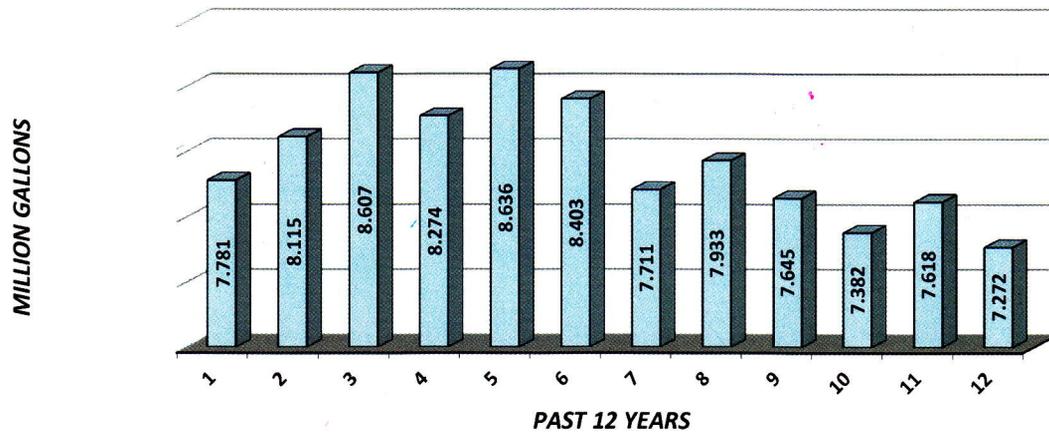
MONTHLY UTILITY REPORT

MARCH 2015

AVERAGE DAILY PRODUCTION



AVERAGE DAILY PRODUCTION



EVENTS SUMMARY

- > 100% COMPLIANCE WITH ALL FEDERAL & STATE DRINKING WATER REGULATIONS
- > 119 PREVENTATIVE MAINTENANCE TASKS COMPLETED/ 1,300 WATER ANALYSIS PERFORMED/ LAKES AT 95% CAPACITY
- > TREATMENT PLANT, PUMPING STATIONS, TANKS AND RESERVOIRS OPERATED/MAINTAINED CONTINUOUSLY 744 HOURS
- > THE WATER TREATMENT PLANT WAS SELECTED FOR THE AWOP AWARD FOR THE 2ND CONSECUTIVE YEAR. OUR FACILITY IS 1 OF 13 CHOSEN FOR THIS AWARD OUT OF A TOTAL OF 243 QUALIFYING FACILITIES. THE AWOP AWARD IS PROVIDED TO FACILITIES WHICH ARE PROVIDING THE HIGHEST QUALITY OF WATER BY OPTIMIZATION OF TREATMENT PROCESSES. THE AWARD IS GIVEN OUT BY THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION THROUGH THE PENNSYLVANIA RURAL WATER ASSOCIATION AT THE ANNUAL CONFERENCE AT PENN STATE UNIVERSITY

Sewer & Flood Monthly Report - March 2015

Sewer

1	Sewer line repaired (509 N. Central Ave)
3	Sewer main repairs (542 Razer Ave, Hilltop @ Prince Georges, 826 Buckingham Rd)
414	Ft. sewer lines televised
22	Catch basins cleaned
1	Catch basin repaired (415 Centre St)
4	Overflows checked

Assisted Water Distribution at
seven (7) work sites, Hydro excavating

Flood

Test run station pumps

Checked CSO and overflows

Painted Mill Race pump station

Assisted EZ Out with removal of trees in Narrows

Picked up new mowers for WFP, WWTP and Flood

Cleaned out Washington St, Blue Spring Pits and bull pen

Cleaned pump station

WATER DISTRIBUTION

Utilities Activity Report for March 15					
REQUEST	W/E 3/6/15	W/E 3/13/15	W/E 3/20/15	W/E 3/31/15	MONTHLY TOTALS
Service Technicians					
NON READS/MDM go backs	17	56	51	42	166
VACANT Accounts report					0
FINAL READS/TURN ONS/SHUT OFFS	12	4	1	4	21
CURB/METER BOX MAINTENANCE					0
LEAK INVESTIGATIONS/turn off/on	2	9	6	8	25
STOP LOCATES/MAINTENANCE	1				1
METER/STOP INVESTIGATIONS	19	18	12	19	68
REPAIR WIRING/GET READING		2			2
ORANGE TAG FOR REPAIRS	2	4	7	5	18
YELLOW TAG FOR HL USAGE/APPT					0
RED TAG FOR SHUT OFF		1			1
TURN WATER ON	30	45	59	59	193
TURN WATER OFF			1	1	2
NONPMT/BAD CK/AGREE SHUT OFFS	30	44	65	43	182
SHUT OFF RECHECKS	41	83	47	25	196
PULL METERS - READS/SPAC.WR OFF	1				1
PUT METERS BACK ON LINE/READS			11	3	14
REPLACE/REPAIR METER/LID/VALVE	1	1		1	3
DIRTY WATER/ODOR		1			1
SVC SEPARATIONS/INVESTIGATIONS				1	1
INSTALL COUPLERS/PLUGS/LOCK	1	2			3
NEW METER/DIAL	1	1	15	31	48
METER TESTS-Residential					0
METER TESTS - Industrial					0
Ind - Register/Chamber Chg Out				1	1
Industrial - Chamber Cleaning					0
Industrial - Strainer Cleaning					0
HYDRANTS FLUSHED				33	33
PRESSURE CHECK/NO WATER			1		1
MOVE METERS OUTSIDE/READINGS	1	1	3	4	9
Smartpoint change outs/New installs	3	1	5	4	13
Replace smartpoint antenna					0
REPAIR/REACTIVATE/MOVE SPs	2	3			5
INSULATE METER BOXES	100	50		100	250
FREEZE UPS/METERS & LINES	18	3			21
CCP - BACKFLOW/RETRO		1	3	4	8
HYDRANT/IRRIGATION METER					0
Pipe Technicians					
LINE LOCATOR	31	82	49	87	249
TAPS SERVICED	1	3	2	5	11
LEAKS REPAIRED	2	2	1		5
LISTENED ON HYD NEAR BROWN AVE TANK	4				4
FLUSHED HYD - SARATOGA @ MAGRUDER		4			4
CHECKED VALVES THAT NEED REPLACED		4		3	7
REPLACED HYD #731 - CAMDEN AVE		4			4
TOP SOILED WAVERLY TERR/BALT AVE		4			4
REPAIRED HYD #920 - MOCCASIN PATH			3		3
FLUSHED HYD - PUTNAM @ MD AVE			3		3
S MECH @ WMS ST - HYDRANT EXTENSION		3			3
COLD MIX HOLES			3	3	6
701 FAYETTE - OFFION FOR PLUMBER				4	4
GREASED CAPS ON HYD @ WMS & LA				3	3
HAULED DEBRIS FROM BIN				3	3
CLEANED TOOLS/LOADED GENERATOR				4	4
TESTED SPIN DOCTOR				4	4
DAVIDSON/DEGATUR-SUCK OUT BX/RESET				3	3
INSTALLED NEW HYD-CAROLINE@HILLTOP				4	4
Watershed					
Cleaned up snow around garage Cleaned precleaner assembly to air inlet on D-5 Serviced AGCO ALLIS Cleaned out tool bins on 380 Cleaned out drain along fuel pumps stopped with ice Unloaded air valves and trailer hitch at warehouse Training on new vac & valve machine Took truck to J&J for repair Cleaned bowl on pre-fuel filter on AGCO - replaced with used element and replaced fuel filter Cleaned debris fro engine compartment, cab and back of AGCO and brush hog Took used motor oil to sludge storage area where it is stored Ordered filters for D-5 and AGCO Checked on brush hog Cleaned up garage Picked up truck at J&Js Stopped at Cleveland Brothers for parts for CAT Worked at 800 Lake Gordon Rd getting water back to customer - line was air locked Took excavator to Ind Blvd for railroad meter Took jacks back to dam Put down ballast to park D-5 on Worked with 309 crew installing meter at railroad Took calls and cleaned equipment and fueled tool truck Greased and fueled AGCO Loaded and took excavator to Lake Koon to drag logs and debris from trees off Lake where it collects Hauled 3 loads of gravel to WFP Spread gravel at WFP garage Met with Wilbur Hardinger about getting water to new home on his property Met with man to discuss building off Sierra Lane and if he could use 36" water line as his entrance way Got 2x8s at Beans Cove to repair ramps on equipment trailer Went to back road off Lake Koon to work on ditch to drain water Worked on ramps on equipment trailer Started and moved road tractor Hooked up equipment trailer					
Projects					
Projects - VALENTINE AVE/NEW MAIN				20	20
WEEKLY TOTALS & GRAND TOTAL					1635

Central Services – March 2015

- **City Hall**: Snow removal and salted sidewalks; reset clocks (Daylight Savings Time).
- **Municipal Service Center**: Installed two ballasts in the Water Department; installed transfer switch for new generator; cut and installed diamond plate over drain; repaired lights in Water Department offices and cleaned filter on ice maker; repaired lights in lunchroom; assisted sprinkler inspector; repaired lighting and receptacles in generator room.
- **Public Safety Building**: Cleaned exhaust fan in 3rd floor, men's restroom; repaired exhaust fan #5; repaired heating system. Reset HV #3; repaired leak on gas line - #2 Boiler; installed heat pump; assisted sprinkler inspector.
 - **Police**: Ran conduit, pulled wire, cut access holes and dropped thread to mount new Mitsubishi Unit in C3I; installed ballast and repaired cooling system in Officer David Broadwater's office; pulled circulating pump in Police garage; repaired Police lobby door.
- **Downtown/mall area**: Rewired lights on downtown mall area; reset breakers for lights.
- **Frederick Street Parking Garage**: Repaired light.
- **Old Eastside School** – Worked on getting doors open and assisted in collecting asbestos samples; sealed doors before leaving.
- **Parks/Recreation**: Ran new conduit and installed fuse for scoreboard and repaired underground services at Cavanaugh Field; installed receptacles on separate circuits in the concession stand at Bowers Field.
- **HRDC Building**: Tagged out boiler and circulator pump and removed water from building.
- **Ridgedale Pump Station**: Repaired pump.
- **Evitts Creek Pump Station**: Repair level float.
- **Ridgeley Pump Station**: Checked motors for MCC size.

- **Sewer Department**: Pulled light feeder.
- **Water Filtration Plant**: Repaired Auma valve.
- **Wastewater Treatment Plant**: Assisted with snow removal; repaired power supply for CO detector.
- **Traffic and Street Lights**: Rewired Liberty Street lights; repaired lights on Harrison St.
- Load-tested generators.
- Monthly Safety Meeting – March 27, 2015.



Regular Council Agenda
April 21, 2015

Description

Approval of the Administrative Session Minutes of March 3 and 17, 2015.

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

Administrative Session Minutes

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

Second Floor Conference Room

Tuesday, March 3, 2015

5:00 p.m.

PRESENT: Mayor Brian K. Grim; Council Members Nicole Alt-Myers, Seth Bernard, David Caporale, David Kauffman

ALSO PRESENT: Jeffrey Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Charles Hinnant, Police Chief; Marjorie Woodring, City Clerk

NOTICE: Notice of intent to hold an Administrative Session on Tuesday, March 3, 2015 at 5:00 p.m. was provided to the media via email notification and posted to the City's website on February 27, 2015.

MOTION: Motion to enter into closed Administrative Session to discuss personnel matters, union negotiations, and to consult with the City Solicitor regarding a legal matter was made by Councilman Caporale, seconded by Councilman Kauffman, and approved on a vote of 5-0.

AUTHORITY TO CLOSE SESSION:

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;
- Section 10-508 (a) (7): to consult with counsel to obtain legal advice on a legal matter;
- Section 10-508 (a) (9): to conduct collective bargaining negotiations to consider matter that relate to the negotiations

TOPICS: Personnel matters, union negotiations, and consultation with the City Solicitor regarding a legal matter

Minutes approved on: _____

Brian K. Grim, Mayor _____

ATTEST:

Marjorie A. Woodring, City Clerk _____

Mayor and City Council of Cumberland

Administrative Session Minutes

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

Second Floor Conference Room

Tuesday, March 17, 2015

5:45 p.m.

PRESENT: Mayor Brian K. Grim; Council Members Nicole Alt-Myers, Seth Bernard, David Caporale, David Kauffman

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

NOTICE: Notice of intent to hold an Administrative Session on Tuesday, March 17, 2015 at 5:45 p.m. was provided to the media via email notification and posted to the City's website on March 13, 2015.

MOTION: Motion to enter into closed Administrative Session to discuss union negotiations was made by Councilman Caporale, seconded by Councilwoman Alt-Myers, and approved on a vote of 4-0 with Councilman Kauffman being absent at vote.

