MAYOR	COUNCIL
Brian K. Grim	Nicole Alt-Myers
	Seth D. Bernard
CITY ADMINISTRATOR	David Caporale
Jeff Rhodes	Richard J. "Rock" Cioni
CITY SOLICITOR	**CITY CLERK**
Michael Scott Cohen	Marjorie A. Woodring

MINUTES

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

DATE 10/18/2016

***Pledge of Allegiance**

I. ROLL CALL

The meeting convened at 6:28 p.m.

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

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Donald Dunn, Fire Chief; Captain Gregory Leake, CPD: Marjorie Woodring, City Clerk

II. DIRECTOR'S REPORT

(A) Police

1. Police Department monthly report for September, 2016

Item Action: Approved

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

(B) Fire

1. Fire Department monthly report for September, 2016

Item Action: Approved

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

(C) Administrative Services

1. Administrative Services monthly report for August, 2016

Item Action: Approved

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

(D) Public Works

1. Maintenance Division monthly report for September, 2016

Item Action: Approved

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

III. APPROVAL OF MINUTES

(A) Routine

1. Approval of the Minutes of the regular sessions of September 6 and September 20, 2016

Item Action: Approved

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

(B) Administrative / Executive

1. Approval of the Closed Session Minutes of September 6, 2016

Item Action: Approved

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

Closed Session - September 6, 2016

PRESENT: Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, Richard J. Cioni; Councilman David Caporale entered the meeting at 5:45 p.m.; Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk

MOTION to enter into closed session to discuss union negotiations, board and commission appointments, and personnel issues was made by Councilman Bernard, seconded by Councilwoman Alt-Myers, and passed on a vote of 4-0.

AUTHORITY to close the session was provided by the Annotated Code of Maryland, State Government Article, Section 10-508 (a) (10 and (9).

TOPICS: Union negotiations, board and commission appointments, personnel issues

IV. UNFINISHED BUSINESS

(A) Ordinances

1. Ordinance *(2nd and 3rd readings)* - authorizing closure of a portion of South Spruce Place located between Greene Street and Paca Street at the request of Sheetz, Inc., and authorizing execution of deeds conveying portions of the closed right of way to the Housing Authority of the City of Cumberland, Potomac Federal Credit Union, R.J. Sepco, Inc., and Valley Fox, Inc.

Mr. Rhodes advised that closure of the requested public right-of-way would facilitate the redevelopment of the Greene Street Sheetz store. All adjoining property owners were in agreement with the closure.

SECOND READING: The Ordinance was presented in Title only for its second reading. The reading was interrupted and motion to suspend the reading and move to the third after comment was made by Caporale, seconded by Alt-Myers, and passed on a vote of 5-0.

Mayor Grim called for questions or comments from Council and the public. Being none, the Ordinance then proceeded to its third reading.

THIRD READING: The Ordinance was presented in Title only for its final reading and was adopted on a vote of 5-0.

ORDINANCE NO. 3811

2. Ordinance *(2nd and 3rd readings)* - authorizing the execution of a deed to convey to the MD State Highway Administration .49 of a mile +/- and appurtenances known as U.S. Route 220 - McMullen Highway located at the southwestern corporate limits of the city

Mr. Rhodes advised that the portion of roadway being conveyed to the MD State Highway Administration was in the area of the roundabout at US Route 220 South / McMullen Highway.

SECOND READING: The Ordinance was presented in Title only for its second reading. The reading was interrupted and motion to suspend the reading and move to the third after comment was made by Caporale, seconded by Alt-Myers, and passed on a vote of 5-0.

Mayor Grim called for questions or comments from Council and the public. Being none, the Ordinance then proceeded to its third reading.

THIRD READING: The Ordinance was presented in Title only for its final reading and was adopted on a vote of 5-0.

ORDINANCE NO. 3812

V. NEW BUSINESS

(A) Ordinances

1. Ordinance *(1st reading)* - authorizing execution of a deed to convey surplus property located at 423 Ascension Street to Clean Demolition, Inc.

Item Action: Approved

Mr. Rhodes advised that 423 Ascension Street was a former blighted property that had been offered for bid to the adjoining property owners. Only one bid was received from Clean Demolition, Inc. and was above the assessed value of the property.

FIRST READING: The Ordinance was presented in Title only for its first reading. Motion to approve the reading and table for two weeks was made by Alt-Myers, seconded by Caporale, and was passed on a vote of 5-0.

2. Ordinance *(1st reading)* - amending Section 6.08(5) of the Cumberland Zoning Ordinance to reduce the lighting standards restrictions applicable to residential uses prohibited in the City's Business and Industrial Zones

Mr. Rhodes advised that the purpose of the Ordinance was to update the Code to allow for typical street lighting standards in the City's commercial and industrial zones. The amendment had been recommended by the Planning and Zoning Commission.

FIRST READING: The Ordinance was presented in Title only for its first reading. Motion to approve the reading and table for two weeks was made by Bernard, seconded by Alt-Myers, and was passed on a vote of 5-0.

(B) Orders (Consent Agenda)

Item Action:

Mr. Rhodes reviewed each item on the Consent Agenda prior to vote and Mayor Grim entertained questions or comments from Council and the public. Motion to approve Consent Agenda Items 1-4 was made by Caporale, seconded by Bernard, and passed on a vote of 5-0.

1. Order authorizing the Chief of Police to accept a Maryland Highway Safety Office grant for FY17 in the amount of $3,950.00 for police overtime support concentrating on Occupant Protection Usage and DUI Enforcement

ORDER NO. 26,045

2. Order rescinding the Art Easement Agreement approved per Order No. 25,975 for the placement of art work at 55 Baltimore Street to allow for replacement of the art work at 157 Baltimore Street

ORDER NO. 26,046

3. Order amending the Table of Organization to add the position of Utilities Manager and remove the position of Economic Development Coordinator

ORDER NO. 26,047

4. Order reappointing Cassie Conklin and Gary Mallow to the Shade Tree Commission for a 4-year term effective November 1, 2016 through November 1, 2020

ORDER NO. 26,048

VI. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

Tamar Clarke, 811 Memorial Avenue, spoke regarding her concerns on fluoride in the municipal water supply, chem trails, and fracking. She provided informational material to the Mayor and Council for their review.

VII. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:43 p.m.

Minutes approved on November 1, 2016

Brian K. Grim, Mayor

ATTEST: Marjorie A. Woodring, City Clerk

City of Cumberland Department of Police

Monthly Report

September 2016

City of Cumberland Department of Police

Monthly Report

September 2016

Part 1 Crimes for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
Aggravated Assaults	4	6	B & E (All)	32	14	Murder	0	0	Rape	3	2
Robbery	3	6	Theft - Felony	6	6	Theft - Vehicle	3	2			

Selected Criminal Complaints for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
Theft - Misdemeanor	30	33	Theft - Petty	46	58	Domestic Assaults	38	30	CDS	48	67
Disturbances	193	205	DOP/Vandalism	37	20	Indecent Exposure	4	1	Sex Off - Other	8	5
Suicide	0	1	Suicide - Attmpt.	1	4	Tampering M/V	0	0	Abuse - Child	2	4
Trespassing	27	25	Assault on Police	4	2	Assault Other	51	55			

Selected Miscellaneous Incidents for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
Alcohol Violations	5	7	Juvenile Compl.	26	22	Missing Persons	18	11	School Resource	72	73
School Threat	3	0	Sex Off. Regist.	28	24	Truancy	13	7	Death Investigation	6	9

Selected Traffic Incidents for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
DWI	8	10	Hit & Run	34	34	M/V Crash	88	78	Traffic Stop	275	394

Selected Service Calls for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
Alarms	61	55	Assist Motorist	39	35	Check Well-Being	96	129	Foot Patrol	46	36
Assist Other Agency	61	80	Bike Patrol	0	1	Special Events	17	22	Suspicious Activity	82	89

Arrests Totals for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
M/V Citations	46	71	M/V Warnings	209	320	Adult Criminal	134	191	Juvenile Criminal	35	18

	2015	2016
Total Incidents Reported:	**2,176**	**2,440**

Charles Hinnant - Chief of Police

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

SEPTEMBER 2016

SWORN PERSONNEL: 49 SWORN OFFICERS

Administration	6 officers
Squad 1A	9 officers
Squad 1B	9 officers
Squad 2A	9 officers
Squad 2B	9 officers
C3I/C3IN	5 officers
School Resource	2 officers

CIVILIAN EMPLOYEES: 6 full time, 8 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**
C3I 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

* = Grant funded

** = Shared costs with other agencies

LEAVE REPORT

VACATION TAKEN: 836 HOURS — YEAR TO DATE (beginning 7/1/16): 3269 HOURS

COMP TIME USED: 199 HOURS — YEAR TO DATE (beginning 7/1/16): 744 HOURS

SICK TIME USED: 98 HOURS — YEAR TO DATE (beginning 7/1/16): 287 HOURS

OVERTIME REPORT

OVERTIME WORKED: 500 HOURS — YEAR TO DATE (beginning 7/1/16): 1236 HOURS

HOSPITAL SECURITY: 180 HOURS — YEAR TO DATE (beginning 7/1/16): 436 HOURS

COURT TIME WORKED: 123 HOURS — YEAR TO DATE (beginning 7/1/16): 328 HOURS

TRAINING REPORT

22 OFFICERS TRAINED FOR 265 HOURS — YEAR TO DATE (beginning 7/1/15) 1029 HOURS

3 OFFICERS COMPLETED ACADEMY TRAINING FOR A TOTAL OF 3378 HOURS = TOTAL of 4407 HOURS TO DATE

CUMBERLAND POLICE DEPARTMENT

Warrant Fugitive Initiative

September 2016 totals for warrant initiative, broken down by agency:

CPD	5 arrests	5 warrants served	1 criminal summons served
ACSO	7 arrests	9 warrants served	
MSP	0 arrests	0 warrants served	
FPD	0 arrests	0 warrants served	
C3I	4 arrests	2 warrants served	2 criminal summonses served
C3IN	0 arrests	0 warrants served	
OTHER	0 arrests	0 warrants served	
TOTALS	**16 arrests**	**16 warrants served**	**3 criminal summonses served**

Of these, Detective David Broadwater arrested 16 people, served 32 warrants, and 3 criminal summonses.

He opened 13 "Fugitive" investigations, 1 Assist Other Agency case, and made arrests in 3 existing cases, for a total of 17 cases generated for the month.

SIGNIFICANT CASES:

1.) On 09/20/2016 the State's Attorney's Office contacted C3I requesting that an effort be made to locate and apprehend an individual wanted for violation of a court order. The suspect was one of the first defendants to participate in the new "Drug Court" in Allegany County. Since the initial participation, the suspect had overdosed, a clear violation of the guidelines, and a bench warrant had been issued. Detective Broadwater learned that the suspect was basically living out of his vehicle, but had learned of some of the places where they were hanging out. On 09/21/2016 the suspect's vehicle was located outside one of these residences. With the assistance of the Allegany County Sheriff's Office, Detective Broadwater made contact with the occupants of the residence, and was able to take the suspect into custody without incident.

2.) During the week of September 19-23, 2016, a warrant sweep was conducted in Allegany County as part of the "Safe Streets" initiative. Detective Broadwater was personally responsible for arresting 11 suspects and serving 14 warrants.

CPD ACTIVITY
OUTSIDE CPD JURISDICTION

SEPTEMBER 2016

9/30/16 CPD Officers returning from the Allegany County Detention Center came upon a vehicle crash on McMullen Highway, outside the City limits. CPD units assisted by providing medical aid and traffic control until the Allegany County Sheriff's Office responded.

9/27/16 CPD Officers assisted Allegany County Sheriff Deputies with the investigation of an destruction of property at the Artmor Plastics property on Wills Mountain Road. CPD Officers located the suspects and detained them until Allegany County Deputies arrived.

9/27/16 a CPD Canine Team assisted the Maryland State Police with a drug scan of a vehicle along I-68 in the area of the 50MM. As a result, no drugs were recovered.

9/25/16 CPD Officers assisted Allegany County Sheriff Deputies with searching the Country Club Road area for two female elopes from the Finan Center. After a search the females were located and turned over to Sheriff's Deputies.

9/25/16 CPD responded to the Artmor Plastics property on Wills Mountain for a report of lost hikers. CPD units were able to locate the hikers and get them to safety. They were subsequently turned over to Sheriff's Deputies for trespassing charges.

9/24/16 A CPD Canine team assisted the Allegany County Sheriff's Office with a drug scan of a vehicle, as a result a quantity of marijuana was recovered.

9/22/16 A female CPD Officer responded to the Maryland State Police, LaVale, to assist with the search of a female prisoner where a quantity of crack cocaine was recovered.

9/19/16 A female CPD Officer responded to the Frostburg Police Department to assist with the search of a female prisoner. No contraband was recovered as a result of the search.

9/14/16 CPD Units assisted Maryland State Police Units with traffic control while they were on the scene of a disabled vehicle along I-68 between Seton Drive and Vocke Road.

9/7/16 While traveling for training CPD canine units came upon a vehicle crash along Route 51 and Mexico Farms Road. CPD Officers provided medical assistance and traffic control until Maryland State Police and fire units arrived on the scene.

9/5/16 A CPD canine team assisted Maryland State Police units with the drug scan of a vehicle along I-68 in the area of Rocky Gap. As a result, no contraband was located.

9/4/16 A CPD canine team responded to the Allegany County Detention Center to conduct a drug scan of a cell block. As a result, the canine alerted to the presence of CDS. No disposition reported.

Regular Council Agenda
October 18, 2016

Description
Police Department monthly report for September, 2016

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

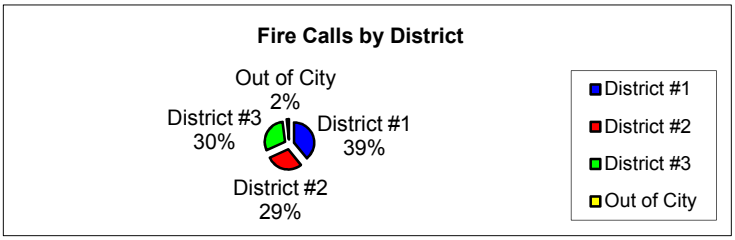
Value of Award (if applicable)

Source of Funding (if applicable)

REPORT OF THE FIRE CHIEF FOR THE MONTH OF SEPTEMBER 2016
Prepared for the Honorable Mayor and City Council and City Administrator

Cumberland Fire Department Responded to 110 Fire Alarms:

Responses by District:	
District #1	43
District #2	32
District #3	33
Out of City	2
	110



Number of Alarms:	
First Alarms Answered	109
Working Alarms Answered	1
	110

Calls Listed Below:	
Property Use:	
Public Assembly	1
Educational	3
Institutional	8
Residential	59
Stores and Offices	7
Storage	1
None	1
Special Properties	30
	110

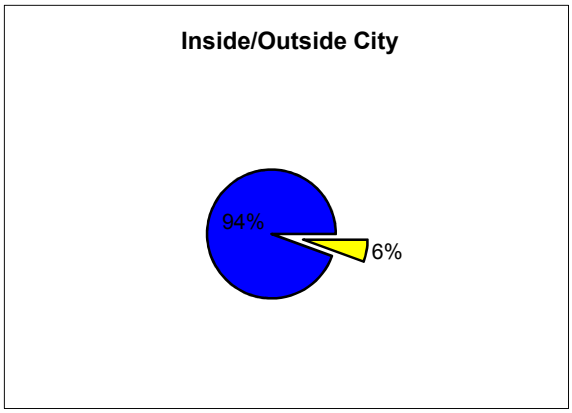
Type of Situation:	
Fire or Explosion	8
Overpressure, Rupture	2
Rescue Calls	59
Hazardous Conditions	8
Service Calls	13
Good Intent Calls	12
False Calls	8
	110

Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid in September:	$2,610.00
Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid Fiscal Year to Date:	$5,860.00
Total Fire Service Fees for Fire Calls Paid in September:	$144.54
FY2016 Fees Paid in FY2016:	$150.00
Total Fire Service Fees Paid in FY2016:	$1,070.00

Total Service Fees for Inspections and Permits Billed in September:	$150.00
Total Service Fees for Inspections and Permits Paid in September:	$150.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	$200.00

Cumberland Fire Department Responded to 488 Emergency Medical Calls:

In City Calls	461
Out of City Calls	27
Total	488



Total Ambulance Fees Billed by Medical Claim-Aid for September, 2015:	$122,989.02
Ambulance Fees Billed Fiscal Year to Date:	$371,233.01
Ambulance Fees Paid: Revenue Received in September:	$105,043.89
FY2016 Fees Paid in FY2016:	$145,011.67
Total Fees Paid in FY2016:	$281,026.87

(Includes all ambulance fees, previous and current fiscal years, paid in FY2016.)

Cumberland Fire Department Provided 17 Paramedic Assist Calls:

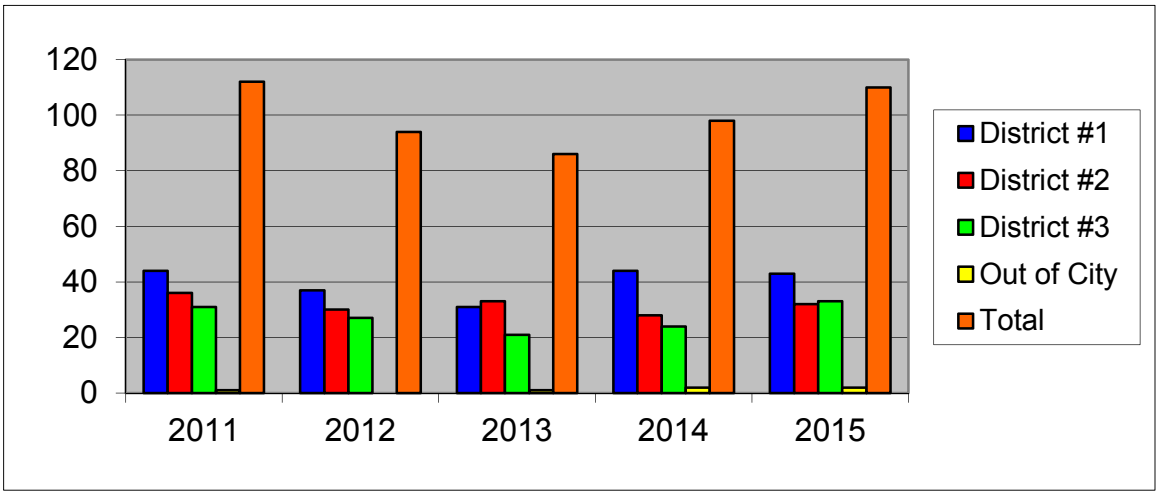
12	Paramedic Assist Calls within Allegany County
5	Paramedic Assist Calls outside of Allegany County
17	

Cumberland Fire Department Provided 10 Mutual Aid Calls:

9	Mutual Aid Calls within Allegany County
1	Mutual Aid Calls outside of Allegany County
10	

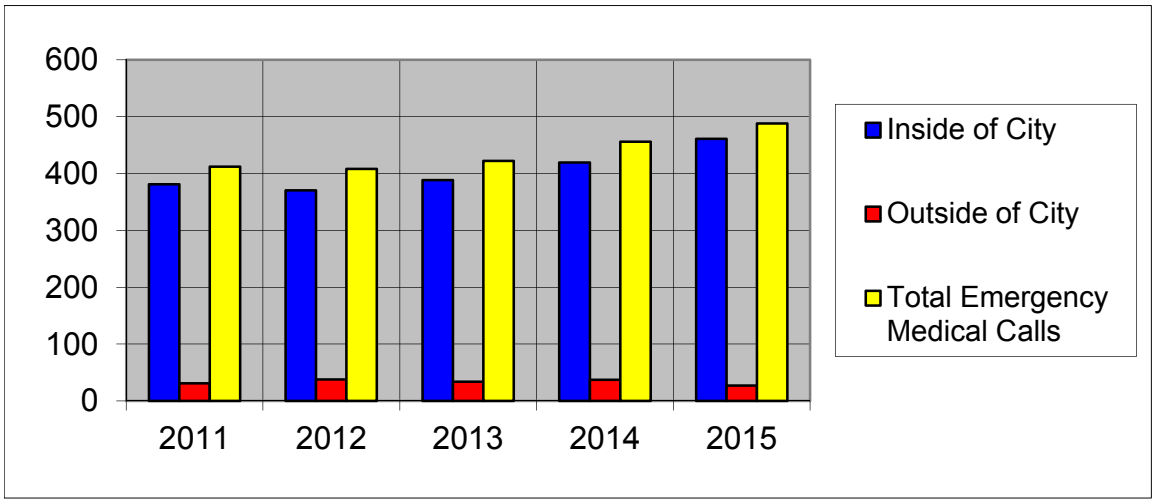
Fire Calls in the Month of September for a Five-Year Period

	2011	2012	2013	2014	2015
District #1	44	37	31	44	43
District #2	36	30	33	28	32
District #3	31	27	21	24	33
Out of City	1	0	1	2	2
Total	112	94	86	98	110



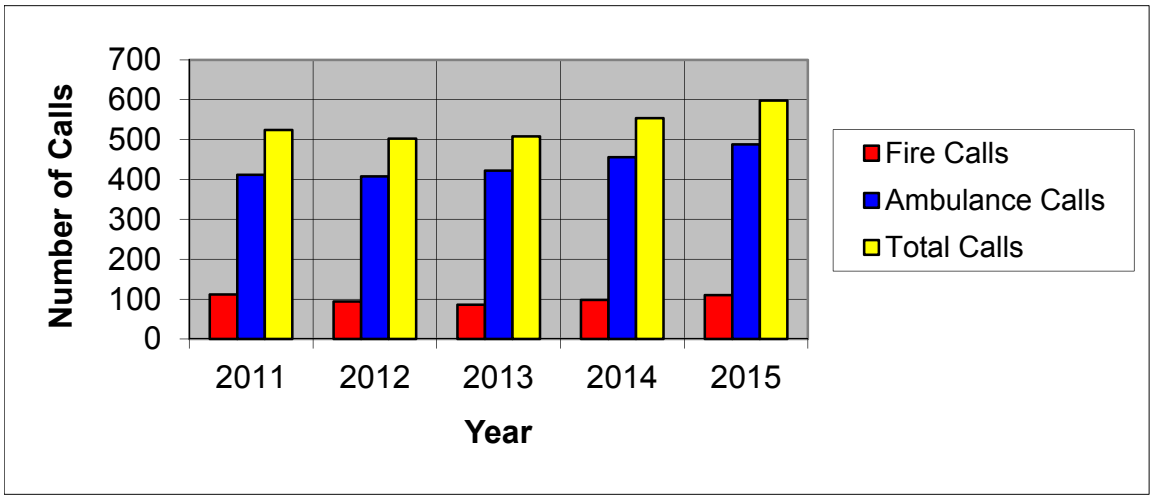
Ambulance Calls in the Month of September for a Five-Year Period

	2011	2012	2013	2014	2015
Inside of City	381	370	388	419	461
Outside of City	31	38	34	37	27
Total Emergency Medical Calls	412	408	422	456	488



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

	2011	2012	2013	2014	2015
Fire Calls	112	94	86	98	110
Ambulance Calls	412	408	422	456	488
Total Calls	524	502	508	554	598



Training

Training Man Hours:	222.00
Training Listed Below:	
Safety	39.00
Apparatus Check Procedures	46.00
Fit Testing	1.00
Plan Review	2.00
ATV Driver Training	19.00
EMT Recertification	44.00
Fire Streams Theory	22.00
Physical Fitness	18.00
Office Equipment	13.00
Ropes and Knots	18.00
	222.00

Fire Prevention Bureau

Complaints Received	3
Conferences Held	64
Correspondence	14
Inspections Performed	11
Investigations Conducted	9
Plan Reviews	4
Pre-Planning conducted by Crews	7

Personnel

Battalion Chief Robert S. Long retired on September 30, 2015, after 43 years of service.