AUTHORITY TO CLOSE SESSION:

Annotated Code of Maryland, State Government

- Section 10-508 (a) (9): to conduct collective bargaining negotiations to consider matter that relate to the negotiations

TOPICS: Union negotiations

Minutes approved on: _____

Brian K. Grim, Mayor _____

ATTEST:

Marjorie A. Woodring, City Clerk _____



Regular Council Agenda
April 21, 2015

Description

Ordinance (*1st reading*) - to approve, with restrictions, conditions and limitations, an application by Thomas W. Pittman and Christina R. Pittman to rezone property located at 208-210 Oldtown Road from R-U (Urban Residential) To R-R (Rehabilitation and Redevelopment) in order to re-establish a commercial use at that location.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, ENTITLED "AN ORDINANCE APPROVING THE APPLICATION TO AMEND THE OFFICIAL ZONING MAP REFERRED TO IN SECTION 25-1 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION) TO REZONE PROPERTY LOCATED AT 208-210 OLDTOWN ROAD, CUMBERLAND, ALLEGANY COUNTY, MARYLAND FROM R-U (URBAN RESIDENTIAL) TO R-R (REHABILITATION AND REDEVELOPMENT)."

WHEREAS, the property which is the subject of this Ordinance is presently owned by Thomas W. Pittman and Christina R. Pittman (the "Applicants"), is located at 208-210 Oldtown Road, Cumberland, Allegany County, Maryland, on the north side of Baltimore Avenue between Goethe Street and Bellevue Avenue, and is more particularly described in the Deed from Harold B. Rice to the Applicants, dated October 13, 2006 and recorded among the Land Records of Allegany County, Maryland in Book 1319, Page 200, the said property hereinafter being referred to as the "Subject Property."

WHEREAS, the Subject Property is presently zone R-U (Urban Residential) and is improved by a two-story building.

WHEREAS, the Applicants made application to the Planning and Zoning Commission of the City of Cumberland

(the "Planning Commission"), requesting that the Subject Property be rezoned to R-R (Rehabilitation and Redevelopment) in order to re-establish a commercial use at that location.

WHEREAS, the first floor of the structure was formerly used for commercial purposes under the nonconforming use provisions of the City of Cumberland Zoning Ordinance; however, since that use was abandoned more than 6 years ago, it cannot be re-established under existing zoning. See Zoning Ordinance Section 7.06.07(4).

WHEREAS, the second floor consists of two residential units, one of which is used by the Applicants as their principal residence, the other of which is available for or being used as a residential rental unit.

WHEREAS, if the requested rezoning is granted, the Applicants will establish a deli/market on the first floor of the Subject Property and they will continue the residential use of the second floor of the building.

WHEREAS, the Cumberland Planning Commission Staff issued a Report dated January 15, 2015 (the "Staff Report"), a copy of which is attached hereto and incorporated by reference herein as Exhibit 1, recommending that the proposed zoning map amendment be approved subject

to the 8 restrictions, conditions and limitations set forth on pages 5 and 6.

WHEREAS, among other things, the Staff Report includes Staff's findings relative to the required considerations set forth in Section 4-204(b)(1) of the Land Use Article of the Annotated Code of Maryland, i.e., population change, the availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development for the area, and the relationship of the proposed amendment to the local jurisdiction's plan.

WHEREAS, the Planning Commission held a hearing on March 23, 2015 for the purpose of considering the Applicants' request for a zoning map change, voting 4-0 (with the fifth member of the Planning Commission abstaining from the vote) to recommend that the Mayor and City Council approve the application (see Planning Commission Action attached hereto as Exhibit 2).

WHEREAS, as required by Section 15.04.05(1) of the Zoning Ordinance, the Planning Commission forwarded its recommendations relative to the proposed rezoning to the Mayor and City Council for action.

WHEREAS, as required by Section 4-203(b) of the Land Use Article and Section 15.04.06(1) of the Zoning Ordinance, the Mayor and City Council published notice of

the time and place of the public hearing before it on the matter of the rezoning which is the subject of this Ordinance together with a summary of the proposed rezoning in *The Cumberland Times News*, a newspaper of general circulation in Allegany County and the City of Cumberland, once each week for 2 successive weeks with the first notice being provided at least 14 days before the hearing. The notices were published on May 5, 2015 and May 8, 2015.

WHEREAS, as required by Section 4-203(b) of the Land Use Article and Section 15.04.07 of the Zoning Ordinance, a public hearing on the proposed rezoning was held before the Mayor and City Council on May 19, 2015, at which public hearing all parties in interest and citizens of the City of Cumberland were permitted to be heard concerning the proposed rezoning.

WHEREAS, having considered the evidence presented, the Mayor and City Council made the following findings:

1. Since the RR zone is a "floating zone," a determination of a substantial change in the character of the neighborhood or a mistake in the original zoning of the Subject Property under Section 4-204(b)(2) of the Land Use Article is not required. *Aubinoe v. Lewis*, 250 Md. 645, 652-53 (1968)

2. As required under the terms of the Court of Appeals' ruling in *Aubinoe*, the application complies with the express purposes for which the floating zone was established. The purpose of the RR Zone is to provide incentive for the reuse, rehabilitation and redevelopment of abandoned structures that were originally used for industrial, warehouse, or other employment purposes but which have become nonconforming in the district in which they are located. See Zoning Ordinance Section 5.01.12. The first floor of the structure on the Subject Property has been abandoned. By virtue of its design, it cannot feasibly be converted to a conforming use within the neighborhood. If left vacant, it would be likely to have a blighting influence in the neighborhood.

3. The reuse, rehabilitation and redevelopment of abandoned structures in an RR Zoning District should be conducted in a manner such that the integrity of the neighborhood can be preserved. See Zoning Ordinance Section 5.01.12. The applicable criteria (performance standards) for considering an application to rezone a property to the RR Zone in order to determine whether such a use is compatible with the neighborhood are set forth in Section 6.14.04 of the Zoning Ordinance. Additional

requirements relative to the establishment of an RR Zone are set forth in Section 6.14 of the Zoning Ordinance.

4. In addition to considering the aforesaid requirements, the Mayor and City Council are required to make findings relative to the required considerations set forth in Section 4-204(b)(1) of the Land Use Article which were identified previously herein.

5. The Mayor and City Council adopt the findings set forth in the Staff Report as its findings with respect to the subject application.

6. Although the Subject Property was referred to as 208 Oldtown Road in the Application, the State Department of Assessments and Taxation's assessment records reflect that the correct legal description is 208-210 Oldtown Road, Cumberland, MD 21502. Accordingly, the Application and the Planning Commission's recommendation shall be deemed to be applicable to 208-210 Oldtown Road.

WHEREAS, based upon the foregoing, the Mayor and City Council determined that the application for the rezoning of the Subject Property should be granted and the 8 restrictions, conditions and limitations recommended by the Planning Commission should apply.

NOW, THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the Applicants' application to rezone the Subject Property from R-U (Urban Residential) to R-R (Rehabilitation and Redevelopment) is granted. The Official Zoning Map referred to in Section 25-1 of the Code of the City of Cumberland (1991 Edition) be and is hereby amended to rezone the Subject Property accordingly.

SECTION 2: BE IT FURTHER ORDAINED, in accordance with Section 15.07 of the City of Cumberland Zoning Ordinance, the aforesaid rezoning is subject to the following restrictions, conditions and limitations:

1. Permitted uses for the Subject Property shall be limited to retail buildings (less than 5,000 square feet), repair services, personal service establishments, and professional services in accordance with the applicable standards for the B-L (Local Business Zone) and residential uses in accordance with the applicable standards for the R-U (Urban Residential Zone) as specified in the Development Regulations Table (Section 6.03.01 of the City of Cumberland Zoning Ordinance). All non-residential uses in the building on the Subject Property shall be confined to the first or ground

floor and the second or upper floor of the building shall only be used for residential uses permitted within the R-U Zone.

2. The proposed use shall satisfy all applicable off-street parking and loading requirements specified in Section 12 of the Zoning Ordinance.
3. The proposed use shall satisfy the applicable buffer requirements in Section 13 of the Zoning Ordinance.
4. The proposed use shall satisfy the signage restrictions of Section 6.14.04 (4) of the Zoning Ordinance, with the addition that no freestanding sign shall be permitted on the property.
5. The proposed use shall not generate more than 25 vehicle trips per day, as determined by the most recently published edition of the Institute of Traffic Engineers Trip Generation Manual.
6. No outdoor storage, display, or sales of materials or products shall be allowed on the Subject Property.
7. The business use shall not operate between the hours of 10:00 p.m. and 6:00 a.m.
8. Prior to the issuance of an occupancy permit for any proposed non-residential use in the building, the owner shall submit for review and approval an engineering and code inspection report documenting the

soundness of the structure for the proposed use and the compliance of all alteration work completed since 2008 with all applicable building, plumbing, and electrical code requirements. Where code deficiencies are identified in the first or ground floor alteration work, the owner shall undertake improvements, which shall be re-inspected upon completion, to achieve compliance with the applicable code requirements prior to the issuance of an occupancy permit for the first or ground floor commercial space.

SECTION 3: BE IT FURTHER ORDAINED, that the said change shall be made on the Official Zoning Map immediately by inserting an entry on said Map stating: "On _____, 2015, by official action of the Mayor and City Council of Cumberland, the following changes were made on the Official Zoning Map:

1. The property located at 208-210 Oldtown Road shall be zoned RR; and
2. The said property is and shall be subject to those certain restrictions, conditions and limitations set forth in the Exhibit A attached hereto."

The Exhibit A shall set forth the restrictions, conditions and limitations set forth in Section 2 of this Ordinance.

SECTION 4: AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the eleventh day following its passage.

PASSED this _____ day of _____, 2015.

Brian K. Grim,
Mayor

ATTEST:

Marjorie A. Woodring
City Clerk

EXHIBIT 1

CUMBERLAND PLANNING COMMISSION STAFF REPORT

ZMA 15-01 – 208 Oldtown Road – RR Rezoning

January 14, 2015

Overview:

A petition has been submitted by Thomas Pitman to apply the RR – Rehabilitation and Redevelopment Floating Zone to property that he owns at 208 Oldtown Road. The applicant is seeking to re-establish a former commercial use designation for the ground floor of the two story building. The former commercial use was abandoned more than 6 years ago, and the ground floor has remained vacant over that time. The upper floor of the building has historically been divided into two apartment units, at least one of which is currently occupied by the owners (Thomas Pitman and his wife, Christina). The property is currently zoned R-U – Urban Residential, which, according to Section 6.14.01 of the Zoning Ordinance is a zoning district that is eligible to receive the proposed RR zoning. The property adjoins R-U zoned properties on all sides, but several grandfathered, non-conforming non-residential uses remain in the immediate neighborhood, including Corwell’s market and Klauvan’s moving company. The legal “grandfathered” status of the former first floor commercial use has expired in accordance with the terms of **Section 7.06.07 (4)**, which states:

“When a nonconforming use of a structure, land, or structure and land in combination is discontinued or abandoned for twenty-four (24) consecutive months, the structure, land, or structures and premises in combination shall not thereafter be used except in conformance with the regulations of the district in which it is located.”

In the case of 208 Oldtown Road, the prior commercial use has been abandoned for at least 6 years and the owner has established the upper floor residential area as a primary residence, which is now consistent with the current R-U Zone. Furthermore, according to the Conceptual Future Land Use Map (Map 9) in the 2013 Comprehensive Plan City-Wide Element, the subject property and all adjoining parcels are planned for Residential Uses, which is consistent with the current R-U zoning and the current residential use of the building.

The applicant is proposing to establish a deli or market on the ground floor of the building, which he hopes to sell (see the attached site plan and summary for the ZMA 15-01 petition). To re-establish the proposed commercial use, the applicant is seeking application of the RR-Revitalization and Redevelopment Floating Zone to the property.

Procedural Status:

On August 6, 2008, Thomas and Christina Pitman filed a number of permit applications in support of a proposed grill and retail sales commercial operation on the first floor of the subject property. These applications included RB 889, a building permit application for a commercial alteration of the first floor space; EC 1688, an electrical permit application for wiring work in support of the proposed commercial operations; PP 648, a plumbing permit application for plumbing work in support of the proposed commercial operations; and OP 1145, an occupancy permit for proposed retail sales of beer and wine and a commercial grill. These permits were never approved for the following reasons:

1. The “grandfathered” status of the former first floor commercial use had expired.
2. The owner could not satisfy the off-street parking requirements for the proposed commercial use as required by Section 12 of the Zoning Ordinance.
3. The proposed commercial use was not permitted by the applicable R-U (Urban Residential) zoning of the property.

Both the first floor and the upper floor apartments in the building were vacant. In speaking with the owner at that time, staff apprised him that, if he could satisfy the off-street parking requirements for the proposed commercial use, he could petition the city for RR (Revitalization and Rehabilitation) zoning. The owner subsequently established a primary residential use in the upper floor of the building, thereby creating a permitted occupancy use within the building in accordance with the applicable zoning. Also during the intervening time, the owner acquired a vacant property across the street from the building as a potential future off-street parking area for his primary property.

On January 13, 2015, the owner filed a Zoning Map Amendment petition (ZMA 15-01) to request application of the RR – Revitalization and Rehabilitation Floating Zone to his property at 208 Oldtown Road with parking to be located on the vacant parcel across Gay Street from the principal building. Staff scheduled the petition for a February 9, 2015 public hearing before the Planning Commission.

Staff Review:

City records do confirm the previous ground floor commercial use of the building. That pre-existing, non-conforming (grandfathered) use has been abandoned for more than two years, and cannot be reinstated under the current R-U Zoning of the property. The upper floor of the building has been maintained as a principal residence for the owner since the 2008 permit denial.

Staff has not determined whether or not the commercial alteration work originally denied in 2008 was continued or completed without a valid permit and, if so, whether or not any such work was done in compliance with the applicable Building, Electrical, and Plumbing Codes. However the applicant did assert that his permits were approved and verbally acknowledged that the work was completed. Since staff never approved the original permits, no inspections of any alteration work undertaken in the building since 2008 has been conducted to ensure code compliance.

According to Section 5.01.12 of the Zoning Ordinance, the spirit and intent of the RR – Rehabilitation and Redevelopment Floating Zone is to allow certain abandoned buildings originally used for industrial, warehouse, or other employment uses that are no longer permitted by the current zoning to be re-established in a manner that will allow them to be occupied and contribute to the active tax rolls of the city. The zoning classification is customarily restricted to abandoned and vacant buildings which cannot, by virtue of their design, be feasibly converted to a conforming use within the neighborhood and would, if left vacant, create a blighting influence on the neighborhood. The R-U (Urban Residential) zoning district is specifically eligible for the RR Zone.

Although the building was initially vacant when acquired by the current owner (and the ground floor remains vacant today), the owner subsequently established a conforming use within the building.

The applicant's proposed uses are consistent with the historic uses for the buildings and are not inconsistent with the general development patterns that exist in the area. The owner also acquired an adjoining property on the opposite side of Gay Street from the principal building for a proposed parking area. The property is served by all necessary city utilities, including City water and sewer.

Staff Recommendation:

In support of the requested rezoning, the applicant has submitted a site plan of the property and adjoining parking area and current photographs showing both the building and adjoining vacant lot for the required off-street parking (see attached supporting documents to ZMA 15-01). However, the applicant did not submit the following supporting documents required in Section 6.14.03 of the Zoning Ordinance:

1. **An engineering report as to the soundness of the structure.** This document is especially important for the subject property, since evidence has been provided suggesting that alteration work was conducted within the building without valid permits and no code compliance inspections for any such work were completed.
2. **A justification statement as to why the structure should be converted to a non-residential land use and how the application satisfies the purpose and intent of the RR Floating Zone.** Again, this document is important since the building is not currently vacant and is being occupied and maintained for a conforming use within the R-U Zone. As such, the building is also actively generating property taxes to the city and does not appear to be visibly blighted.
3. **A proposed exterior plan of the structure including architectural modifications, changes, or additions to the façade, landscaping, screening, and other such information as the Zoning Administrator may require.** Since staff is not aware of any proposed or planned exterior modifications to the building, this requirement may be satisfied by a written statement to that effect by the property owner.

The applicable performance standards for the RR Floating Zone are specified in Section 6.14.04 of the Zoning Ordinance. These standards are as follows:

1. Comply with all applicable environmental standards and requirements listed in Section 6.08 (noise, lighting, vibrations, noise pollution, etc.);
2. Satisfy the off-street parking and loading requirements of Section 12;
3. Provide required buffers along existing residential uses required in Section 13;
4. Satisfy specific signage limitations;
5. Comply with certain trip generation limitations or provide a traffic study to show that the use will not exceed the capacity of local streets;
6. Require no access for loading and unloading from a local street;
7. Require no outside storage of materials or products associated with the use;
8. Ensure that any light manufacturing uses will be conducted in an entirely enclosed space; and
9. Comply with operating hours restrictions between 10:00 p.m. and 6:00 a.m.

Staff has not determined if the proposed parking depicted on the applicant's site plan is adequate to satisfy the applicable requirements for the proposed use, but the vacant lot *appears* to have adequate area to do so. The site plan does not appear to have been drawn to scale, which makes it impossible for staff to confirm that the proposed spaces can be accommodated on the property as depicted. However, if the requested rezoning is ultimately approved, the applicant would be required (at a minimum) to: provide handicapped accessible parking with more convenient and direct access to the building entrance than is depicted on the site plan, confirm that the parking spaces will comply with the required dimensions (the parking space dimensions shown on the site plan do not appear to conform with the applicable requirements), provide an on-site drive or access aisle, and document that the surface of the parking area will be constructed with a dustless, durable, all-weather pavement as required in Section 12 of the Zoning Ordinance. The applicant would also need to redesign the proposed parking area to ensure that parked cars will not be required to back out into an adjoining street in compliance with Section 12.02.012 (11) of the Zoning Ordinance.

Additionally, under the provisions of The Land Use Article of the Maryland Annotated Code, the Mayor and City Council must render a series of specific findings in making its decision regarding the proposed zoning. A recommendation regarding these findings must be made by the Planning Commission. The specific findings are outlined in Section 4-204 (b) (1) of the Land Use Article. Staff recommends the following findings be determined with respect to these statutory considerations:

1. **Population change:** Staff notes the findings in the 2013 Comprehensive Plan that the population of the City of Cumberland has been in decline since the 1940's. The Plan further notes that the city desires to reverse that trend and support the future growth and economic development of the city, and it contains a number of recommendations to support that goal. The plan calls for a 150% increase in the City's population over the next 20 years. The proposed zoning would provide for limited future economic expansion of the city's commercial base, thereby increasing employment opportunities, expanding the City's tax base, and promoting

population growth that could be consistent with the recommendations of the City's Comprehensive Plan.

2. **The availability of public facilities:** Public facilities in the City of Cumberland were designed to serve the City's peak population of 39,483 in 1940. With a current population of approximately 20,800, the Water Resources Element in the 2013 Comprehensive Plan documented that adequate capacity exists within the city's current public facilities to accommodate the city's planned growth. The subject property is already served by City water and sewer.
3. **Present & future transportation patterns:** The 2013 Comprehensive Plan and the 2011 Cumberland Area Long Range Transportation Plan have identified and scheduled transportation improvements necessary to serve planned growth and development. The subject property is directly accessed by Oldtown Road and Gay Street, which are functionally classified as local streets in that area. The potential traffic impacts of the proposed use are anticipated to be minor and would not reduce the level of service on the adjoining streets to "D" or lower. The property owner has acquired property to serve as off-street parking for the proposed uses, but no determination of adequacy under Section 12 of the Zoning Ordinance has been made at this time.
4. **Compatibility with existing and proposed development for the area:** The current zoning and immediately neighboring uses are vacant or residential in nature. Other commercial uses are scattered around the area. The proposed uses are generally consistent with the existing mix of uses in that area.
5. **Relationship of the proposed amendment to the local jurisdiction's plan:** The R-U (Urban Residential) base zoning classification of the property makes it eligible for application of the RR – Revitalization and Redevelopment Floating Zone. The current upper floor residential use is allowed by the R-U Zone and is consistent with the future uses contemplated by the 2013 Comprehensive Plan. The proposed ground floor use is not specifically consistent with the future uses contemplated by the 2013 Comprehensive Plan for the area. The ground floor of the building was clearly designed for commercial use, but the former commercial use has been abandoned for more than two years.

Should the Planning Commission and Mayor and Council agree to rezone the property as requested by the applicant, staff recommends that the following conditions be applied to ensure compliance with the applicable zoning requirements:

1. Permitted uses for the property at 208 Oldtown Road shall be limited to Retail buildings (less than 5,000 square feet), Repair services, Personal Service Establishments, and professional services in accordance with the applicable standards for the B-L (Local Business Zone) and residential uses in accordance with the applicable standards for the R-U (Urban Residential Zone) as specified in the Development Regulations Table (Section 6.03.01 of the Cumberland Zoning Ordinance. All non-residential uses in the building shall be confined to the first or

ground floor and the second or upper floor of the building shall only be used for residential uses permitted within the R-U Zone.

2. The proposed use shall satisfy all applicable off-street parking and loading requirements specified in Section 12 of the Zoning Ordinance.
3. The proposed use shall satisfy the applicable buffer requirements in Section 13 of the Zoning Ordinance.
4. The proposed use shall satisfy the signage restrictions of Section 6.14.04 (4) of the Zoning Ordinance, with the addition that no freestanding sign shall be permitted on the property.
5. The proposed use shall not generate more than 25 vehicle trips per day, as determined by the most recently published edition of the Institute of Traffic Engineers Trip Generation Manual.
6. No outdoor storage, display, or sales of materials or products shall be allowed on the property.
7. The business use shall not operate between the hours of 10:00 p.m. and 6:00 a.m.
8. Prior to the issuance of an Occupancy Permit for any proposed non-residential use in the building, the owner shall submit for review and approval an engineering and code inspection report documenting the soundness of the structure for the proposed use and the compliance of all alteration work completed since 2008 with all applicable Building, Plumbing, and Electrical Code requirements. Where code deficiencies are identified in the first or ground floor alteration work, the owner shall undertake improvements, which shall be re-inspected upon completion, to achieve compliance with the applicable code requirements prior to the issuance of an Occupancy Permit for the first or ground floor commercial space.

EXHIBIT 2

Planning Commission Action:

- Recommend adoption of the requested RR Zoning for the affected property at 208 Road to the Mayor and City Council in accordance with the following findings of fact and recommended conditions:

With Staff Conditions

- Recommend denial of requested RR Zoning for the affected property at 208 Oldtown Road to the Mayor and City Council, based on the following findings:

Motion by: *Les Merrill*

Seconded by: *Ben Walters*

Vote:

In favor of motion: *4* Opposed: *0* Abstained: *1*

Number of voting members present: *5*

Signed: *[Signature]*

Chair, Cumberland Planning Commission

Date: *3/23/15*

[Signature]

Secretary, Cumberland Planning Commission

Date: *3/23/15*



Regular Council Agenda
April 21, 2015

Description

Resolution granting the Carver Community Center, Inc. property tax credits for the 2013-2014 and 2014-2015 tax years.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

City of Cumberland
- Maryland -
RESOLUTION

RESOLUTION NO. _____

A Resolution of the Mayor and City Council of Cumberland, Maryland, granting the Carver Community Center, Inc. property tax credits for the tax years 2013-2014 and 2014-2015 pursuant to Section 9-302 of the Tax-Property Article of the Annotated Code of Maryland.

WHEREAS, the Mayor and City Council of Cumberland is, by State Law, granted the authority to impose taxes upon the assessed valuation of property situated within the City of Cumberland against the owners of such property; and

WHEREAS, Section 9-302 of the Tax-Property Article of the Annotated Code of Maryland provides that a municipal corporation in Allegany County may grant, by law, a property tax credit against certain property owners; and

WHEREAS, the Carver Community Center, Inc. is a property owner designated in Section 9-302(b) (8) of the Tax-Property Article of the Annotated Code of Maryland; and

WHEREAS, the Carver Community Center, Inc. has, pursuant to Section 9-301(e)(1), applied for the property tax credit; and

WHEREAS, the Mayor and City Council of Cumberland desires to grant to the Carver Community Center, Inc. a property tax credit against the municipal corporation property tax imposed on the Carver Community Center, Inc., for the tax years 2013-2014 and 2014-2015.

NOW, THEREFORE, BE IT RESOLVED THAT, the Carver Community Center, Inc., be and is hereby granted a property tax credit against any and all municipal corporation property tax imposed upon it by the City of Cumberland for tax years 2013-2014 and 2014-2015.

*Given under our Hands and Seals this 21st day of April, 2015 with the
Corporate Seal of the City of Cumberland hereto attached,
duly attested by the City Clerk.*

Attest:

Mayor and City Council
Of Cumberland

Marjorie A. Woodring
City Clerk

Brian K. Grim
Mayor



CARVER COMMUNITY CENTER, INC.
P.O. Box 241
340 FREDERICK STREET
CUMBERLAND, MD 21501-0241

Mayor & City of Cumberland Council
57 N. Liberty Street
Cumberland, Maryland 21502

August 1, 2014

Dear Mayor & City of Cumberland Council

The Carver Community Center Inc. wishes to again request the tax fee waiver for our lot located on the corners of Frederick and Marshall Streets within the city of Cumberland. For the tax year of July 1, 2014- June 30, 2015 on the account numbers: 23-001233 and D0-5149406.

The Carver Community Center is a small local 501 C 3 nonprofit founded through various partnerships between the city, county, and state governments as well as many local church, community and civic organizations.

The Carver Community Center Inc., Board of Directors greatly appreciates any assistance that you can give to us in this matter and in support of all of our future endeavors.

Sincerely,

A handwritten signature in cursive script that reads "Bonita Austin".