Fire Equipment Operator Richard G. Twigg retired on September 30, 2015, after 41 years of service.

Statistics Compiled by Julie A Davis, Fire Administrative Officer

Regular Council Agenda
October 18, 2016

Description
Fire Department monthly report for September, 2016

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

October 5, 2016

Honorable Mayor and City Council
City Hall
Cumberland, Maryland 21502

Re: Administrative Services Monthly Report for August, 2016

Dear Mayor and City Council Members:

The following report is submitted by the Department of Administrative Services for the month of August, 2016.

Management Information Systems

Management Information Systems reports the following activities for the month of August, 2016:

Statistics

225 completed help desk requests
287 open help desk requests

Activities

Major department initiatives in the past month include:

- Continued working with public works on combined vehicle maintenance software solution
- Continue to move resources to state fiber network
- Continue implementing downtown WiFi solution
- Continue VOIP replacement project

Work with Tyler Technologies/New World Systems on ERP modules

Parks and Recreation

Parks and Recreation reports the following information for the month of August, 2016:

Movies under the Stars – Saturday August 12, at the Constitution Park Pool – "Inside Out" attendance: 100
Free swim 6:30 – 8:00 p.m. Prior to the showing of the movie beginning at 8:30 p.m. Family evening event was well received by the community.
National Night Out- Pre-event Monday August 1, Free Swim at the Constitution Park pool, showing of the movie "Angles in the Outfield" at the park Amphitheater
Attendance – 250 +

Sunday in the Park Concert series: Four concerts were held at the Park Amphitheater in August – Sally Dhruva Stephenson & Greg Latta, Solid Gold, Night Traveler, and Shanty Irish, performed.
Funding for this program is provided by the City of Cumberland, Parks & Recreation.
Pavilion Reservations and usage for the month of August: 39 reservations utilized pavilions,
11 new reservation were made in August
Baseball/ Softball League play and practices for August:
The City of Cumberland provides fields for the following leagues:

Pee Wee Football team – Cardinals – practices, scrimmage & weigh in events
Girls Softball League – Fall Ball
Braddock Warriors – practices, Scrimmage event at Mason Complex
Church League Softball
Industrial League
Co-ed League

*One all- night Softball tournament was held - August 22 & 23 at Flynn, & Northcraft
**Football and Soccer practices began in August at the Mason Complex, & Jaycee fields. **

Constitution Park Pool
The Park pool was closed August 22-26 – (Public School opened for the school year.)
The Pool was open August 27 & 28 closing again for the week and reopening for Labor Day Weekend, **September 3 - 5**
23 Days of Operation – Regular gate Attendance: 1796
Total income for the Month of August $ 3,873.50
YMCA members 973, Y Day Camp participants 330
Other group usage – 202, Attendance from pool passes - 139
4Pool Parties – Attendance - 115
Swimming lessons are held in conjunction with day camp swimming lessons, Monday – Friday
11-11:45 a.m. 10 Lessons (50 – public participants, 125 - Day Camp participants)
Constitution Park Day Camp
10 Days of Day Camp – Attendance: 809
Daily activities include: Swimming Lesson, Tennis Lessons, Arts & Crafts, Sports, Reading & computers, Dance, Breakfast, Lunch, snack, afternoon swimming, "Fun Friday" Special event day, and Bus transportation (funded by *Department of Social Services*)
Day Camp Field Trip to DelGrosso Amusement and Water Park – Wednesday August 3, Attendance - 65

- *Cooperative Extension service* provided activities related to nutrition and farming, every Tuesday and Thursday. Hands on activities – movement and exercise, gardening, games, music and more, directed by Sarah Bernard, from the Extension Office.
- **Summer Lunch Program** The Parks & Recreation Department serves as sponsor for the **Summer Lunch Program** for Cumberland. Area sites include Constitution Park Day Camp, YMCA Riverside summer program, Baltimore Ave YMCA programs, and Jane Frazier Community Center.

August meals served – Lunches: 1,264, Snacks: 1,274
Summer Lunch Program 2016 season totals:
Lunches: 6,552, Snacks: 6,824 served
Breakfast at Day Camp – *"Summer Lunch Box"* provided Breakfast for the 9 week day camp participants arriving at camp without eating breakfast. ***Breakfast served: 1019***

Seasonal Services: Amusement Park ticket sale, Park pool passes registration and fees for the summer day camp, picnic kits, sport supplies, facilities use requests.

Meetings attended:

Summer Food Service – State review and wrap up – (Thursday August 11 – Meeting)

Improvement project – Cavanaugh Field

Active Shooter training

Upcoming:

Wrap up of summer programs – meetings & clean up

Park Pool renovations – with Engineering

Resume Recreation Advisory Board Meeting – September 12

Planning for fall events

Community Development

The Community Development Department reports the following activities for the month of August, 2016:

CDBG Activity

Senior Community Development Specialist

- Amended 2015 CDBG Action Plan in IDIS for review/approval by HUD
- Created 3 projects and activities under CDBG in IDIS and funded them from previous years and 2015
- Completed 3 ERR's from last year's CDBG award
- Completed June draw and June supplemental Draw in IDIS
- Reviewed various CDBG reports from IDIS and compared them to Logos reports
- Completed a remediation in IDIS for the Maryland Avenue sidewalk project
- Worked with Engineering on Helen St project development with CDBG funds from previous years
- CAPER efforts-training online, CAPER preparation on the 2015 Annual Plan and data entry for all open projects and closing appropriate projects, researching method to amending an Annual Plan in IDIS and completing that process
- Completed several HEROS tutorials (software in IDIS for compiling an electronic ERR)
- Provided Sub recipient T/A
- Researched sample language for CDBG property agreements for 2016 projects
- Attended discussions regarding T/A to subrecipients in CDBG regarding "conflict of interest" policy
- Completed several consults with Charlie and Ethel at HUD

- Completed a site visit to YMCA Gilchrist and met with the director
- Prepared and moderated the regular Cumberland Human Relations Commission meeting
- Attended and participated in the CoC (Continuum of Care) Rating and Ranking Committee meeting
- Attended five internal meetings
- Provided T/A to PIP Administrator

Community Services Activity

- Performed monthly update to City webpage re: CD, Permits and Housing Code/Rentals.
- Sent permit information 1/2016 through present to State Dept. of Assessment and Taxation re: valuation.
- Shared rental property contact info with CPD and T&U on Google Drive for ease of finding owners and agents.
- Assisting Maryland Mountain Trails/Communications Committee with input for yearly newsletter..
- Neighborhood Advisory Commission (NAC):
  - Performed monthly updates to the NAC web and Facebook pages.
  - Prepared minutes, agenda and handouts for upcoming meeting.
  - Prepared NAC promotions for NNO-event.
  - Coordinated use of John Humbird School with BOE for Sept. NAC meeting.
  - National Night Out (NNO) – Cumberland:
    - Recorded PSA with Chief Hinnant for NNO on Magic 110.5 which broadcast on 5 other Allegany Radio stations on final day of and day before NNO event.
    - Prepared program, signs, and coordinated the set-up of this event with participants. A final count of 75 organizations participated. (program attached).
    - Attended NNO Kick-off event - Free Swim & Movie on August 1 at Constitution Park Pool and Amphitheatre. Event had great public participation. Staff manned an information table and ran a promotion to raise awareness for the NAC and NNO.
    - NNO-Cumberland held Tues., August 2. America's Night Out Against Crime was a huge success.
    - Added photos to folder on Google drive set up by CPD and shared. □

Code Enforcement

Nuisance & Junk Vehicle Complaints		Property Maintenance Complaints		Building Code Complaints	
Received:	00	Received:	00	Received:	0
Corrected:	00	Corrected:	00	Corrected:	0

Housing Code Complaints		Zoning Complaints	
Received:	00	Received:	00
Corrected:	00	Corrected:	00

Permits, Applications, and Licenses

Building Permits		Residential Rental License		Plan Reviews	
Received:	04	Received:	736	Received:	0
Issued:	04	Issued:	1736	Issued:	0

Occupancy Permit	
Received:	09
Issued:	06

Housing Inspections

Conducted:	50
Passed:	47

Revenue

Building Permits:	$ 3,751.00
Miscellaneous Permits:	329.00
Occupancy Permits:	360.00
Utility Permits:	00.00
Reviews, Amendments, and Appeals:	000.00
Rental Licenses:	43,400.00
Paid Inspections:	00.00
Municipal Infractions:	00.00
TOTAL	$47,840.00

Demolition Permit (Bonds)	00.00

Code Enforcement Activity

No code enforcement report this month.

Historic Planning/Preservation

The Cumberland Historic Preservation Commission met on Wednesday, August 10, 2016 at 4pm in the City Hall Council Chambers. Four Certificates of Appropriateness were reviewed:

1. 60 Pershing Street – Cumberland Economic Development Corp. – Shawn Hershberger
2. 228 North Centre Street – Arielle Warren
3. 212 North Centre Street – Jared Horevay
4. 312 Washington Street – Bernard Wolters
5. 624 Queen City Drive – Roy Rogers – Request to Amend COA#746 – Mike Brown (Sign Solutions LLC)

One additional COA was processed administratively for 515 Washington Street.

The were two Section 106 reviews processed in August:

- 675 Fayette Street
- Helen Street Retaining Wall Project

The 2016 Community Parks and Playgrounds application was submitted for consideration of funding for a ballfield on the Allegany College of Maryland campus. A total of $121,000.00 has been requested. Decisions are expected by mid-2017.

The Leasehold Improvement Program application was finalized and announced to the public on August 30th. This new program is funded by Community Legacy and is a partnership with the Cumberland Economic Development Corporation. The program is designed to assist new lessees of commercial space or existing lessees within Cumberland's zoned Central Business District who plan to increase their amount of leased space. Funds will be awarded through a competitive process. The maximum grant funding for any one property is $20,000. Applications are due no later than noon on October 28th.

Routine grant administration reports were submitted to the Maryland Historical Trust, and Department of Housing and Community Development.

Comptroller's Office

The Comptroller's office reports the following information for the month of August, 2016:

Cash Flow:
Attached for your review is a Cash Flow Summary for the month of August 2016.

On August 1, 2016 the City had a cash balance of $4,303,784. Receipts exceeded disbursements by approximately $1,559,059 in August leaving the City with a cash balance of $5,862,843 at August 31, 2016.

As of August 31, 2016, the significant balances were:

Taxes receivable (General Fund)	$ 7,551,339

	July Balance	August Balance	Collections
FY 2017	$ 7,572,070	$ 5,997,300	$ 1,574,770
FY 2016	761,331	723,945	37,386
FY 2015	387,140	373,154	13,986
FY 2014	41,697	41,351	346
FY 2013	34,286	34,217	69
FY 2012	35,409	35,409	-
FY 2011	51,509	51,509	-
Prior FY's	294,454	294,454	-
	$ 9,177,896	$ 7,551,339	$ 1,626,557

The current year tax receivable balance is comprised of the following:

Real property (non-owner occupied)	$ 2,523,151
Non-Corp Personal Property	12,763
Corporate Personal Property	544,975
Real Property (semiannual payments)	2,916,411
Real Property (Half Year)	-
	$ 5,997,300

Accounts Payable: $ 118,848
(This excludes upcoming debt service payments and payroll.)

Payroll expenses for the upcoming month are an estimated $1,100,000.

The City cash position is strong as illustrated in the cash and investments table following table. Restricted cash and investments are comprised primarily of invested bond proceeds restricted to associated capital projects and expenditures.

Cash and Investment Summary
August 2016

	Cash	Investments
Balance 8/1/2016	$ 4,303,661	$ 8,990,996
Add:		
Cash Receipts	7,846,429	2,711
Investment Transfer	-	
Less:		
Disbursements	6,287,247	-
Investment Transfer	2,711	1,177,251
Balance 8/31/2016	$ 5,860,132	$ 7,816,456
Restricted	$ 529,974	$ 1,934,353

Capital Projects and Associated Debt

The table below illustrates cash restrictions and balances of invested and available bond proceeds associated with capital projects.