Bonita Austin
Carver Community Center Inc. Board of Directors



Regular Council Agenda
April 21, 2015

Description

Order authorizing the execution of an "Amendment to Collective Bargaining Agreement" with the United Food and Commercial Workers Local 1994 MCGEO to modify the Collective Bargaining Agreement covering the period July 1, 2012 through June 30, 2015.

Approval, Acceptance / Recommendation

Final draft of Agreement pending.

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: April 21, 2015

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

THAT, the Mayor be and is hereby authorized to execute an "Amendment to Collective Bargaining Agreement" by and between the Mayor and City Council of Cumberland (City) and the United Food and Commercial Workers Local 1994 MCGEO (Union) to modify the Collective Bargaining Agreement between the City and Union applicable to the period from July 1, 2012, through June 30, 2015.

Brian K. Grim, Mayor

AMENDMENT TO COLLECTIVE BARGAINING AGREEMENT

THIS AMENDMENT TO COLLECTIVE BARGAINING AGREEMENT (“Amendment”) is made and executed this ___ day of _____ 2015, by and between the **Mayor and City Council of Cumberland**, a municipal corporation of the State of Maryland, hereinafter referred to as the “Employer”, and the **United Food and Commercial Workers Local 1994 MCGEO**, hereinafter referred to as the “Union”.

RECITALS:

WHEREAS, on or about March 26, 2013, the City and the Union entered into a collective bargaining agreement applicable to the period from July 1, 2012 through June 30, 2015 (the “Agreement”); and

WHEREAS, the parties have agreed to amend the Agreement in accordance with the following terms and conditions, which they deem to be in their respective best interests.

WITNESSETH:

NOW THEREFORE, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties to this Amendment, they hereby agree as follows:

1. Recitals. The Recitals set forth above are not merely prefatory. They are incorporated by reference in this Amendment and form a part of the same as though they were set forth in full herein.

2. Modifications to Agreement.

2.1. Amendment to Section 10.3(a). Effective as of and retroactive to December 1, 2014, Police Officers covered under the Agreement shall be compensated pursuant to the pay schedule located in Appendix 1 of this Amendment.

2.2. Amendment to Section 10.3(b). The parties agree to defer reopener negotiations for the third year of the Agreement until April of 2015, it being noted that the Employer has expressed doubt relative to the value of this provision given that the Agreement is set to expire on June 30, 2015.

2.3. Amendment to Section 17.1. Section 17.1 of the Agreement is deleted in its entirety and is replaced with the following language:

17.1 When a bargaining unit member is assigned to a unit that requires them to wear plain clothes, they shall be paid a \$500.00 clothing stipend in January and a separate \$500.00 clothing stipend

in July. The stipend payments shall be issued separately from payroll payments.

2.4. Bonus. For FY 2015, employees covered by the terms of the Agreement shall be paid a bonus equal to one percent (1%) of their annual salary, as stated in the Appendix 1 attached hereto, payable no later than thirty (30) days from the date of this Amendment.

2.5. Salary Survey. The City will complete a salary survey within six (6) months following the date of this Amendment. Government survey participants will be consistent with those utilized by the Employer for the September 5, 2013 survey performed by Hendricks & Associates, Inc. as to certain MIS and Public Works employees. The survey will be taken into consideration in future negotiations regarding wages and economics.

3. Effective Date. The effective date of this Agreement shall be the date and year first above written unless otherwise provided herein.

4. Limited Modification. Except as specifically modified by this Agreement, all terms and conditions of the Agreement remain unchanged, in full force and effect, and are hereby ratified and confirmed by the Employer and the Union.

5. February 20, 2015 Correspondence. The Employer notified the Union that the Agreement would not be renewed beyond June 30, 2015 by correspondence from the Employer's City Administrator to the Union's President dated February 20, 2015. The Union filed a grievance with respect to the matter. This Amendment has no affect upon the City's notification of nonrenewal or the Union's grievance.

6. Miscellaneous Provisions.

6.1. Invalidity. If any provision or part of any provision of this Amendment shall be found for any reason to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other sections or the remaining part of any effective section of this Amendment and this Amendment shall be construed as if such invalid, illegal or unenforceable provision or part thereof had never been contained herein, but only to the extent of its invalidity, illegality or unenforceability.

6.2. Binding Effect. This Amendment shall inure to the benefit of the parties hereto and it shall be binding upon their respective personal representatives, heirs, successors and assigns.

6.3. Captions. The captions and various sections and paragraphs of this Amendment have been inserted only for the purposes of convenience. Such captions are not a part of this Agreement and shall not be deemed in any manner to modify, explain, enlarge or restrict any of the provisions of this Amendment.

6.4. Construction of Agreement. This Amendment, having been executed in the State of Maryland, shall be construed, interpreted and enforced under the laws of the State of Maryland.

6.5. Entire Agreement. This Amendment constitutes and contains the entire agreement and understanding among the parties regarding its subject matter and may not be modified except in a subsequent writing signed by all of the parties hereto.

IN WITNESS WHEREOF, the Employer and Union acknowledge that this Amendment is their respective act and deed effective as of the date and year first above written and, in signing below, each of the signatories in their capacities as individuals certify under the penalties of perjury that they are duly authorized to execute this Amendment by their respective bodies on behalf of which they are signing.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

Marjorie A. Woodring,
City Clerk

By: _____
Brian K. Grim, Mayor

UNITED FOOD AND COMMERCIAL WORKERS UNION LOCAL 1994 MCGEO

By: _____
Gino Renne, President

**Appendix I
FY 2015**

Step	Entry	2	3	4	5	8	11	14	17	20	25
Sergeant	46,110	47,032	47,972	48,931	49,910	50,908	51,926	52,965	54,024	55,105	56,207
Corporal	42,575	43,426	44,295	45,180	46,084	47,006	47,947	48,906	49,884	50,882	51,902
Patrolman	36,300	37,027	37,767	38,522	39,293	40,059	40,881	41,701	42,532	43,383	44,250

Employees are to be compensated at each appropriate step on their anniversary date at the start of each designated longevity year.



Regular Council Agenda
April 21, 2015

Description

Order authorizing the execution of an "Assignment and Assumption of Agreement for Payment in Lieu of Taxes" by and between Hampstead Cumberland Arms Partners, L.P. and Hampstead Cumberland Arms Partners II, L.P., and consented to by the City, pertaining to the original PILOT agreement with Hampstead relative to the Cumberland Arms Apartments.

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: April 21, 2015

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

THAT, the Mayor be and is hereby authorized to execute an "Assignment and Assumption of Agreement for Payment in Lieu of Taxes" by and between Hampstead Cumberland Arms Partners, L.P. and Hampstead Cumberland Arms Partners II, L.P., and consented to by the Mayor and City Council of Cumberland, pertaining to the Agreement for Payment in Lieu of Taxes (PILOT) Agreement dated November 5, 2013 between the City and Hampstead Cumberland Arms Partners, L.P. , relative to the Cumberland Arms Apartments.

Brian K. Grim, Mayor

**ASSIGNMENT AND ASSUMPTION
OF AGREEMENT FOR PAYMENT IN LIEU OF TAXES**

THIS ASSIGNMENT AND ASSUMPTION OF AGREEMENT FOR PAYMENT IN LIEU OF TAXES (the "Assignment"), is made and entered into as of the ____ day of April, 2015, by and between Hampstead Cumberland Arms Partners, L.P., a Maryland limited partnership ("Assignor"), and Hampstead Cumberland Arms Partners II, L.P., a Maryland limited partnership ("Assignee"), and consented to by the Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland (the "City").

W I T N E S S E T H:

WHEREAS, Assignor and the Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, entered into that certain Agreement for Payment in Lieu of Taxes dated as of November 5, 2013 (the "Agreement") (a copy of the Agreement is attached hereto as Exhibit "A" and made a part hereof), with respect to certain tax payments relating to the property commonly known as Cumberland Arms Apartments (the "Property"); and

WHEREAS, Assignor desires to assign the Agreement to Assignee, and Assignee desires to assume the Agreement from Assignor.

NOW, THEREFORE, for and in consideration of the premises, Ten and No/100 Dollars (\$10.00) in hand paid by Assignee to Assignor, the mutual covenants contained herein and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, Assignor and Assignee do hereby agree as follows:

1. Assignment and Assumption. Pursuant to Section 6 of the Agreement, Assignor does hereby assign all of its right, title, and interest in and to, and obligations under, the Agreement to Assignee. Assignee does hereby accept the assignment and, for the benefit of Assignor, assume all obligations of Assignor under the Agreement.
2. Entire Agreement. This Assignment constitutes the entire agreement among the parties and supersedes any prior agreement or understanding among them respecting the subject matter of this Assignment.
3. Applicability. This Assignment shall be binding upon, and inure to the benefit of, the parties hereto and their respective heirs, executors or administrators, personal or legal representatives, members, authorized persons, successors and assigns.
4. Governing Law. This Assignment shall be governed by, interpreted and enforced in accordance with the laws of the State of Maryland (without regard to its provisions on choice-of-law or conflicts-of-law).
5. Counterparts. This Assignment may be executed in several counterparts, each of which shall constitute an original, and all of which together shall constitute one and the same instrument.

[SIGNATURES ON FOLLOWING PAGES]

[SIGNATURE PAGE TO ASSIGNMENT AND ASSUMPTION OF AGREEMENT FOR PAYMENT IN LIEU OF TAXES]

IN WITNESS WHEREOF, Assignor and Assignee have each caused this Assignment to be executed and delivered under seal, effective as of the day and year first above written.

ASSIGNOR:
HAMPSTEAD CUMBERLAND ARMS PARTNERS, L.P., a Maryland limited partnership

By: Hampstead Cumberland II, LLC, a Maryland limited liability company, its General Partner

By: The Hampstead Group, Inc., a California corporation, its Sole Member

By: _____
Greg Gossard
Secretary

ASSIGNEE:
HAMPSTEAD CUMBERLAND ARMS PARTNERS, L.P., a Maryland limited partnership

By: Hampstead Arms II, LLC, a Maryland limited liability company, managing general partner

By: Hampstead Partners, Inc., a California corporation, its Member

By: _____
Greg Gossard
Secretary

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO ASSIGNMENT AND ASSUMPTION OF
AGREEMENT FOR PAYMENT IN LIEU OF TAXES]

The undersigned consents to the assignment of the Agreement identified in the foregoing Assignment in the manner effected by the said Assignment.

MAYOR AND CITY COUNCIL OF CUMBERLAND

_____(SEAL)
Brian K. Grim, Mayor

ATTEST:

City Clerk

EXHIBIT "A"

Exhibit A

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES ("Agreement") is made and executed in duplicate this 5th day of November, 2013 (the "Effective Date"), by and between the **MAYOR AND CITY COUNCIL OF CUMBERLAND**, a municipal corporation of the State of Maryland (the "City"), and **HAMPSTEAD CUMBERLAND ARMS PARTNERS, L.P.**, a Maryland limited partnership (the "Owner").

RECITALS:

WHEREAS, the City recognizes the significant need for decent, safe and sanitary housing in Cumberland for people with low or limited income.

WHEREAS, the Owner purchased a parcel of real property at 64 Baltimore Street, Cumberland, Allegany County, Maryland, (Tax ID Nos. 14-003177 and 14-003169, more particularly described in the deed recorded among the Land Records of Allegany County, Maryland in Deed Book 1989, Page 123) which it is currently operating as a rental housing facility comprised of sixty-nine (69) units, known as Cumberland Arms Apartments (the "Project"), all or a portion of which assists individuals of lower limited income; and

WHEREAS, the general partner of the Owner is a wholly owned subsidiary of The Hampstead Group, Inc., (the "Developer"), which is the developer for the rehabilitation of the Project using federal and state low income housing tax credits and federal and state historic tax credits.

WHEREAS, the Owner intends to sell the Project to a limited partnership affiliate of the Owner in which the Developer or a wholly owned subsidiary of the Developer will be the managing general partner;

WHEREAS, the Department of Housing and Community Development of the State of Maryland is also expected to provide financing for the development of the Project in order to assist in making it financially feasible;

WHEREAS, the Project is subject to real property taxes pursuant to the laws of the State of Maryland and payable to the City;

WHEREAS, City, Owner and Developer have reached an agreement whereby the Owner (or a successor entity to which it will sell the Project and of which an affiliate of Developer is the general partner), shall pay a negotiated amount in lieu of applicable City real property taxes to City as authorized by Section 7-505 of the Tax Property Article of the Annotated Code of Maryland; and

WHEREAS, the parties hereto deem the entry into this Agreement to be in their respective best interests.