Restricted Cash

	8/1/2016	Interest	Utilization	8/31/2016
Police Seizures	$ 242,410	$ 1,686	$ 2,856	$ 241,240
Bowers Trust	91,395	-	-	91,395
Restricted Lenders	106,341	-	-	106,341
GOB 2008	78,350	7	-	78,357
Other	12,641	-	-	12,641
	$ 531,137	$ 1,693	$ 2,856	$ 529,974

Restricted Investments

	8/1/2016	Interest	Utilization	8/31/2016
DDC	$ 6,601	$ 4	$ -	$ 6,605
GOB 2008	203,778	66	171,854	31,990
GOB 2013	1,498,637	481	-	1,499,118
BAN 2016	1,403,367	451	1,007,178	396,640
	$ 3,112,383	$ 1,002	$ 1,179,032	$ 1,934,353

Available Bond Proceeds

	8/1/2016	Interest	Utilization	8/31/2016
CDA 2014	$ 1,902,080	$ -	$ -	$ 1,902,080
CDA 2015	2,659,735	-	-	2,659,735
	$ 4,561,814	$ -	$ -	$ 4,561,814

The GOB 2008 restricted cash is restricted for street improvement capital projects. The balance of restricted cash accounts are to be utilized for a variety of purposes.

The DDC restricted investment was funded through donations and is restricted for the purpose of maintenance of the Wes Han Fountain in the Downtown Mall.

The GOB 2008 bond proceed investments are earmarked for street repair projects. $171,854 was utilized in August on street projects and the balance will be fully utilized by the end of the 2016 paving season.

The GOB 2013 bond proceed investments were originally intended for the demolition of Memorial Hospital, with any remaining proceeds earmarked for street repairs. There is a balance of $1.5 million which will be utilized for street repairs beginning this summer.

The Bond Anticipation Note (BAN 2016) for the Maryland Avenue Redevelopment Project was issued in June 2016. $1.0 million was distributed to the Cumberland Economic Development Corporation in August for property acquisition and demolition. The balance of the bond proceeds is $396,640.

CDA 2014 and 2015 bond proceeds are intended for a variety of General Fund ($2.6 million), Water Fund ($558,000) and Sewer Fund ($1.4 million) projects and are available to be drawn as required. There were no August draws from these funds.

Respectfully submitted,

Jeff Rhodes
City Administrator

Regular Council Agenda
October 18, 2016

Description
Administrative Services monthly report for August, 2016

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

MAINTENANCE DIVISION REPORT
September 2016

Street Maintenance Report

Parks & Recreation Maintenance Report

Fleet Maintenance Report

PUBLIC WORKS/MAINTENANCE
STREET BRANCH
MONTHLY REPORT
SEPTEMBER 2016

- POTHOLES AND COMPLAINTS
  - Potholed 13 Streets and 7 Alleys using approximately 20 tons of HMA.

- UTILITY HOLE REPAIR
  - Completed 11 Water Utility Hole Repairs and 2 Sewer Utility Hole Repairs using 13 tons of HMA and 2 CY of concrete.

- TRAFFIC CONTROL SIGNS/STREET NAME SIGNS
  - Refreshed Cross Walks and Stop Bars with Pavement Markings.
  - Continued to refresh painted curbs City Wide.

- STREET SWEEPING
  - Swept 81 curb miles (approx. 32 cubic yards of debris).
  - Hauled 30 tons to Landfill.

- MISCELLANOUS
  - Completed 26 Service Request.
  - Brush work 4 days.
  - Ditch Repair along Sperry Terr., between 1022-1030 BW Drive and along Vancouver and Blackiston.
  - Guardrail placement on Zihlman Way.
  - Gay Street property clean up.
  - Flagger Training and Traffic Manager's Training.

STREET MAINTENANCE - SEPTEMBER 2016		9/1-9/3	9/4-9/10	9/11-9/17	9/18-9/24	9/25-9/30	TOTAL
SERVICE REQUEST COMPLETED			4	16	6		26
PAVING PERFORMED	TONS						0
CONCRETE WORK	CY		3				3
UTILITY HOLES REPAIRED	WATER		1	3	4	3	11
	SEWER			1	1		2
	CY			2.00			2
	TONS		4.0	1.0	4.0	4.0	13
POTHOLES FILLED	STREETS	2	1	5	3	2	13
	ALLEYS		2	3	2		7
	DAYS						0
	Cold Mix						0
	TONS	2.0	1.0	10.0	3.0	3.5	20
PERMANENT PATCH	CY						0
	TONS						0
COMPLAINTS COMPLETED	CY						0
	TONS						0
TRAFFIC CONTROL SIGNS REPAIRED/INSTALLED							0
STREET NAME SIGNS REPAIRED/INSTALLED							0
HANDICAPPED SIGNS REPAIRED/INSTALLED/REMOVED							0
							0
				2			2
PAINTING PERFORMED	BLUE			1			1
	YELLOW						0
	RED			4			4
PAVEMENT MARKINGS INSTALLED	No.						0
STREET CLEANING	LOADS		8				8
	MILES		81				81
SWEEPER DUMPS HAULED TO LANDFILL	TONS		13.4			17.0	30
SALT BARRELLS - PICK UP	DAYS						0
CLEANED BALTIMORE ST. UNDERPASS					1		1
CLEAN SNOW EQUIPMENT	Days						0
BRUSH REMOVAL/TREE WORK	Days	1		1		2	4
Check Drains/Clean Debris	DAYS						0
LEAF PICK UP	Loads						0

Ditch Work

1. Sperry Terrace 9/6/16
2. 1022/1030 BW Drive 9/7-9/8/16
3. Vancouver and Blackiston 10.5 tons of Rip Rap 9/14-9/15

Tree Removal from alley @ 1721 Bedford

Form and pour gutter from tree removal on Holland 9/7 and 9/9

Guardrail work on Zihlman Way 9/9-9/12

Flagger Training 9/23/16

Gay Street Property Clean up 9 tons of debris

PUBLIC WORKS/MAINTENANCE
PARKS & RECREATION
MONTHLY REPORT
SEPTEMBER 2016

- Constitution Park
  - Cleaned up garbage, bathrooms and pavilions 3 time/week.
  - Cut grass in Park and Long Field.
  - Shutting down pool for winter.
  - Painting poles in Park

- Mason Complex
  - Cleaned up garbage 3 time/week.
  - Lined Fields as per schedule.
  - Cut grass.

- Abrams, Cavanaugh and JC
  - Cut grass.

- Miscellaneous Work
  - Continue to maintain, cut grass and pick up garbage at Parklets and other areas.
  - Brush work at Springdale Playground.
  - Delivered mulch to Washington HQ's.
  - Worked 9/26-9/27 setting up stage and PA for Fireball Run.

Parks and Recreation								
Field Work								
September 2016								
		Line		Spike		Drag		
Flynn		2						
Nonnennmann								
Northcraft		4						
Bowers		1						
Galaxy		2						
United		2						
Nonnennmann SF		2						
Bowers FB		2						
United FB		2						
Long		2				1		
Cavanaugh		3				1		
JC								
Abrams								
AC								

Parks and Recreation Department		
Grass Cutting		
September 2016		
LOCATION		DATES CUT
Fairmont		
Ridgedale		
Springdale		September 15
Mason		September 2, 6, 7, 13, 14, 20
Park		September 1, 2, 6, 7, 20
Long		September 6, 12
Cavanaugh		September 8
Smith Park		September 15
Vets Park		September 8
Pine Ave		September 15
JC		September 8
Valley St Parklet		
Abrams		September 15
Washington HQ		September 20
Sundial		September 12
Lucys Park		
MCS		
Evitts Creek		
Boat Ramp		
Mullen		
500 Block of Maryland Ave.		September 12
14 Somerville in Rear		
Old HRDC		September 12
Rolling Mills Parklet		September 12
Goethe		September 15
Pistol Range		September 14
Louisiana Ave.		

Parks and Recreation Department
Miscellaneous Work
September 2016
Brush removal from fence at Springdale Playground
Painted poles in Park
Worked on poo filter
Delivered mulch to Washington HQs

Fleet Maintenance
September 2016

Total Fleet Maintenance Projects	**116**
Street Maintenance	21
Snow Removal	0
DDC	0
CPD	19
Water Distribution	12
P & R Maintenance	10
CFD	12
Sewer	4
Code Enforcement	1
Flood	0
PIP	0
WWTP	1
Engineering	1
Facility Maintenance	0
Fleet Maintenance	0
Central Services	0
Municipal Parking	2
Public Works	0
Water Filtration	0
Small Engine Repairs	0
Scheduled Preventive Maintenance	17
Field Service Calls	16
Total Work Orders Submitted	**17**
Risk Management Claims	**0**
Fork Lift Inspections	**0**

Regular Council Agenda
October 18, 2016

Description
Maintenance Division monthly report for September, 2016

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

MAYOR
Brian K. Grim

CITY ADMINISTRATOR
Jeffrey D. Rhodes

COUNCIL
Nicole Alt-Myers
Seth D. Bernard
David J. Caporale
Richard J. Cioni, Jr.

CITY SOLICITOR
Michael Scott Cohen

CITY CLERK
Marjorie A. Woodring

MINUTES

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

DATE: September 6, 2016

***Pledge of Allegiance**

I. ROLL CALL

The meeting convened at 6:28 p.m.

PRESENT: Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, David Caporale, Richard J. Cioni, Jr.

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Charles Hinnant, Chief of Police; Shannon Adam, Fire Marshall; Marjorie Woodring, City Clerk

II. PROCLAMATIONS

(A) Proclaiming September 2016 as "Pain Management Month" in the City of Cumberland

Mayor Grim read the Proclamation and presented it to representative Ms. Crystal Grieves, who stated her appreciation for the Mayor and Council's support of bringing awareness to this important issue.

III. CERTIFICATES, AWARDS AND PRESENTATIONS

(A) Presentation of a certificate and flag from Harlan Smith, representative of the Western MD Coordinator for America's 9-11 Foundation

Ms. Harlan Smith, Western MD Coordinator for American's 9-11 Foundation, discussed the history of the Foundation and its mission. She thanked the Mayor and Council for their support of the event.

IV. DIRECTOR'S REPORT

(A) Administrative Services

1. Administrative Services monthly report for July, 2016

Item Action: Approved

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

(B) Public Works

1. Utilities Division & Central Services Division monthly report for July, 2016.

Item Action: Approved

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

V. APPROVAL OF MINUTES

(A) Routine

1. Approval of the Work Session Minutes of July 19, 2016

Item Action: Approved

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

2. Approval of the Regular Session Minutes of July 19, 2016 and August 2, 2016

Item Action: Approved

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

(B) Administrative / Executive

1. Approval of the Closed Session Minutes of July 19, 2016

Item Action: Approved

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

CLOSED SESSION - July 19, 2016 at 5:37 p.m.

PRESENT: Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, David Caporale, Richard J. Cioni, Jr.; Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Shawn Hershberger, Executive Director of the Cumberland Economic Development Corporation (CEDC); Jonathan Hutcherson, Chairman of the Board of Directors of the CEDC; Marjorie Woodring, City Clerk

MOTION to enter into closed session to discuss union negotiations, real estate issues, and proposals regarding the potential relocation of businesses to Cumberland was made by Caporale, seconded by Bernard, and was passed on a vote of 5-0.

AUTHORITY to close the session: Annotated Code of Maryland, State Government Article, Sections 10-508 (a) (3), (4), and (9)

TOPICS: Acquisition of property, business re-locations, union negotiations

VI. NEW BUSINESS

(A) Ordinances

1. Ordinance *(1st reading)* - authorizing execution of a deed for the transfer of surplus property at 424 Goethe Street to Friends Aware, Inc. for the amount of $0.00 for renovation and ultimate use as a group home

   Mr. Rhodes provided background on the Ordinance, advising that Friends Aware planned to rehabilitate the property in a manner that would result in two (2) group home units on the second level and one (1) handicap unit on the first level.

   FIRST READING: The Ordinance was presented in Title only for its first reading. Motion to approve the first reading and table for two weeks was made by Alt-Myers, seconded by Bernard, and passed on a vote of 5-0.

(B) Resolutions

1. Resolution granting the Cumberland Outdoor Club a property tax credit for the 2016-2017 Tax Year

   Mr. Rhodes advised that this was a yearly request from the Cumberland Outdoor Club and authority to grant the tax credit was provided by the Annotated Code of Maryland.

   The Resolution was read in Title only. Motion to approve the Resolution was made by Alt-Myers, seconded by Bernard, and passed on a vote of 5-0.

   RESOLUTION NO. R2016-11

(C) Orders (Consent Agenda)

Item Action: Approved

Mr. Rhodes reviewed each item on the Consent Agenda and Mayor Grim called for questions or comments from Council and the public. Motion to approve Consent Agenda Items 1-7 was made by Alt-Myers, seconded by Bernard, and passed on a vote of 5-0.

1. Order authorizing Special Taxing District Residential Exemptions for the 2016-2017 tax year in the amount of $191.36 for property at 43-45 N. Liberty Street; $274.66 for property at 50 N. Centre Street; $526.45 for property at 45 N. Centre Street; and $711.95 for property at 33 N. Centre Street

   ORDER NO. 26,024

2. Order authorizing the execution of Change Order No.1 to the Maryland Avenue Wall and Sidewalk Repairs Project (22-09-M) in the increased amount of $124,757.51, and adding 30 working days to the contract

   ORDER NO. 26,025

3. Order authorizing execution of a Certified Local Government (CLG) Agreement with the MD Historical Trust to accept $17,000 in grant funding for the "Cumberland Survey Project" and committing $2,500 in matching funds from the City

   ORDER NO. 26,026

4. Order approving the Sole Source purchase of a 2016 Chevrolet 2500 HD Extended Cab truck from Billy Bender Chevrolet for the not to exceed price of $38,285.00

   ORDER NO. 26,027

5. Order approving the recommendation of the Cumberland Economic Development Corporation (CEDC) to award Community Legacy Upper Story Redevelopment Forgivable Loan Funds to projects at 66-72 Pershing Street in the amount of $70,000 and 108-114 Harrison Street in the amount of $30,000

   ORDER NO. 26,028

6. Order declaring City-owned property in the vicinity of I-68 and Welton Drive to be surplus and authorizing its transfer to Sean McCagh and Gary Blake for the amount of zero dollars

   ORDER NO. 26,029

7. Order declaring a Moore 431 Check Signer / Imprinter to be surplus equipment and authorizing it for sale or trade-in

   ORDER NO. 26,030

(D) Letters, Petitions

1. Letter from Matt Miller of the Cumberland Economic Development Corporation requesting permission to use the 1 Frederick Street Garage for the CEDC fundraiser "Rowdy on the Roof," to be held Saturday, September 24, 2016, from 1:00 - 6:00 p.m., and authorizing the CEDC to obtain a temporary liquor license for the event

   The letter was acknowledged and entered into public record. Mayor Grim asked Chief Hinnant whether he had any concerns regarding the CEDC's request to obtain a liquor license for the event and Chief Hinnant advised that he did not. Upon no objections from Council, consent to hold the event was granted.

VII. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

Ms. Tamara Clark, 811 Memorial Avenue, discussed three different issues of concern regarding the City's addition of fluoride to the public drinking water supply and petitioned Council to make Cumberland a fluoride-free community. She presented Council with research associated with the fluoride issues she spoke of.

VIII. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:48 p.m.

Minutes approved on _____

Brian K. Grim, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

MAYOR
Brian K. Grim

CITY ADMINISTRATOR
Jeffrey D. Rhodes

COUNCIL
Nicole Alt-Myers
Seth D. Bernard
David J. Caporale
Richard J. Cioni, Jr.

CITY SOLICITOR
Michael Scott Cohen

CITY CLERK
Marjorie A. Woodring

MINUTES

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

DATE: 9/20/16

***Pledge of Allegiance**

I. ROLL CALL

The meeting convened at 6:15 p.m.

PRESENT: Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, David Caporale, Richard J. Cioni, Jr.

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

II. DIRECTOR'S REPORT

(A) Police

1. Police Department monthly report for August, 2016.

Item Action: Approved

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

(B) Fire

1. Fire Department monthly report for August, 2016.

Item Action: Approved

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

(C) Public Works

1. Maintenance Division monthly report for August, 2016.

Item Action: Approved

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

III. APPROVAL OF MINUTES

(A) Routine

1. Approval of the Regular Session Minutes of August 16 and 26, 2016.

Item Action: Approved

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

IV. PUBLIC HEARINGS

(A) Public Hearing - to receive requests for hotel/motel funding from local community groups

Mayor Grim convened the public hearing at 6:16 p.m.

Representatives from the following community groups petitioned the Mayor and Council for hotel/motel funding and discussed the projects and events that the funding would be used for and how those events would attract visitors to the city.

Alhambra Catholic Invitational Tournament / Joe Carter, General Chairman; Allegany Allied Arts / David Rohrbaugh; Allegany Arts Council / Heidi Custer, Program Manager; Allegany County Historical Society / Evan Slonaker, Director; Allegany County Museum / Joseph Weaver, Executive Vice President; Bishop Walsh Girls Invitational Tournament / Kathy Turnbull, Assistant Tournament Director; Canal Place Preservation and Development Authority (CPPDA) / Dee Dee Ritchie, Executive Director; Cumberland Cultural Foundation / Christina Collins Smith, President; Cumberland Historic Cemetery Organization / Ed Taylor, President; Cumberland Theatre / Wendy Walker, Managing Director; Embassy Theater Corporation / Don Llewellyn; Front and Center Stage Productions / Robin Vereen and Kim Rowley; Great Allegany Run / Terri Lowery, Director ; Mountain MD Trails / Bill Atkinson, Vice President; Mountainside Baroque / Lyle Nordstrom, Co-Director; Schoolhouse Quilters Guild / Mary Ann Shipe and Lita Havens ; Tri-State Concert Association / Cindy Hook and Karen Slemmer; Western MD Jaycees, Junior Chamber / Matt Miller, Chapter President; Western MD Scenic Railroad / John Garner, CEO and General Manager; Women's Civic Club / Amy Harman, President

Mayor Grim noted that the City had $57,000 in hotel/motel funds to distribute and over $160,000 in requests. Councilwoman Alt-Myers encouraged the groups to collaborate their marketing efforts and reach out to the local hotels to create packages and to list their events on their calendars.

The public hearing closed at 7:12 p.m.

V. UNFINISHED BUSINESS

(A) Ordinances

1. Ordinance *(2nd and 3rd readings)* - authorizing execution of a deed for the transfer of surplus property at 424 Goethe Street to Friends Aware, Inc. for the amount of $0.00 for renovation and ultimate use as a group home

Item Action: Approved

Mr. Rhodes provided background on the Ordinance, stating that Friends Aware intended to rehabilitate the property to create two (2) group home units on the second level and one (1) handicap unit on the first level.

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

Mayor Grim called for questions or comments and the Ordinance then proceeded to its third reading.

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

ORDINANCE NO. 3810

VI. NEW BUSINESS

(A) Orders (Consent Agenda)

Item Action: Approved

Mr. Rhodes reviewed each item on the Consent Agenda after which Mayor Grim called for questions or comments. Motion to approve Consent Agenda Items 1-7 was made by Cioni, seconded by Alt-Myers and passed on a vote of 5-0.

1. Order lifting the provisions of Section 11-113 of the City Code, entitled "Open Containers of Alcohol," on Saturday, September 24, 2016 from 1:00 - 6:00 P.M. at the Frederick Street Garage to accommodate the Rowdy on the Roof event; notwithstanding that open glass containers shall not be permitted

   ORDER NO. 26,031

2. Order abating utilities associated with City-owned property at 532 Maryland Avenue (Acct. 29-0158003 / $1,452.01)

   ORDER NO. 26,032

3. Order abating 2016 taxes on City-owned properties with cell tower revenue located at Bishop Walsh Road (Acct. No. 06-050301 / Tax Amount $8,860.44) and Eleanor Terrace (Acct. No. 06-011853 / Tax Amount $1,458.40)

   ORDER NO. 26,033

4. Order accepting bids for the purchase of certain surplus vehicles and equipment that were offered through a public bidding process

   ORDER NO. 26,034

5. Order declaring a Self-Propelled Anti-Tank Vehicle and Anti-Aircraft Gun now located in Constitution Park to be surplus units and authorizing that they be donated to the VFW Clifford B. Sisler Post 9451 for public display at the Veterans' Memorial in Oldtown, MD

   ORDER NO. 26,035

6. Order providing the City Administrator the authority to execute all FY17 Employment Agreements for part-time employees for a one (1) year term retroactive from July 1, 2016 through June 30, 2017

   ORDER NO. 26,036

7. Order declaring City-owned property at 423 Ascension Street to be surplus and approving its transfer to adjoining property owner Daniel Kohn, M.D. for the amount of $5,000

   ORDER NO. 26,037

(B) Letters, Petitions

1. Letter from Allegany County Habitat for Humanity asking the City of Cumberland to accept property owned by them at 114-116 Winton Place as a donation.

   The letter was acknowledged and entered into public record. Mr. Rhodes advised that it would be the City's intent to get rid of this property through the blight removal process and would be a good move for the neighborhood. He stated that the Solicitor would check to make sure there was a clear title to the property before the City would accept the donation. There were no objections raised by Council and consent was granted to proceed.

VII. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

Mayor Grim requested that Mr. Rhodes provide a brief update on the Fireball Run event, which Mr. Rhodes and his wife were taking part in as representatives of the City of Cumberland. Mr. Rhodes discussed the filming of the TV series and its mission to raise awareness of missing children. Mayor Grim invited the entire community to attend the events that would be filmed in the downtown and asked that they support "Team Country Rhodes."

Councilwoman Alt-Myers raised concerns regarding suspicious activity after dark in the area of the duck pond at Constitution Park. Chief Hinnant advised that area was one that was regularly patrolled, but he would have the crews step up the watch.

Carey Walker, Cumberland, discussed concerns he had about the condition of Grand Avenue. He asked why Grand was not on the list of streets to be done and questioned what the criteria was for prioritizing streets for repaving. He stated that improvements on Grand would help relieve congested traffic on the neighboring streets. Mr. Rhodes confirmed that Grand Avenue was not ranked in the top ten streets to be addressed, but there has been conversation about how best to deal with that street's particular issues.

VIII. ADJOURNMENT

With no further business at hand, the meeting adjourned at 7:45 p.m.

Minutes approved on _____

Brian K. Grim, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

Regular Council Agenda
October 18, 2016

Description
Approval of the Minutes of the regular sessions of September 6 and September 20, 2016

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

Mayor and City Council of Cumberland

Closed Session Minutes

City Hall, 57 N. Liberty Street, Cumberland, MD 21502
Second Floor Conference Room
Tuesday, September 6, 2016
5:00 p.m.

PRESENT: Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, and Richard J. "Rock" Cioni; David Caporale entered the meeting at 5:45 p.m.

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

MOTION: Motion to enter into closed session to discuss union negotiations, board and commission appointment, and personnel issues pursuant to the provision of the Annotated Code of Maryland, State Government Article, Section 10-508 (1) and (9) was made by Councilman Bernard, seconded by Councilwoman Alt-Myers, and was passed on a vote of 4-0.