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, terms and agreements hereof and pursuant to the power and authority of said Section 7-505, the parties hereto agree as follows:

1. The Recitals set forth above are not merely prefatory. They are incorporated by reference in and form a part of this Agreement as though they were set forth in full herein.
2. The Owner shall pay to the City in lieu of taxes a sum equal to \$48,839.30 (as increased annually by the Consumer Price Index for All Urban Consumers ("CPI U"), the "Annual Payment") for the term of this Agreement, which amount represents the amount of real property taxes owed to the City for the Project, as calculated applying the City's real property tax rate to the assessment determined

by the Department of Assessments and Taxation for the tax year 2013.¹ The intent of the parties is to make static the amount of tax payments owed during the term of this Agreement to the level owed in tax year 2013, subject only to annual increases (but not decreases) equal to CPI U for each year after the first year hereof. The payments to be made by the Owner to the City, provided for herein with respect to the Project, shall be made by the Owner and accepted by the City only as long as: (1) the Project shall be owned and used for the provision of rental housing and “service facilities” as permitted by the said Section 7-505, as amended from time to time; (2) the Owner, in all respects, complies with and satisfies the requirements of Section 7-505 of the Tax Property Article of the Annotated Code of Maryland, as amended from time to time, pursuant to which the City is authorized to enter into an agreement for the payment of negotiated sums in lieu of taxes, and complies with all of its obligations under the terms of this Agreement; and (3) from time to time, upon the request of the City, the Owner provides the City or its authorized representative, all financial and other information required by the City in order to ensure the full and complete compliance with the terms of this Agreement and applicable law. Upon the termination or expiration of this Agreement, full taxes shall be paid based upon the assessed value of the properties comprising the Project and the applicable property rate in effect as such time.

3. It is expected that the Board of County Commissioners for Allegany County, Maryland (the “County”) will be entering into an agreement for a payment in lieu of taxes with the Owner and/or Developer which will be similar to this Agreement and which will relate to the same property as this Agreement. In consideration of the Agreement to make the foregoing payments, the City agrees, pursuant to Section 7-505 of the Tax Property Article of the Annotated Code of Maryland, that, for the term of this Agreement, the Owner and Developer shall have no further liability for any and all applicable City real property taxes in connection

¹ Acct. No. 14-003177 is assessed for \$3,386,500.00 and 14-003169 is assessed for \$49,500.00. At the City tax rate of .9654 per \$100.00 is assessed value, the taxes due would be \$33,171.14. Additionally, the property is located in the primary DDC district subject to a special tax at the rate of .456 per \$100.00 is assessed value which adds \$15,668.16. The total amount of the payment in lieu of taxes is based upon the 2013 City real estate and special taxing district taxes.

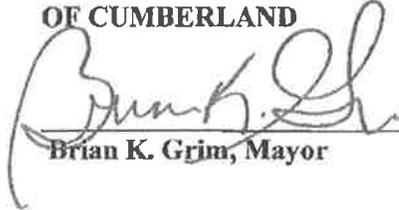
with the properties comprising the Project beyond the obligations undertaken herein.

4. The accommodations provided to the Owner under the terms of Section 2 of this Agreement shall be provided commencing upon the first day of the first tax period after the Effective Date and continuing for a term of seventeen (17) years.
5. This Agreement shall be subject to all applicable federal, state and municipal laws and regulations relative to its subject matter.
6. This Agreement shall not be subject to assignment without the written consent of the City; provided, however, no consent shall be required if the assignment is to a limited partnership of which the Developer or its wholly owned affiliate is the general partner. Upon such permitted assignment, "Owner" shall mean the limited partnership of which Developer or its wholly owned affiliate remains a general partner.
7. This Agreement shall be interpreted in accordance with the laws of the State of Maryland, and any action to enforce this Agreement shall be brought to the Circuit Court for Allegany County, Maryland.
8. This Agreement constitutes the full and complete agreement among the parties, and no amendments thereto shall be valid, except in writing and duly approved and executed by the parties.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the parties acknowledge that this Agreement is their act and that they have executed it under seal the day and year first above written.

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

 (SEAL)
Brian K. Grim, Mayor

ATTEST:

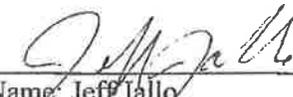


City Clerk

**HAMPSTEAD CUMBERLAND ARMS PARTNERS, L.P.,
a Maryland limited partnership**

By: Hampstead Cumberland II, LLC,
a Maryland limited liability company,
its General Partner

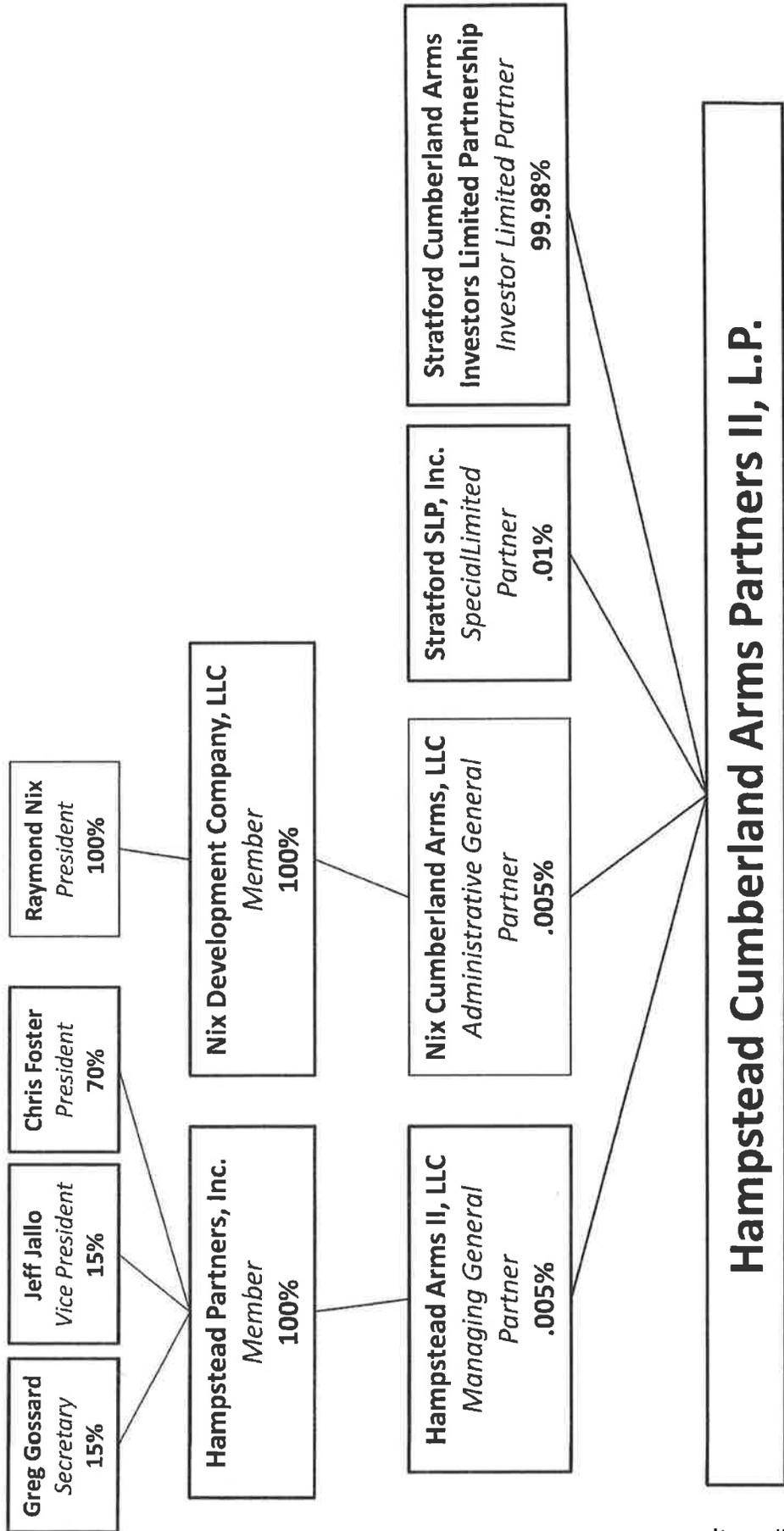
By: The Hampstead Group, Inc.,
a California corporation,
its Sole Member

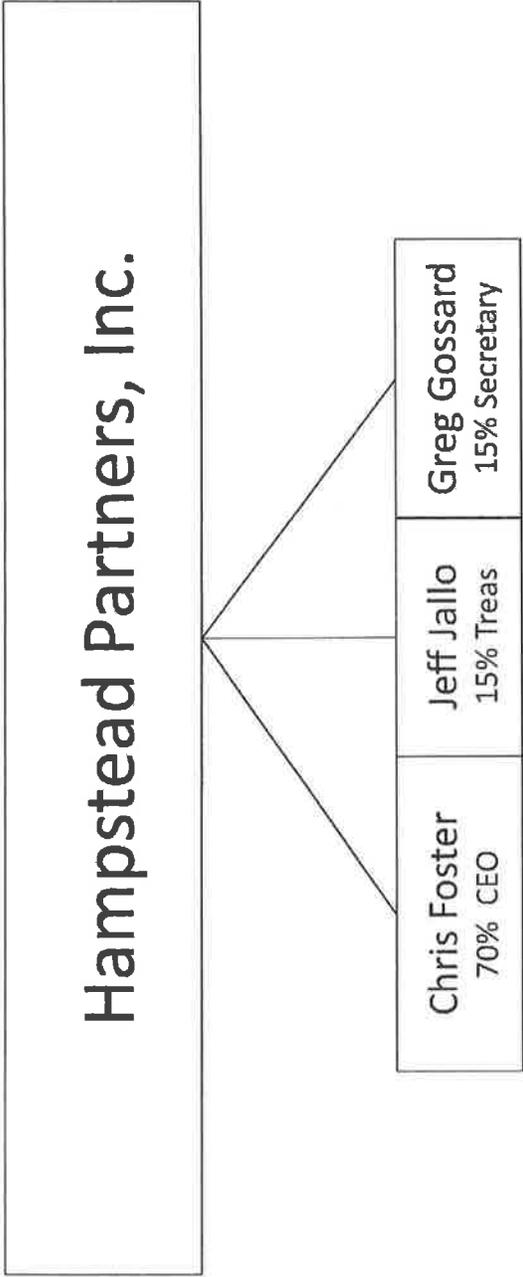
BY:  (SEAL)
Name: Jeff Jallo
Title: Vice-President

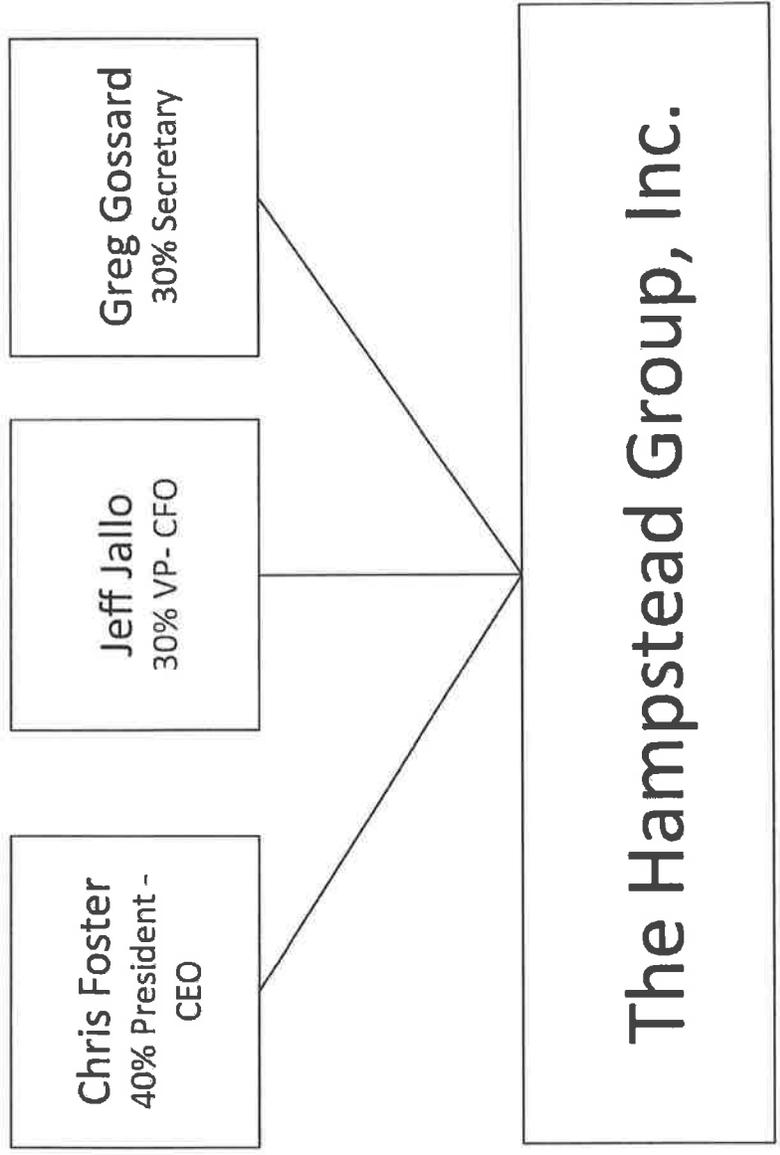
WITNESS:



The Hampstead Group, Inc
Developer/Guarantor









Patrick Harper
patrick@hampstead.com
 (240) 800-3986

April 10, 2015

VIA EMAIL

Mr. Jeffrey Rhodes
 City of Cumberland
 57 N. Liberty St.
 Cumberland, MD 21502

Re: Request for Consent to Assignment of Agreement for Payment in Lieu of Taxes by and between the Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland (the "City") and Hampstead Cumberland Arms Partners, L.P. ("Hampstead") dated as of November 5, 2013 (the "PILOT Agreement")

Dear Mr. Rhodes:

As we discussed, on behalf of The Hampstead Companies, I am writing you to formally request the consent of the City to an assignment of the PILOT Agreement (a copy of which, together with the Assignment and Assumption, is attached hereto). As you may recall, Hampstead Cumberland Arms Partners, L.P. acquired the apartment complex consisting of 69 units of senior affordable housing and the commercial retail space located at 10 N. Liberty Street, Cumberland, Maryland in July 2013.