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) (9): To conduct collective bargaining negotiations or consider matter that relate to negotiations

TOPICS: Union negotiations, board and commission appointments, and personnel issues

Minutes approved on: _____

Brian K. Grim, Mayor: _____

ATTEST: Marjorie A. Woodring, City Clerk _____

Regular Council Agenda
October 18, 2016

Description
Approval of the Closed Session Minutes of September 6, 2016

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, MARYLAND, ENTITLED "AN ORDINANCE TO PROVIDE FOR THE CLOSURE OF THE PORTION OF AN ALLEY, SOUTH SPRUCE PLACE, LOCATED BETWEEN GREENE STREET AND PACA STREET, SAID PORTION OF SPRUCE PLACE BEING CLOSED LYING BETWEEN THE LANDS OWNED BY R.J. SEPCO, INC. (AS DESCRIBED IN THE DEED RECORDED AMONG THE LAND RECORDS OF ALLEGANY COUNTY, MARYLAND IN DEED LIBER 559, FOLIO 535) ON THE WEST SIDE OF THE NORTHERN PORTION OF THE ALLEY BEING CLOSED, VALLEY FOX, INC. (AS DESCRIBED IN THE DEED RECORDED AMONG THE SAID LAND RECORDS IN DEED LIBER 609, FOLIO 809) ON THE EAST SIDE OF THE NORTHERN PORTION OF THE ALLEY BEING CLOSED, THE HOUSING AUTHORITY OF THE CITY OF CUMBERLAND, MARYLAND (AS DESCRIBED IN THE DEED RECORDED AMONG THE SAID LAND RECORDS IN DEED LIBER 442, FOLIO 132) ON THE WEST SIDE OF THE SOUTHERN PORTION OF THE ALLEY BEING CLOSED, AND CCSAC FEDERAL CREDIT UNION, NOW KNOWN AS POTOMAC FEDERAL CREDIT UNION, (AS DESCRIBED IN THE DEED RECORDED AMONG THE SAID LAND RECORDS IN DEED LIBER 615, FOLIO 128) ON THE EAST SIDE OF THE SOUTHERN PORTION OF THE ALLEY BEING CLOSED, THE PORTION OF THE ALLEY BEING CLOSED BEING SHOWN ON THE PLAT OF THE ORIGINAL TOWN LOTS OF THE CITY OF CUMBERLAND, THE PORTION OF SAID ALLEY BEING CLOSED BEING LOCATED IN THE CITY OF CUMBERLAND, MARYLAND."

WHEREAS, the Mayor and City Council of Cumberland received a petition from Sheetz, Inc. dated May 20, 2015 requesting the closure of the portion of the alley generally described in the titling of this Ordinance;

WHEREAS, the City Clerk served a personal notice in writing upon each property owner to be affected by the passage of the proposed Ordinance more than ten (10) days before October 18, 2016;

WHEREAS, in the opinion of the Mayor and City Council of Cumberland, the public welfare and convenience require that the aforesaid portion of the aforesaid alley be closed; and

WHEREAS, as provided for in Section 127A of the Charter, upon the closure of the portion of South Spruce Place which is the subject of this Ordinance, title to the same shall vest in the entities owning the property on each side thereof in equal proportions according to the length or breadth of such land as the same may border thereon as provided for hereinafter.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND AS FOLLOWS:

SECTION 1: The portion of South Spruce Place described in the metes and bounds descriptions attached hereto as Exhibits A, B, C and D and depicted as Parcels A, B, C and D in the plat attached hereto as Exhibit E is closed. The said closure is not subject to the reservation of any easements in favor of the Mayor and City Council of Cumberland or public utility companies.

SECTION 2: The said Mayor and City Council of Cumberland shall ascertain whether any and what amount in value of damage shall be caused by the aforesaid closure for which the owners or possessors of any property located along said alley, or portions thereof, should be compensated, and shall assess and levy generally on the property of the persons benefitted by the closure of the alley the whole or any part of the expense which shall be incurred in closing the same.

SECTION 3: The City Administrator or his designee shall, within fifteen (15) days of the passage of this Ordinance, submit a report to the City Clerk setting forth his findings regarding what amount of damages shall have been caused by the aforesaid alley closure, and the names of the owners or possessors of such property along which said streets now pass, and the amount of damages for which they shall be compensated or benefits for which they shall be assessed, and whether said damages arising from the closure shall be assessed generally on the whole assessable property within the City of Cumberland or specially on the property of the person benefitted by the closure; and, in the event of any of said damages being assessed and levied in whole or in part on any property of the persons benefitted, the names of the owners of the property specially benefitted, with a description of said property by reference to the Land Records of Allegany County, and the amount so levied and assessed. The Mayor and City Council shall consider the matter of the City Administrator's/designee' report and shall make determinations regarding the subject matter of the said report at a meeting held no sooner than fifteen (15) days after the date of the passage of this Ordinance.

SECTION 4: Any person feeling aggrieved or injured by the decision of said Mayor and City Council of Cumberland regarding the subject matter of the aforereferenced report shall have the right of an appeal to the Circuit Court at a trial by jury, as provided in Section 128 of the Charter of the City of Cumberland (1991 Edition), upon filing a written notice of appeal with the City Clerk within thirty (30) days after the Mayor and City Council of Cumberland shall have made their return.

SECTION 5: The benefits assessed by said Mayor and City Council of Cumberland shall be liens upon the property of the persons benefitted to the extent of such assessment, and shall be payable within fifteen (15) days after the date of the meeting at which the Mayor and City Council of Cumberland makes its determinations regarding the subject matter set forth in the City Administrator's report, and the collection of the same shall be enforced by *scire facias* in the same manner as paving liens are collected by the Mayor and City Council; and a written record of the said Mayor

and City Council's determinations shall be filed for record and reported in the Mechanics' Lien Record in the Clerk's Office in the Circuit Court for Allegany County, and the assessment therein shall be liens upon the properties respectively assessed from the time of such recording, such recording to be effected no sooner than the expiration of the aforesaid fifteen (15) day period.

SECTION 6: Upon the collection of all benefits assessed and the payment of the damages ascertained, or the waiver of this provision by the parties interested, if applicable and upon the recordation of agreements for the relocation of rights of way for Columbia Gas of Maryland, Inc., Verizon and Atlantic Broadband in the Land Records of Allegany County, Maryland or the execution of such documents as will reasonably be expected to obligate the applicable parties to execute and record such agreements, the said alley particularly described in Section 1 hereof shall be closed and the Mayor shall be empowered to execute deeds effecting the following conveyances:

(a) The property described in Exhibit A to the Housing Authority of the City of Cumberland, Maryland;

(b) The property described in Exhibit B to Potomac Federal Credit Union, formerly known as CCSAC Federal Credit Union;

(c) The property described in Exhibit C to R.J. Sepco, Inc.; and

(d) The property described in Exhibit D to Valley Fox, Inc.

SECTION 7: This Ordinance shall take effect from the date of its passage.

Passed, the ____ day of _____, 2016.

_____
Brian K. Grim, Mayor

ATTEST:

_____
Marjorie A. Woodring, City Clerk

1st reading:
2nd reading:
3rd reading:
Passed on a vote of:

EXHIBIT A

Description for Parcel A, the southwestern portion of the right of way of a public alley known as South Spruce Place, to be conveyed by the City of Cumberland to the Housing Authority of the City of Cumberland, Maryland.

Situate along the north side of Paca Street approximately 200 eastward from its intersection with South Lee Street in Election District No. 6, City of Cumberland, Allegany County, Maryland and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. dated April 8, 2014 as follows:

Beginning at a point at the intersection of the northern right of way of Paca Street and the western right of way of South Spruce Place, thence leaving Paca Street and running with the western right of way of South Spruce Place and along lands now or formerly of the Housing Authority of the City of Cumberland (Liber 442, folio 132) with bearings to match Maryland Grid North NAD 83 N08°45'22"E 168.00 feet to a point, thence by two new lines of division now made S81°34'18"E 8.25 feet to a point in the centerline of South Spruce Place, thence with said centerline S08°45'22"W 168.00 feet to a point on the northern right of way of Paca Street, thence with said right of way N81°34'18"W 8.25 feet to the place of beginning;

Containing 1,386 square feet or 0.0318 acres of land more or less;

Said lands being further shown and defined as Parcel A on a plat titled "Right of Way Abandonment Plat for South Spruce Place", a copy of which is attached hereto. Said lands are conveyed subject to and together with the conditions and restrictions shown thereon as well as to any and all other easements or rights of way of record and applicable thereto.

EXHIBIT B

Description for Parcel B, the southeastern portion of the right of way of a public alley known as South Spruce Place, to be conveyed by the City of Cumberland to Potomac Federal Credit Union, formerly known as CCSAC Federal Credit Union.

Situate along the north side of Paca Street approximately 220 eastward from its intersection with South Lee Street in Election District No. 6, City of Cumberland, Allegany County, Maryland and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. dated April 8, 2014 as follows:

Beginning at a point at the intersection of the northern right of way of Paca Street and the eastern right of way of South Spruce Place, thence running with said right of way of Paca Street with bearings to match Maryland Grid North NAD 83 N81°34'18"W 8.25 feet to a point in the centerline of South Spruce Place, thence with said centerline with two new line of division now made N08°45'22"E 175.04 feet to a point, thence S81°42'30"E 8.25 feet to a point on the eastern right of way of South Spruce Place, thence with said right of way and along lands now or formerly of CCSAC Federal Credit Union "Potomac Federal Credit Union" (Liber 615, folio 128) S08°45'22"W 175.06 feet to the place of beginning;

Containing 1,444 square feet or 0.0331 acres of land more or less;

Said lands being further shown and defined as Parcel B on a plat titled "Right of Way Abandonment Plat for South Spruce Place", a copy of which is attached hereto. Said lands are conveyed subject to and together with the conditions and restrictions shown thereon as well as to any and all other easements or rights of way of record and applicable thereto.

EXHIBIT C

Description for Parcel C, the northwestern portion of the right of way of a public alley known as South Spruce Place, to be conveyed by the City of Cumberland to R.J. Sepco, Inc.

Situate along the south side of Greene Street approximately 200 eastward from its intersection with South Lee Street in Election District No. 6, City of Cumberland, Allegany County, Maryland and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. dated April 8, 2014 as follows:

Beginning at a point at the intersection of the southern right of way of Greene Street and the western right of way of South Spruce Place, thence running with said right of way of Greene Street with bearing to match Maryland Grid North NAD 83 S81°36'04"E 8.25 feet to a point in the centerline of South Spruce Place, thence with said centerline with two new line of division now made S08°45'22"W 177.86 feet to a point, thence N81°34'18"W 8.25 feet to a point on the western right of way of South Spruce Place, thence with said right of way and along lands now or formerly of R.J. Sepco, Inc. (Liber 559, folio 535) N08°45'22"E 177.86 feet to the place of beginning;

Containing 1,467 square feet or 0.0337 acres of land more or less;

Said lands being further shown and defined as Parcel C on a plat titled "Right of Way Abandonment Plat for South Spruce Place", a copy of which is attached hereto. Said lands are conveyed subject to and together with the conditions and restrictions shown thereon as well as to any and all other easements or rights of way of record and applicable thereto.

EXHIBIT D

Description for Parcel D, the northeastern portion of the right of way of a public alley known as South Spruce Place, to be conveyed by the City of Cumberland to Valley Fox, Inc.