Paragraph 6 of the PILOT Agreement contemplated an assignment of this type to a new limited partnership in preparation for the upcoming tax credit closing. Paragraph 6 states that the consent of the City is not required "if the assignment is to a limited partnership of which the Developer or its wholly owned affiliate is the general partner." As you can see from the attached organizational chart, Hampstead Cumberland Arms Partners II, L.P., the purchaser/assignee, consists of two general partners. The managing general partner is Hampstead Arms II, LLC, which is wholly owned by Hampstead Partners, Inc. Hampstead Partners, Inc. is not a wholly owned affiliate of the Developer, however, it is owned by the same three shareholders/principals as the Developer (the organizational charts of Hampstead Partners, Inc. and The Hampstead Group, Inc. (the Developer) are attached hereto).

I have attached the Assignment and Assumption of Agreement for Payment In Lieu of Taxes executed by the Hampstead entities. If it is acceptable, I would be happy to swing by and pick up the Assignment after it has been executed by the City. Please let me know a date and time that would be convenient for you. If you have any questions, please do not hesitate to contact me at the above referenced number or on my cell phone at (301) 379-9614.

Sincerely,

Patrick Harper
 Asset Manager



Regular Council Agenda
April 21, 2015

Description

Order accepting the sole source proposal from Skyline Technology Solutions to provide material and labor for the construction of MD Department of IT OMBN fiber to the Municipal Service Center and Wastewater Treatment Plant in an amount not to exceed \$76,639.61, in conjunction with Allegany County Public School's fiber extension project for John Humbird Elementary School.

Approval, Acceptance / Recommendation

The MIS Department requests approval for a sole source purchase from Skyline Technology Solutions for labor and materials to construct Maryland Department of IT OMBN fiber to the City's Municipal Service Center and Wastewater Treatment Plant. The price quotes are based on building a 48 count fiber backbone in conjunction with an Allegany County Public Schools project extending fiber to John Humbird School.

Cost:	
Municipal Service Center	\$28,112.53
Waste Water Treatment Plant	\$48,527.08
Total	\$76,639.61

Jeff Rhodes provided approval for a sole source purchase due to the Allegany County Board of Education's arrangement with the provider.

Amount is to be charged to 001.033.64000 as part of the 2014 CDA Bond.

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: April 21, 2015**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

THAT the sole source proposal from Skyline Technology Solutions, 6956 Aviation Blvd., Suite F, Glen Burnie, MD 21061, to provide labor and materials to construct MD Department of IT OMBN fiber to the Municipal Service Center and the Wastewater Treatment Plant in an amount not to exceed Seventy-six Thousand, Six Hundred Thirty-nine Dollars and Sixty-one Cents (\$76,639.61), be and is hereby accepted; and

BE IT FURTHER ORDERED, that this pricing is provided in conjunction with the Allegany County Public Schools project to extend fiber to John Humbird Elementary School.

Mayor Brian K. Grim

Funding:
2014 CDA Bond 001.033.64000

**Skyline Technology Solutions**

6956 Aviation Blvd., Suite F
 Glen Burnie, MD 21061
 Phone: (410) 553-2600
 Fax: (410) 787-2551

QUOTATION

Quote No. Q0001780
 Customer ID CITY OF CU
 Quote Date 4/14/2015
 Buyer
 Project Name Municipal Srvc. Ctr

BILL TO:	SHIP TO:
City of Cumberland 57 North Liberty Street Cumberland, MD 21502	City of Cumberland 57 North Liberty Street Cumberland, MD 21502

F.O.B. POINT	SHIP VIA	ORDERED BY

QUOTE DATE	TERMS	SALES PERSON	EXPIRATION DATE
4/14/2015	Net 30 Days	John Eichhorn	4/13/2016

PART NUMBER	QUANTITY	UNITS	M.S.R.P.	UNIT PRICE	DISC %	EXTENDED PRICE
MISC JOB MATERIALS	1.00	EA	0.00	2,752.5300	0.00	2,752.53
Misc. Job Materials						
Notes:						
PROJECT MANAGER	6.00	EA	0.00	140.0000	0.00	840.00
Project Manager						
Notes:						
SR. NETWORK ENGINEER	8.00	EA	0.00	130.0000	0.00	1,040.00
Senior Network Engineer						
Notes:						
JR. NETWORK ENGINEER	16.00	EA	0.00	110.0000	0.00	1,760.00
Jr. Network Engineer						
Notes:						
OUTSIDE PLANT ENG	68.00	EA	0.00	110.0000	0.00	7,480.00
Outside Plant Engineer						
Notes:						
OUTSIDE PLANT TECH	30.00	EA	0.00	90.0000	0.00	2,700.00
Outside Plant Technician						
Notes:						
FIBER OPTIC LINE TEC	24.00	EA	0.00	160.0000	0.00	3,840.00
Fiber Optic Line Technician/Splicer						
Notes:						

Continued
 Item # 14



Skyline Technology Solutions

6956 Aviation Blvd., Suite F
 Glen Burnie, MD 21061
 Phone: (410) 553-2600
 Fax: (410) 787-2551

QUOTATION

Quote No. Q0001780
 Customer ID CITY OF CU
 Quote Date 4/14/2015
 Buyer
 Project Name Municipal Srvc. Ctr

BILL TO:	SHIP TO:
City of Cumberland 57 North Liberty Street Cumberland, MD 21502	City of Cumberland 57 North Liberty Street Cumberland, MD 21502

F.O.B. POINT	SHIP VIA	ORDERED BY

QUOTE DATE	TERMS	SALES PERSON	EXPIRATION DATE
4/14/2015	Net 30 Days	John Eichhorn	4/13/2016

PART NUMBER	QUANTITY	UNITS	M.S.R.P.	UNIT PRICE	DISC %	EXTENDED PRICE
STRUCTURE CABLE TECH	20.00	EA	0.00	60.0000	0.00	1,200.00

Structured Cable Tech

Notes: Provide OSP (Outside Plant) engineering and aerial fiber construction services to construct approximately .39 aerial miles of one (1) aerial 12 count single mode fiber and one (1) and .10 miles of underground & ISP 12 count single mode fiber.

Splice and test one 12 count fiber DoIT OMBN Fiber backbone splice point in proximity to Virginia Avenue and E. Offutt Street and splice and terminate (1) 12 ct. rack mount term. panel data room.

Test fiber link to NWMD Museum POP and provide the test documentation to the District of Cumberland IT Dept.

Engineer & secure Utility pole attachment permits for aerial construction route (5 to 6 month Utility Company engineering make ready process on average.

Skyline Quote includes anticipated First Energy & Verizon new pole application and Utility make ready costs.

I recommend budgeting \$6,500 for District of Cumberland budgeting purposes (6 new pole attachments requiring new utility pole applications and make ready). (includes First Energy Application Fee & Verizon Engineering Fees).

This estimate is based on previous per mile average for New Utility Pole Application submission and make ready costs in Allegany County during the OMBN Stimulus fiber project pursuant to Verizon & First Energy.

MISC JOB MATERIALS	1.00	EA	0.00	6,500.0000	0.00	6,500.00
--------------------	------	----	------	------------	------	----------

Misc. Job Materials

Notes: Utility Company Pole Application & Make Ready Costs



Skyline Technology Solutions

6956 Aviation Blvd., Suite F
 Glen Burnie, MD 21061
 Phone: (410) 553-2600
 Fax: (410) 787-2551

QUOTATION

Quote No. Q0001780
 Customer ID CITY OF CU
 Quote Date 4/14/2015
 Buyer
 Project Name Municipal Srvc. Ctr

BILL TO: City of Cumberland 57 North Liberty Street Cumberland, MD 21502	SHIP TO: City of Cumberland 57 North Liberty Street Cumberland, MD 21502
--	--

F.O.B. POINT	SHIP VIA	ORDERED BY	
QUOTE DATE	TERMS	SALES PERSON	EXPIRATION DATE
4/14/2015	Net 30 Days	John Eichhorn	4/13/2016
PART NUMBER	QUANTITY	UNITS	M.S.R.P.
		UNIT PRICE	DISC %
			EXTENDED PRICE

Prices subject to change- we shall not be liable for any loss of profits, business, goodwill, data, interruption of business, nor for incidental or consequential warranty of merchantability or fitness for a particular purpose, and damages related to this agreement. Minimum 20% restocking fee with original packaging .

Make Purchase Orders to:

Skyline Technology Solutions
 6956 Aviation Blvd., Suite F
 Glen Burnie, MD 21061
 410.553.2600 FAX 410.787.2551

Order Instructions

Please Include the Following Information on your PO:

Customer Address and Email
 Ship to Address and Contact Name
 Invoice Name and Address
 PO Number
 Quantities and Part Numbers
 Order Date
 Chassis Serial #(s) - Maintenance Requests
 F.O.B. = Origin

Vendor Authorization:

Contract Vehicle

CCPN RFP# 49-F-2-13.14

Total	28,112.53
Total Misc. Charges	0.00
Sales Tax	0.00
TOTAL	28,112.53

Item # 14

**Skyline Technology Solutions**

6956 Aviation Blvd., Suite F
 Glen Burnie, MD 21061
 Phone: (410) 553-2600
 Fax: (410) 787-2551

QUOTATION

Quote No. Q0001779
 Customer ID CITY OF CU
 Quote Date 4/14/2015
 Buyer
 Project Name Wastewater Plant

BILL TO:	SHIP TO:
City of Cumberland 57 North Liberty Street Cumberland, MD 21502	City of Cumberland 57 North Liberty Street Cumberland, MD 21502

F.O.B. POINT	SHIP VIA	ORDERED BY

QUOTE DATE	TERMS	SALES PERSON	EXPIRATION DATE
4/14/2015	Net 30 Days	John Eichhorn	4/13/2016

PART NUMBER	QUANTITY	UNITS	M.S.R.P.	UNIT PRICE	DISC %	EXTENDED PRICE
MISC JOB MATERIALS	1.00	EA	0.00	4,117.0800	0.00	4,117.08
Misc. Job Materials						
Notes:						
PROJECT MANAGER	8.00	EA	0.00	140.0000	0.00	1,120.00
Project Manager						
Notes:						
SR. NETWORK ENGINEER	12.00	EA	0.00	130.0000	0.00	1,560.00
Senior Network Engineer						
Notes:						
JR. NETWORK ENGINEER	24.00	EA	0.00	110.0000	0.00	2,640.00
Jr. Network Engineer						
Notes:						
OUTSIDE PLANT ENG	103.00	EA	0.00	110.0000	0.00	11,330.00
Outside Plant Engineer						
Notes:						
OUTSIDE PLANT TECH	32.00	EA	0.00	90.0000	0.00	2,880.00
Outside Plant Technician						
Notes:						
FIBER OPTIC LINE TEC	28.00	EA	0.00	160.0000	0.00	4,480.00
Fiber Optic Line Technician/Splicer						
Notes:						

Continued
 Item # 14



Skyline Technology Solutions

6956 Aviation Blvd., Suite F
 Glen Burnie, MD 21061
 Phone: (410) 553-2600
 Fax: (410) 787-2551

QUOTATION

Quote No. Q0001779
 Customer ID CITY OF CU
 Quote Date 4/14/2015
 Buyer
 Project Name Wastewater Plant

BILL TO:	SHIP TO:
City of Cumberland 57 North Liberty Street Cumberland, MD 21502	City of Cumberland 57 North Liberty Street Cumberland, MD 21502

F.O.B. POINT	SHIP VIA	ORDERED BY

QUOTE DATE	TERMS	SALES PERSON	EXPIRATION DATE
4/14/2015	Net 30 Days	John Eichhorn	4/13/2016

PART NUMBER	QUANTITY	UNITS	M.S.R.P.	UNIT PRICE	DISC %	EXTENDED PRICE
STRUCTURE CABLE TECH	40.00	EA	0.00	60.0000	0.00	2,400.00

Structured Cable Tech

Notes: Provide OSP (Outside Plant) engineering and aerial fiber construction services to construct approximately .53 new aerial miles and .17 new underground miles of 12 count single mode fiber through five (5) existing manholes, fiber install ISP 12 count single mode fiber. Total miles : .70 miles.

Splice and test one 12 count fiber DoIT OMBN Fiber backbone splice point in proximity to Virginia Avenue and E. Offutt Street and splice and terminate (1) 12 ct. rack mount term. panel data room.

Test fiber link to NWMD Museum POP and provide the test documentation to the District of Cumberland IT Dept.

Engineer & secure Utility pole attachment permits for aerial construction route (5 to 6 month Utility Company engineering make ready process on average.

Skyline Quote includes anticipated First Energy & Verizon new pole application and Utility make ready costs.

I recommend budgeting \$18,000 for District of Cumberland new utility pole attachment budgeting purposes (18 new pole attachments @ \$1,000 each requiring new utility pole applications).
 (includes First Energy Application Fee & Verizon Engineering Fees).

Exclusions: The field survey that Skyline conducted with Terry Boutwell, Central Services Coordinator, during the first week of December indicated that a new, 35 foot class 4 utility pole will need to be installed near the manhole system on the County property approximately 150 feet from the last telco pole. The Customer will need to install the utility pole, or cover the costs for contractor to furnish and install the utility pole.

MISC JOB MATERIALS	1.00	EA	0.00	18,000.0000	0.00	18,000.00
--------------------	------	----	------	-------------	------	-----------

Misc. Job Materials

Notes: Utility Company Pole Application & Make Ready Costs



Skyline Technology Solutions

6956 Aviation Blvd., Suite F
 Glen Burnie, MD 21061
 Phone: (410) 553-2600
 Fax: (410) 787-2551

QUOTATION

Quote No. Q0001779
 Customer ID CITY OF CU
 Quote Date 4/14/2015
 Buyer
 Project Name Wastewater Plant

BILL TO: City of Cumberland 57 North Liberty Street Cumberland, MD 21502	SHIP TO: City of Cumberland 57 North Liberty Street Cumberland, MD 21502
--	--

F.O.B. POINT	SHIP VIA	ORDERED BY				
QUOTE DATE	TERMS	SALES PERSON	EXPIRATION DATE			
4/14/2015	Net 30 Days	John Eichhorn	4/13/2016			
PART NUMBER	QUANTITY	UNITS	M.S.R.P.	UNIT PRICE	DISC %	EXTENDED PRICE

Prices subject to change- we shall not be liable for any loss of profits, business, goodwill, data, interruption of business, nor for incidental or consequential warranty of merchantability or fitness for a particular purpose, and damages related to this agreement. Minimum 20% restocking fee with original packaging .

Make Purchase Orders to:

Skyline Technology Solutions
 6956 Aviation Blvd., Suite F
 Glen Burnie, MD 21061
 410.553.2600 FAX 410.787.2551

Order Instructions

Please Include the Following Information on your PO:

Customer Address and Email
 Ship to Address and Contact Name
 Invoice Name and Address
 PO Number
 Quantities and Part Numbers
 Order Date
 Chassis Serial #(s) - Maintenance Requests
 F.O.B. = Origin

Vendor Authorization:

Contract Vehicle

CCPN-RFP#49-F-2-13.14

Total	48,527.08
Total Misc. Charges	0.00
Sales Tax	0.00
TOTAL	48,527.08

Item # 14



Margie Woodring <margie.woodring@cumberlandmd.gov>

Sole source for state fiber connectivity to Service Center/WWTP

1 message

Johnna Byers <johnna.byers@cumberlandmd.gov>

Tue, Apr 14, 2015 at 1:59 PM

To: Margie Woodring <margie.woodring@cumberlandmd.gov>

MIS requests approval for a sole source purchase from Skyline Technology Solutions for labor and materials to construct Maryland Department of IT OMBN fiber to the city's municipal service center and wastewater treatment plant. The price quotes are based on building a 48 count fiber backbone in conjunction with an Allegany County Public Schools project extending fiber to John Humbird School.

Cost:	
Municipal Service Center	\$28,112.53
Wastewater Plant	\$48,527.08
Total	\$76,639.61

Amount is to be charged to 001.033.64000 as part of the 2014 CDA Bond.

I will forward the email from Jeff indicating sole source approval.

Thanks,
Johnna

2 attachments

-  **Skyline Q0001779- City of Cumberland Wastewater Plant.pdf**
66K
-  **Skyline Q0001780- City of Cumberland Municipal Service Center.pdf**
66K



Margie Woodring <margie.woodring@cumberlandmd.gov>

Fwd: Fiber to John Humbird School - city WWTP - city service center

1 message

Johnna Byers <johnna.byers@cumberlandmd.gov>
To: Margie Woodring <margie.woodring@cumberlandmd.gov>

Tue, Apr 14, 2015 at 1:59 PM

----- Forwarded message -----

From: **Jeff Rhodes** <jeff.rhodes@cumberlandmd.gov>
Date: Thu, Apr 9, 2015 at 8:44 PM
Subject: Re: Fiber to John Humbird School - city WWTP - city service center
To: Johnna Byers <johnna.byers@cumberlandmd.gov>

Primarily identify the funding and then prepare a Council Order as a sole source due to the BOE arrangement with the provider.

On Thursday, April 9, 2015, Johnna Byers <johnna.byers@cumberlandmd.gov> wrote:

Jeff,

Nil Grove, ACPS, just "unofficially" notified us that the grant funding for state fiber to John Humbird school was approved.

Once she receives the official grant award, she will be issuing a purchase order to Skyline to begin construction on the fiber. The city should issue a PO to Skyline at the same time so that they can do all of the work while they are here. (decreased costs)

I can send you up the pricing I have from Skyline to run fiber to WWTP and the service center. What do we need to do to proceed with this process?

Thanks,

Johnna



Jeffrey D. Rhodes, ICMA-CM
City Administrator
City of Cumberland, Maryland

301-759-6424
jeff.rhodes@cumberlandmd.gov

Item # 14



Regular Council Agenda
April 21, 2015

Description

Order lifting the provisions of Section 11-113 of the City Code to allow open containers of alcohol on the Downtown Mall between Centre and Liberty Streets and an extended walkway to 49 Baltimore Street for designated dates throughout the summer, with the exception that open glass containers shall not be permitted in the defined area.

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: April 21, 2015

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

THAT the provisions of Section 11-113 of the City Code, entitled "Open Containers of Alcohol," be and are hereby lifted on the following Fridays in 2015: May 29; June 5, 19, and 26; July 3, 10, 17, 24; and August 7, 14, 21, 28; on Saturday, June 6, 2015, and Wednesday, May 20, 2015, from 5:00 P.M. until 10:00 P.M. within the designated area on the Downtown Mall (Baltimore Street) between Centre and Liberty Streets with an extended walkway extending to 49 Baltimore Street, as shown on the attached map.

NOTWITHSTANDING THE FOREGOING, open glass containers shall not be permitted in the area defined above and Section 11-113 (a) of the City Code shall remain in force and effect as to glass open containers of alcoholic beverages in that area.

Brian K. Grim, Mayor

C U M B E R L A N D
D O W N T O W N D E V E L O P M E N T C O M M I S S I O N
A Main Street Maryland Community

April 14, 2015

Mayor & Council
City of Cumberland
City Hall, 57 N. Liberty Street
Cumberland, MD 21502

Dear Mayor & Council:

On behalf of the Downtown Development Commission, I would like to respectfully request the following:

- The alcohol open container area be extended on
 - (12) Fridays: May 29, June 5, 19, 26, July 3, 10, 17, 24, August 7, 14, 21, 28
 - (1) Saturday: June 6 for Cumberland Comes Alive Event
 - (1) Wednesday: May 20 for Bluegrass on the Bricks
from 5:00 pm until 10:00 pm in the area represented by blue on the map.

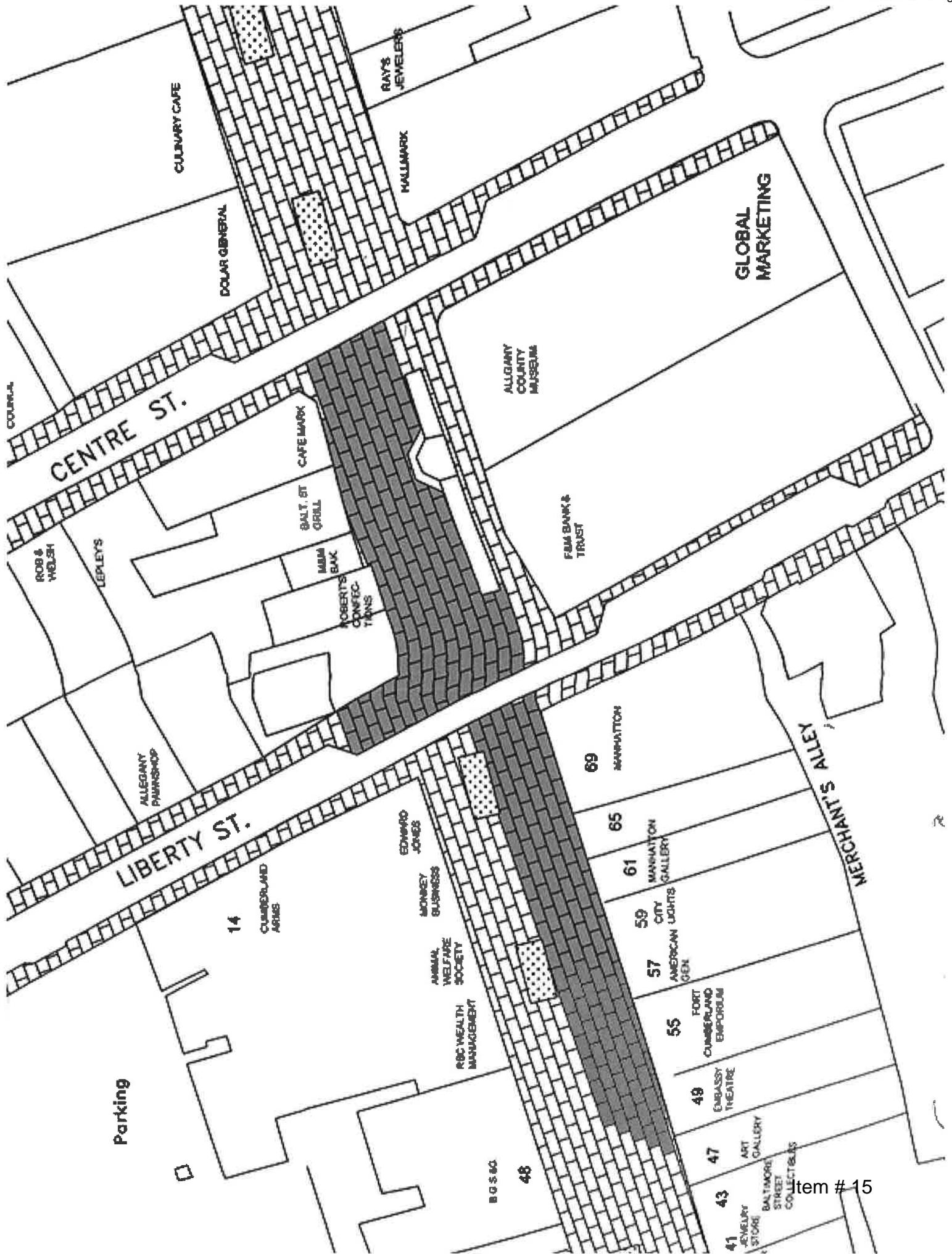
We will require all open containers must be in plastic or aluminum.

This request is made in cooperation and with guidance from Chief Hinnant and Captain Leake of the Cumberland City Police Department.

The goal of this commission is to create a positive experience in downtown and this request would enhance the entertainment experience.

Respectfully,

Steven Leyh
Downtown Promotions Director





Regular Council Agenda
April 21, 2015

Description

Order accepting the bid of Here at Home, Inc. to provide services for the operation of the concession stand at Constitution Park for the 2015 Season in the base amount of \$1,250 plus 3% of the gross sales; authorizing execution of a contract for the services; and authorizing the option for two additional 1-year terms upon mutual consent.

Approval, Acceptance / Recommendation

The Department of Parks and Recreation recommends accepting the bid from Here at Home to provide services for the operation of the concession stand at Constitution Park for the 2014 Season. No other bids were received.

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: April 21, 2015**ORDERED, By the Mayor and City Council of Cumberland, Maryland,**

THAT, the bid of Here at Home, Inc., 4599 Chestnut Ridge Road, Grantsville, MD 21536, to provide services for the operation of the Concession Stand at Constitution Park Pool for the base amount of One Thousand Two Hundred Fifty Dollars (\$1,250.00) plus three percent (3%) of the gross sales for the period; and

BE IT FURTHER ORDERED, that no other bids were received for these services; and

BE IT FURTHER ORDERED, that the Mayor be and is hereby authorized to execute a Concession License Agreement by and between the Mayor and City Council of Cumberland and Here at Home, Inc., detailing the provision of these services; and

BE IT FURTHER ORDERED, that the services shall be provided for the 2015 operating season, as defined by the contract, and shall be renewable for two (2) additional years upon mutual consent of both parties.