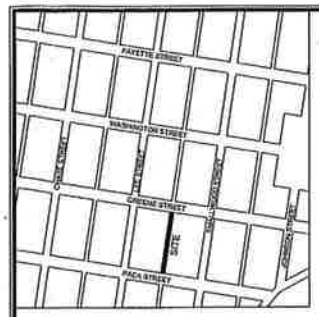
Situate along the south side of Greene Street approximately 220 eastward from its intersection with South Lee Street in Election District No. 6, City of Cumberland, Allegany County, Maryland and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. dated April 8, 2014 as follows:

Beginning at a point at the intersection of the southern right of way of Greene Street and the eastern right of way of South Spruce Place, thence running with said eastern right of way and along lands now or formerly of Valley Fox, Inc. (Liber 609, folio 809) with bearings to match Maryland Grid North NAD 83 S08°45'22"W 170.80 feet to a point, thence leaving said right of way with two new lines of division now made N81°42'30"W 8.25 feet to a point in the centerline of South Spruce Place, thence with said centerline N08°45'22"E 170.82 feet to a point on the southern right of way of Greene Street, thence with said right of way S81°36'04"E 8.25 feet to the place of beginning;

Containing 1,409 square feet or 0.0323 acres of land more or less;

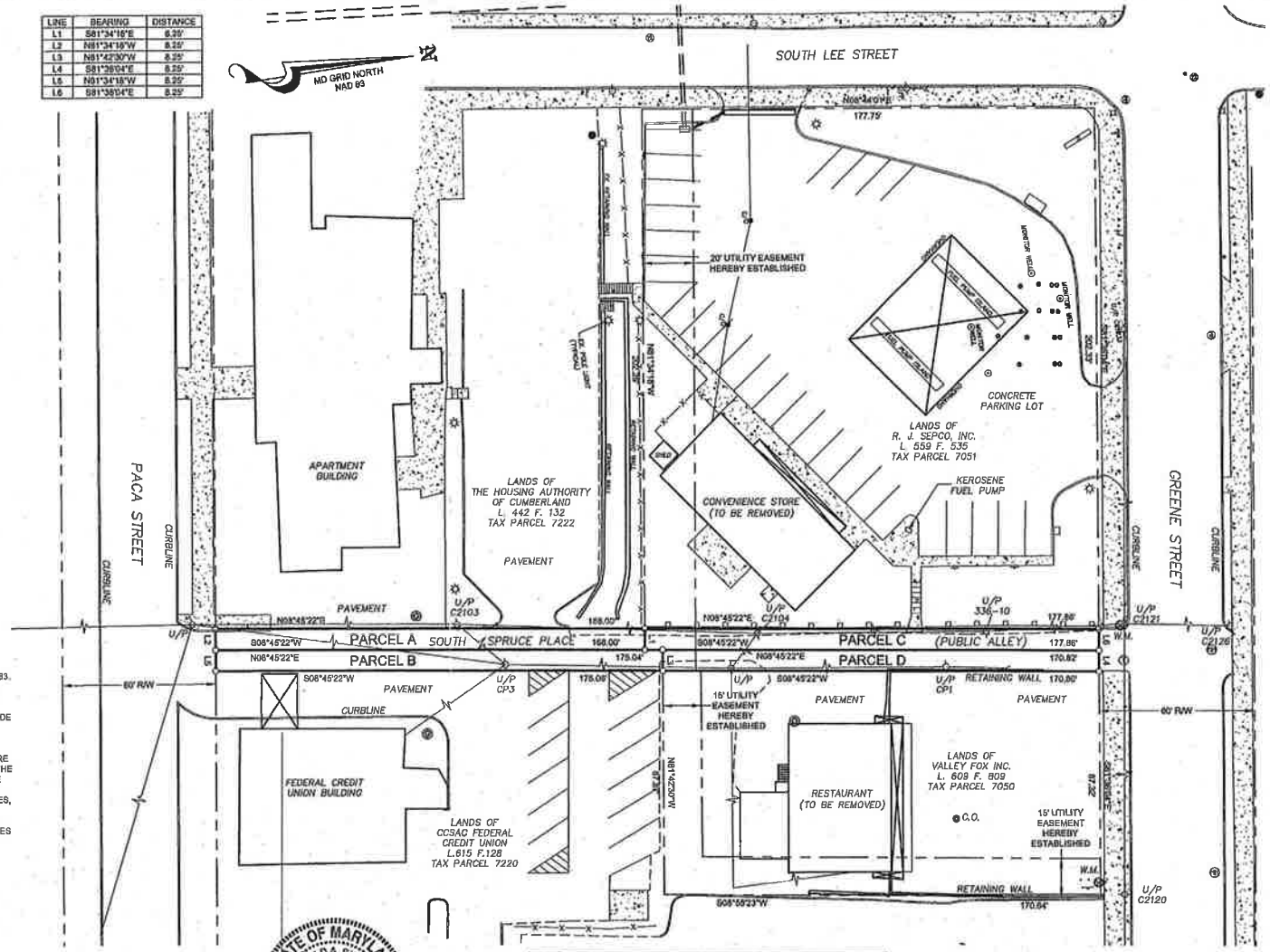
Said lands being further shown and defined as Parcel D on a plat titled "Right of Way Abandonment Plat for South Spruce Place", a copy of which is attached hereto. Said lands are conveyed subject to and together with the conditions and restrictions shown thereon as well as to any and all other easements or rights of way of record and applicable thereto.

EXHIBIT E



Vicinity Map Scale: 1"=500'

LINE	BEARING	DISTANCE
L1	S81°34'15"E	8.25'
L2	N81°34'15"W	8.25'
L3	N81°42'30"W	8.25'
L4	S81°39'04"E	8.25'
L5	N81°34'15"W	8.25'
L6	S81°39'04"E	8.25'



NOTES:
1. BEARINGS SHOWN HEREON ARE TIED TO MD GRID NORTH NAD 83.
2. ONLY VISIBLE SURFACE FEATURES ARE SHOWN HEREON. NO SUB-SURFACE INVESTIGATION WAS PERFORMED BY FREDERICK, SEIBERT AND ASSOCIATES, INC.
3. THE RIGHT OF WAY FOR SOUTH SPRUCE PLACE IS 16.5 FEET WIDE PER THE COPY OF THE 1806 MAP OF THE CITY OF CUMBERLAND RECORDED IN PLAT FOLIO 239 AMONG THE LANDS RECORDS OF ALLEGANY COUNTY, MARYLAND.
4. A UTILITY EASEMENT IS HEREBY ESTABLISHED OVER THE ENTIRE LENGTH AND WIDTH OF PARCELS A AND B SHOWN HEREON FOR THE BENEFIT OF THE CITY OF CUMBERLAND AND PUBLIC AND PRIVATE UTILITIES, INCLUDING BUT NOT LIMITED TO, GAS, ELECTRIC AND TELEPHONE SERVICE PROVIDERS FOR ANY EXISTING UTILITY LINES, FOR STORMWATER AND SURFACE DRAINAGE AND FOR THE INSTALLATION, INSPECTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT AND/OR RELOCATION OF ANY NEEDED UTILITY LINES AND STORMWATER MANAGEMENT AND SEDIMENT AND EROSION CONTROL DEVICES AND IMPROVEMENTS.

LEGEND

S.F. = SQUARE FEET
C.O. = CLEAN OUT
L. = LIBER
F. = FOLIO
NAD = NORTH AMERICAN DATUM
MD = MARYLAND
= FENCE LINE
= GUARD RAIL
= OVERHEAD UTILITY LINE
= SIGN
= UTILITY POLE
= LIGHT POLE
= MANHOLE
W.M. = WATER METER
= GAS VALVE
= TELECOM MANHOLE
= CONCRETE SIDEWALK

STATE OF MARYLAND
RONALD A. SKUTCH
No. 10950
REGISTERED
PROFESSIONAL LAND SURVEYOR

PARCEL A 1,386 S.F. TO BE CONVEYED TO THE HOUSING AUTHORITY OF CUMBERLAND
PARCEL B 1,444 S.F. TO BE CONVEYED TO CCSAC FEDERAL CREDIT UNION
PARCEL C 1,467 S.F. TO BE CONVEYED TO R.J. SEPCO, INC.
PARCEL D 1,409 S.F. TO BE CONVEYED TO VALLEY FOX, INC.

GRAPHIC SCALE
(IN FEET)
1 Inch = 30 ft.

Professional Certification
I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed Professional Land Surveyor under the Laws of the State of Maryland, License No. 10950, Expiration Date 06/29/2016.
Ronald A. Skutch, PLS — Jan. 28, 2016 Date

Approved by th City of Cumberland Engineer
SIGNED: _____ DATE: _____

TAX MAP 108	DISTRICT 6
DRAWING NUMBER 1 OF 1	
DRAWN BY: M. Cessna	DATE: 8/19/15
CHECKED BY:	DATE:
SCALE: 1" = 30'	

FREDERICK SEIBERT & ASSOCIATES, INC. ©2016
CIVIL ENGINEERS SURVEYORS LANDSCAPE ARCHITECTS LAND PLANNERS
128 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740
20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225
101 NORTH HANOVER STREET, CARLISLE, PENNSYLVANIA 17013
(301) 791-3650 (717) 597-1647 (717) 243-8115 FAX (301) 739-1958

JOB NUMBER: 6553

Right of Way Abandonment Plat
for
South Spruce Place
Situate between Green Street and Paca Street and east of Lee Street
City of Cumberland
ALLEGANY COUNTY, MARYLAND

Regular Council Agenda
October 18, 2016

Description

Ordinance *(2nd and 3rd readings)* - authorizing closure of a portion of South Spruce Place located between Greene Street and Paca Street at the request of Sheetz, Inc., and authorizing execution of deeds conveying portions of the closed right of way to the Housing Authority of the City of Cumberland, Potomac Federal Credit Union, R.J. Sepco, Inc., and Valley Fox, Inc.

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☑ 2nd Reading
☑ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)

Regular Council Agenda
October 18, 2016

Description

Ordinance *(2nd and 3rd readings)* - authorizing the execution of a deed to convey to the MD State Highway Administration .49 of a mile +/- and appurtenances known as U.S. Route 220 - McMullen Highway located at the southwestern corporate limits of the city

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, MARYLAND, ENTITLED "AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED FOR THE PURPOSE OF CONVEYING CERTAIN SURPLUS PROPERTY LOCATED AT 423 ASCENSION STREET IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND TO CLEAN DEMOLITION, INC."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 423 Ascension Street in the City of Cumberland, Allegany County, Maryland;

WHEREAS, the said property was declared to be surplus property under the terms of Order No. 26,037, passed by the Mayor and City Council on September 20, 2016;

WHEREAS, Clean Demolition, Inc. desires to purchase the said property for the sum of $5,000.00; and

WHEREAS, the Mayor and City Council of Cumberland deem it to be in the interest of the City to accept that offer.

NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor and City Council accept Clean Demolition, Inc.'s offer to purchase the real property located at 423 Ascension Street, Cumberland, MD 21502 for the purchase price of $5,000.00, provided that all costs of effecting the transfer shall be borne by Clean Demolition, Inc. and it shall be responsible for the payment of the portion of the current year real estate taxes which is prorated from the date of the deed through the end of the tax year;

SECTION 2: AND BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and they are hereby authorized to execute

a deed in the form attached hereto as Exhibit A or in a similar form approved by the City Solicitor, conveying the aforesaid real property to Clean Demolition, Inc. in exchange for the payment of the aforesaid purchase price;

SECTION 4: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this ____ day of _____, 2016.

_____
Brian K. Grim, Mayor

ATTEST:

_____
Marjorie A. Woodring, City Clerk

EXHIBIT A

DEED ONLY – NO TITLE SEARCH

THIS QUITCLAIM DEED, made this ____ day of October, 2016, by and between **Mayor and City Council of Cumberland**, a Maryland municipal corporation, and **Clean Demolition, Inc.**, a Maryland corporation, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Five Thousand Dollars ($5,000.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby quitclaim unto the party of the second part, its successors and assigns, all of the party of the first part's right, title, interest and estate in and to the following described property, to wit:

ALL that piece and parcel of ground known as 423 Ascension Street, Cumberland, Allegany County, Maryland, and being a portion of Lot No. 85 as recorded in Liber No. 40, folio 130, one of the Land Records of Allegany County, and further described as follows:

BEGINNING for the same at an iron pin stake on the Westerly side of Ascension Street at the intersection of said side of Ascension Street with the Southerly side of an alley, said stake being at the end of the second line of said whole Lot as described in Liber No. 40, folio 130, and at the end of a line drawn South 15 degrees West 202.65 feet from the intersection of the Westerly side of Ascension Street with the Southerly side of Williams Street and running (1) thence with the third line of said whole Lot, South 15 degrees West 75 feet to a corner fence post, (2) thence leaving said Ascension Street and with a board fence, North 73 degrees 22 minutes West 62 feet, (3) thence North 15 degrees East 24.3 feet, (4) thence South 75 degrees East 5 feet, (5) thence North 15 degrees East 6 feet, (6) thence North 75 degrees West 16 feet, (7) thence North 15 degrees East 43 feet to a point at the end of 27 feet on the second line of said whole Lot, (8) thence with the remainder of said second line, South 75 degrees East 73 feet to the place of beginning.