Brian K. Grim, Mayor

Bids:

Here at Home, Inc.	\$1,250.00	3%
--------------------	------------	----

Fund:

General Fund / Parks and Rec Department

Bid Sheet

**BID FOR THE OPERATION OF THE CONCESSION STAND AT
CONSTITUTION PARK POOL**

Tentative Hours of Operation and other specific activities:

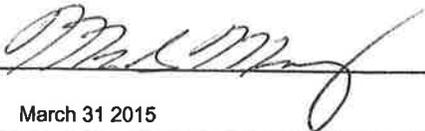
As outlined in bid packet page 4 of 9
Any other scheduled activities on park grounds

Total Amount of Base Bid: 1,250.00, Plus

Total Percent of Gross Sales 3 percent

Bidders Name, Address, Phone and email (Please print):

Here at Home Inc. 501(c)(3)
4599 Chestnut Ridge Rd., Grantsville MD 21536
(301) 676-3638
marvinmurphy@hereathomeinc.org
www.hereathomeinc.org

Signature: 
Date: March 31 2015

SPECIFICATIONS FOR OPERATION OF CONCESSION STAND AT CONSTITUTION PARK POOL

THE LESSEE AGREES:

1. To operate said concession for the 2015 Season during the following periods:
 - From approximately Memorial Day through Labor Day.
 - All days that the park pool is in operation; swimming is normally scheduled seven days a week.
 - During the time of scheduled swimming or pool activities.
2. To sell at reasonable prices such commodities that are usually sold at such concessions, including soft drinks, ice cream, coffee, potato chips, sandwiches, candy, etc., but in no circumstances to sell any beers, wines, or intoxicating liquors. All liquids must be served in paper cups.
3. To pay all State and local license fees and sales and other taxes as fixed by the statute for the operation of such business. This includes "a permit to operate a food service facility" from the Allegany Count Health Department, Environmental Health Division.
4. To keep accurate true and fully itemized accounts and records of all receipts costs and expenditures directly involved in the operation of said concession and to make these accounts and records available at all reasonable times for inspection by the Recreation Board or the Director of Parks and Recreation.
5. To confine all signs and advertising material to the inside of the concession stand and to display no signs or advertisements except those which name flavors of ice cream, kinds of sandwiches, flavors of soft drinks, etc.
6. To operate no loud radios or voice amplifying equipment.
7. To keep the premises in a clean and sanitary condition at all times. Any equipment if provided by the City shall be cleaned according to manufacturer's recommendations or as directed by the Recreation Department.
8. To conduct said concession in an attractive and orderly manner.
9. To employ at his own expense such help and labor as may be necessary to operate said concession in accordance herewith and to leave the premises in as good repair and condition as found, or failing to do so, to make prompt restitution to the City for any and all damages done by him or his employees to City property.
10. To be subject to such rules and regulations as the Lessor has established or may hereafter establish for the use of said recreation area by the general public.

11. To vacate said premises and remove his property with fifteen (15) days after termination of this agreement.
12. The lease agreement for operation of this concession may be terminated either for failure to carry out its provisions upon 15 days written notice to the Lessee, or for unsuccessful operation of the concession upon 15 days written notice to the City.
13. The Lessee, at the discretion of the City, shall have the option of leasing this property annually under such terms and conditions as the City may from time to time impose for a period of two (2) additional years. The City of Cumberland reserves the right to renew without bid to successful operators, the operation of the concession stand in future years.
14. Prior to the start of operation of the concession, the Lessee shall supply to the City a price list of all items for sale to the public.
15. Fees to be paid by the Lessee shall be paid at the Cumberland Parks and Recreation Department Office.
16. Prior to the start of operation of the concession, the Lessee shall provide a Certificate of Insurance to the City indicating that the Lessee carries:
 - Commercial General Liability Insurance not less than a Combined Single Limit for Bodily Injury, Property Damage, and Personal Injury Liability of \$300,000 per occurrence and \$300,000 aggregate;
 - Commercial Workers Compensation – Statutory

The Certificate of Insurance will name the **“Mayor and City Council of Cumberland”** as an additional insured and will include an endorsement requiring the insurer to provide the City with no less than thirty (30) days advance notice of its cancellation.

For additional information contact:

Diane Johnson, Director Parks & Recreation, City of Cumberland
57 N. Liberty Street (Lower Level)
City Hall, Cumberland, MD 21502
301-759-6636
diane.johnson@cumberlandmd.gov

Office hours are 8:00 a.m. to 4:00 p.m., Monday – Friday.

TENTATIVE SCHEDULING INFORMATION – CONSTITUTION PARK POOL

Concession Stand should be open during the regular operation of the park pool

- **Daily 12:00 noon – 7:00 p.m. – May, June & July**
- **Daily 12:00 noon – 6:00 p.m. August & September**
- **Approximate season: Memorial Day to Labor Day – Weekends only while public school is in session**
- **Special events at the pool – Movie Night, Pool parties, other**

- **Optional – Sunday evening concerts at the Amphitheater Memorial Day to Labor Day, July 4th Firework celebration with special location.**



Regular Council Agenda
April 21, 2015

Description

Order declaring a 2001 Chevrolet Pickup Truck (VIN: 1GCCS19W418203013) to be surplus equipment and authorizing its trade-in to Timbrook Automotive.

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: April 21, 2015**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

THAT the Mayor and City Council of Cumberland is the record owner of a 2001 Chevrolet Pickup Truck; and

WHEREAS, the Mayor and City Council have determined said vehicle to be surplus equipment;

IT IS THEREFORE ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND THAT:

1. The following vehicle is hereby declared to be surplus in accordance with the provisions of Section 1 of the Charter of the City of Cumberland and is hereby authorized for trade-in to Timbrook Automotive, 10345 Mt. Savage Road, NW, Cumberland, MD 21502:

- 2001 Chevrolet Pickup Truck - VIN #1GCCS19W418203013

Brian K. Grim, Mayor



Margie Woodring <margie.woodring@cumberlandmd.gov>

Vehicle Title

1 message

Dave Curry <dave.curry@cumberlandmd.gov>

Tue, Apr 7, 2015 at 3:06 PM

To: Margie Woodring <margie.woodring@cumberlandmd.gov>

Margie, we are trading in a Park and Rec pick up truck to Timbrook for a newer one. They will need the title for the existing one.

It is vehicle #502 License # LG 61710 2001 Chevy

Vin 1GCCS19W418203013

Thanks

Item # 17



Regular Council Agenda
April 21, 2015

Description

Order declaring City-owned property at 446 Bond Street to be surplus property and declaring the City's intent to transfer the property to the adjacent property owner, Robert T. Fravel, for a purchase price of \$1,500 after the passage of 20 days' public notice and subsequent Ordinance authorizing the transfer.

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: April 21, 2015

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

WHEREAS, the Mayor and City Council of Cumberland is the record owner of a certain parcel of real property together with the improvements thereon which are known as 446 Bond Street, Cumberland Maryland 21502 (hereinafter referred to as the "Property"), the Property being more particularly described as follows:

ALL that lot or parcel of ground situated on the Southwesterly side of Bond Street in the City of Cumberland, Election District No. 5, Allegany County, Maryland, known and designated as part of Lot No. 4 in Gephart's Second Addition to Cumberland, which is more particularly described as follows, to-wit:

BEGINNING for the same on the Southwesterly side of Bond Street at the end of the division line between Lots Nos. 3 and 4 in said addition, and running then with the Southwesterly side of Bond Street South 61-3/4 degrees East 25 feet, then South 28 1/4 degrees West 70 feet, then parallel with Bond Street North 61-3/4 degrees West 25 feet to the aforesaid division line, and then with part of said division line North 28-1/4 degrees East 70 feet to the place of beginning.

IT BEING the same property which was conveyed from Craig A. Robertson, Sheriff of Allegany County, Maryland to the Mayor and City Council of Cumberland by deed dated August 1, 2012 and recorded among the Land Records of Allegany County, Maryland in Book 1944, Page 55.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above-described property unto the parties of the second part, their personal representatives, heirs and assigns, in fee simple forever as tenants by the entireties.

WHEREAS, the Property has been determined to be surplus property by the Mayor and City Council of Cumberland.

**IT IS, THEREFORE, ORDERED BY THE MAYOR AND CITY COUNCIL OF
CUMBERLAND THAT:**

1. The Property is hereby declared to be surplus in accordance with the provisions of Section 1 of the Charter of the City of Cumberland.

2. **BE IT FURTHER ORDERED**, that, the Mayor and City Council intend to sell the Property to Robert T. Fravel, who owns adjacent parcels on both sides of the Property, for a purchase price of \$1,500, which reflects the assessed value of the undevelopable land.

3. **BE IT FURTHER ORDERED**, that after passage of twenty (20) days from the date of this Order and the passage of an Ordinance authorizing the execution of the Deed effecting the conveyance of the Property, formal transfer of the Property to Robert T. Fravel may proceed.

Mayor Brian K. Grim



Regular Council Agenda
April 21, 2015

Description

Order authorizing a 5-year Historic Tax Credit for 518 Washington Street (Tax Acct. 06-029868) in the amount of \$4,646.30 and a 2-year property tax freeze based on the pre-improvement market value of \$184,259.

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: April 21, 2015**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

THAT property located at 518 Washington Street, owned by Christopher Stevens (Tax Account #06-029868) be and is hereby granted a one-time Historic District Property Tax Credit commencing with the 2014 Tax Year, in the amount of Four Thousand, Six Hundred Forty-six Dollars and Thirty Cents (\$4,646.30) to be used within five (5) years; and

BE IT FURTHER ORDERED, that the property assessment for 518 Washington Street be frozen at the 2014 Tax Year pre-improvement market value of One Hundred Eighty-four Thousand, Two Hundred Fifty-nine Dollars (\$ 184,259.00) for a period of two (2) years; and

BE IT FURTHER ORDERED, that this application was approved by the Historic Preservation Commission at their meeting on April 8, 2015.

Mayor Brian K. Grim

Historic District Tax Incentive Program

Staff Recommendation

By Terri Hast

518 Washington Street

Owner: Christopher Stevens

Contact: Christopher Stevens

Tax Account: 06-029868

A Historic District Tax Incentive Application has been received from the owner of the property located at 518 Washington Street. Based on research, calculations, and materials received, I would like to make the following recommendation:

- ❖ City of Cumberland property tax credit recommended in the amount of \$4,646.30 (10% of total eligible project costs of \$46,462.95). The credit will be applied to real estate property taxes and is valid for a total of five years. Any credits remaining after that time will expire.
- ❖ Property tax assessment freeze recommended for 2 years based on a calculated pre-improvement market (Tax Year = 2014) value of \$184,259. This is a residential property.



Regular Council Agenda
April 21, 2015

Description

2014 Award of Recognition from the PA Department of Environmental Protection presented to the City of Cumberland Water Treatment Facility for outstanding efforts toward optimizing filter plant performance. The City's facility was awarded this honor for the second consecutive year and was one of 13 out of 353 Surface Water Treatment Facilities in PA to be recognized.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)



2014 AWOP Award

Is Hereby Awarded to

*Evitts Creek Water Company
Treatment Plant*

For Outstanding Efforts Toward Optimizing Filter Plant Performance



Lisa D. Daniels
Director

Bureau of Safe Drinking Water
PA Dept. of Environmental Protection



Regular Council Agenda
April 21, 2015

Description

Letter from the Ed Mullaney, Flag Project Coordinator for the Let's Beautify Cumberland! Committee, asking permission to place 10 American Flags at the Veterans Memorial Park on South Centre Street and 8 American flags at the Giarritta Park opposite City Hall.

Approval, Acceptance / Recommendation

Budgeted

1st Reading

2nd Reading

3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

Let's Beautify Cumberland!

April 9, 2015

Mayor and City Council
City of Cumberland
57 North Liberty Street
Cumberland, MD 21502

As you know, Let's Beautify Cumberland! initiated a United States flag memorial project in the spring of 2014. Over 65 American flags donated by Woodmen of the World and poles/holders professionally installed by Upright Fencing have been placed along Queen City Drive.

This year, we are looking at placing 18 additional flags at two locations on properties owned by the city of Cumberland. They are: Giarritta Park opposite City Hall, 10 flags, and the Veterans Memorial Park on South Centre, 8 flags. I have spoken with Dave Cox in Community Development, and he recommended a letter be written to the Mayor and City Council seeking your permission to go forward with this project.

As we did along Queen City Drive, we will contact Miss Utility to make sure that the placement of the flags do not interfere with any underground utilities. Once again, the flags/pole/holders will be professionally installed by Upright Fencing.

Thank you for your quick attention to this matter and for your continued support of Let's Beautify Cumberland!

Sincerely,


Ed Mullaney
Let's Beautify Cumberland!
Flag Project Coordinator