IT BEING the same property which was conveyed from Shirley I. Gurtler to Mayor and City Council of Cumberland by deed dated August 26, 2014 and recorded among the Land Records of Allegany County, Maryland in Book 2078, Page 179.

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

WITNESS the hand and seal of the party of the first part the day and year first above written.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

_____ **By:**_____**(SEAL)**

Marjorie A. Woodring, City Clerk **Brian K. Grim, Mayor**

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Brian K. Grim**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is $5,000.00 and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland.

WITNESS my hand and Notarial Seal.

_____

NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

_____

MICHAEL SCOTT COHEN

DEED ONLY – NO TITLE SEARCH

THIS QUITCLAIM DEED, made this ____ day of October, 2016, by and between **Mayor and City Council of Cumberland**, a Maryland municipal corporation, and **Clean Demolition, Inc.**, a Maryland corporation, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Five Thousand Dollars ($5,000.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby quitclaim unto the party of the second part, its successors and assigns, all of the party of the first part's right, title, interest and estate in and to the following described property, to wit:

ALL that piece and parcel of ground known as 423 Ascension Street, Cumberland, Allegany County, Maryland, and being a portion of Lot No. 85 as recorded in Liber No. 40, folio 130, one of the Land Records of Allegany County, and further described as follows:

BEGINNING for the same at an iron pin stake on the Westerly side of Ascension Street at the intersection of said side of Ascension Street with the Southerly side of an alley, said stake being at the end of the second line of said whole Lot as described in Liber No. 40, folio 130, and at the end of a line drawn South 15 degrees West 202.65 feet from the intersection of the Westerly side of Ascension Street with the Southerly side of Williams Street and running (1) thence with the third line of said whole Lot, South 15 degrees West 75 feet to a corner fence post, (2) thence leaving said Ascension Street and with a board fence, North 73 degrees 22 minutes West 62 feet, (3) thence North 15 degrees East 24.3 feet, (4) thence South 75 degrees East 5 feet, (5) thence North 15 degrees East 6 feet, (6) thence North 75 degrees West 16 feet, (7) thence North 15 degrees East 43 feet to a point at the end of 27 feet on the second line of said whole Lot, (8) thence with the remainder of said second line, South 75 degrees East 73 feet to the place of beginning.

IT BEING the same property which was conveyed from Shirley I. Gurtler to Mayor and City Council of Cumberland by deed dated August 26, 2014 and recorded among the Land Records of Allegany County, Maryland in Book 2078, Page 179.

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

WITNESS the hand and seal of the party of the first part the day and year first above written.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

_____ **By:**_____**(SEAL)**

Marjorie A. Woodring, City Clerk **Brian K. Grim, Mayor**

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Brian K. Grim**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is $5,000.00 and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland.

WITNESS my hand and Notarial Seal.

_____
NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

_____
MICHAEL SCOTT COHEN

Regular Council Agenda
October 18, 2016

Description

Ordinance *(1st reading)* - authorizing execution of a deed to convey surplus property located at 423 Ascension Street to Clean Demolition, Inc.

Approval, Acceptance / Recommendation

The opportunity to bid on this City-owned property was offered to adjoining property owners. The only bid received was from Clean Demolition, Inc. for the amount of $5,000. The current appraisal on this parcel is $4,900.

The offer from Clean Demolition was accepted and the property was declared surplus on September 20, 2016.

The Ordinance authorizes transfer of the deed to Clean Demolition for the amount of $5,000.

☐ 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 TO AMEND SECTION 6.08(5) OF THE CITY OF CUMBERLAND ZONING ORDINANCE FOR THE PURPOSE OF REDUCING THE LIGHTING STANDARDS RESTRICTIONS APPLICABLE TO RESIDENTIAL USES PROHIBITED IN THE CITY'S PRINCIPALLY COMMERCIAL (BUSINESS) AND INDUSTRIAL ZONES."

WHEREAS, Title 4, Subtitle 2 of the Land Use Article of the Annotated Code of Maryland grants the Mayor and City Council the power to enact a zoning ordinance, to amend it from time to time, and to provide for its administration and enforcement.

WHEREAS, the Mayor and City Council deem it necessary to amend the City of Cumberland Zoning Ordinance from time to time for the purpose of promoting the health, safety, morals, and/or general welfare of the City.

WHEREAS, in reviewing the standards which restrict the glare exterior lighting casts upon streets and adjacent properties (as stated in Section 6.08 (5) of the Zoning Ordinance), City staff determined that the same restrictions applicable to residential properties which are permitted as a matter of right in certain zones apply to nonconforming residential properties in the zones intended to consist principally of commercial (business) and industrial uses, i.e., the Local Business (B-L), Highway Business (B-H), Central Business District (B-CBD), and Industrial-General (I-G) Zoning Districts.

WHEREAS, applying this standard uniformly may have the unintended consequence of making it difficult and/or expensive for new businesses trying to locate in such commercial and industrial zones if pre-existing but otherwise nonconforming residences (regardless of whether they are inhabited) are located nearby.

WHEREAS, the primary objective of the primarily commercial and industrial zoning districts is to promote and incentivize commercial and industrial development, thereby expanding the City's tax base and increasing opportunities for employment.

WHEREAS, staff has proposed changing the lighting standard for residential uses which are prohibited or conditionally-allowed (by the Board of Zoning Appeals) in the aforesaid primarily commercial and industrial zones from the standard that

applies to residential uses permitted as a matter of right in all zones (0.4 foot-candles (meter reading) as measured no more than three feet inside the lot line) to the standard applicable to commercial lighting intensity impacts on adjoining streets (one foot-candle (meter reading) as measured from the centerline of the street).

WHEREAS, staff intends for the more restrictive lighting standard to remain in effect for any and all residential uses in the other zoning districts.

WHEREAS, the City of Cumberland Municipal Planning and Zoning Commission held a public hearing on the subject matter of this ordinance on the 12th day of September, 2016, and determined that it should recommend that the Mayor and City Council pass an ordinance adopting the amendments to the City of Cumberland Zoning Ordinance which were proposed by staff.

WHEREAS, notice of the time and place of the City of Cumberland Municipal Planning and Zoning Commission public hearing was published in the Cumberland Times-News, a newspaper of general circulation in the City of Cumberland, once each week for two successive weeks (on August 29, 2016 and September 5, 2016), the first such notice having been published at least 14 days prior to the hearing, as required by Section 15.04.02 of the Zoning Ordinance.

WHEREAS, the Mayor and City Council held a public hearing regarding the subject matter of this Ordinance on _____, 2016, having published notice of the time and place of the hearing together with a summary this Ordinance in the Cumberland Times-News, a newspaper of general circulation in the City of Cumberland, once each week for two successive weeks (on _____, 2016 and _____, 2016), the first such notice having been published at least 14 days prior to the hearing, as required by Section 4-203(b) of the Land Use Article of the Annotated Code of Maryland.

WHEREAS, consistent with the recommendation of the Municipal Planning and Zoning Commission, the Mayor and City Council have determined that they should approve the proposed amendments to the Zoning Ordinance.

NOW, THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that Section 6.08(5) of the City of Cumberland

Zoning Ordinance, as enacted by Ordinance No. 3648, passed on August 4, 2009, is hereby amended as follows[1]:

6.08 GENERAL PERFORMANCE STANDARDS AND ENVIRONMENTAL PRESERVATION

(5) Lighting: Exterior lighting shall not adversely affect adjacent properties, as determined by the following:

(a) Exposed sources of lights, including bare bulbs and tubes and immediately adjacent reflecting surfaces, shall be shielded so as not to create a nuisance across lot lines.

(b) Any light or combination of lights that casts light on a public street **OR A RESIDENTIAL PROPERTY LOCATED WITHIN ANY BUSINESS OR INDUSTRIAL ZONING DISTRICT (B-L, B-H, B-CBD, B-C, OR I-G) WHERE THAT SPECIFIC RESIDENTIAL USE IS PROHIBITED** shall not exceed one foot-candle (meter reading) as measured from the centerline of such street. Any light or combination of lights that cast light on **ANY OTHER** ~~a~~ lot zoned or used for residential purposes **(EXCLUDING THOSE SPECIFIED ABOVE)** shall not exceed 0.4 foot-candles (meter reading) as measured no more than three feet inside the lot line.

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect ten (10) days from the date of its passage.

Passed this _____ day of _____, 2016.

_____
Brian K. Grim, Mayor

ATTEST:

_____
Marjorie A. Woodring, City Clerk

[1] Stricken out text denotes language stricken from the Zoning Ordinance. Bold print text denotes language added to the Zoning Ordinance. All changes are highlighted.

CITY OF CUMBERLAND MARYLAND

ENGINEERING DEPARTMENT

TO: **Jeff Rhodes, City Administrator**

FROM: **David Umling, City Planner**

DATE: **September 13, 2016**

RE: **ZTA 16-01 – Lighting Standards**

Please find attached a report approved by the Planning Commission (by a 3-0 vote) at its September 12, 2016 regular meeting recommending approval by the Mayor and Council of a Zoning Text Amendment (ZTA 16-01). This text amendment was prepared by staff as a measure to reduce the required lighting glare standard for residential uses prohibited in the city's commercial zones from 0.4 foot-candles to 1.0 foot-candles. This change is desired to relieve permitted commercial uses from an excessive lighting glare requirement on uses that are otherwise prohibited in those zones.

Under the Land Use Article of the Annotated Code of Maryland, this report must be presented to the Mayor and City Council at a regular meeting and a date scheduled for a final public hearing by the Mayor and City Council before the ordinance may be adopted. Therefore, we would like to request a public hearing date at which time I can explain the proposed amendment and answer any questions the Mayor and Council members may have. Once the hearing has been scheduled, I will prepare the required public notice and submit it to Margie Woodring for publication in the Cumberland Times as prescribed by Maryland Law. Please feel free to submit the draft ordinance language to our City Solicitor for his use in preparing the final Ordinance.

If you have any additional questions, please let me know. I will transmit a copy of this memo to Margie Woodring by e-mail, along with an editable computer file copy of the proposed ordinance. Thank you for your assistance.

Attachment

cc: Margie Woodring (via e-mail)

MAYOR
BRIAN K. GRIM

COUNCIL
NICOLE ALT-MYERS
SETH D. BERNARD
DAVID J. CAPORALE
DAVID F. KAUFFMAN

CITY ADMINISTRATOR
JEFFREY D. RHODES

CITY ENGINEER
JOHN J. DIFONZO P.E.

MEMBER MARYLAND MUNICIPAL LEAGUE (MML)

57 N. LIBERTY STREET, CUMBERLAND, MD 21502 www.cumberlandmd.gov
MAIN 301-759-6600 • FAX 301-759-6608 • TDD 800-735-2258

CUMBERLAND PLANNING COMMISSION STAFF REPORT

ZTA 16-01 – Lighting Standards

June 27, 2016

Revised – July 12, 2016

Overview:

When reviewing more closely the city's standards and requirements to restrict commercial light pollution and glare on residential properties (as stated in Section 6.08 (5) of the Zoning Ordinance), we determined that the requirements impose the same restrictions to limit glare on nonconforming residential properties in commercial zones as they do for permitted residential properties in adjoining residential zones. This may have the unintended impact of making it difficult or expensive for new businesses trying to locate in our Highway Commercial zone (where they are the primary permitted use for that zone) and other commercial zones if a pre-existing, but otherwise nonconforming residence is located there—whether it is inhabited or not.

Since the primary objective of our Commercial zones is to promote and incentivize commercial development to expand the city's tax base, the City Administrator has requested a minor amendment to Section 6.08 (5) that would change the light standard for prohibited or conditionally-allowed residential uses in our primary commercial and industrial zones to be the same as for commercial lighting intensity impacts on adjoining streets, rather than the same standard that would apply to residential uses permitted by right in all zones. This new proposed standard would *only* apply to residential uses prohibited or conditionally-allowed (by the Zoning Board of Appeals) in commercial and industrial zones. The more restrictive lighting standard would remain in effect for any and all residential uses *permitted by right* in commercial and industrial zones and *any* residential property in all residential zones.

Procedural Status:

The City Planner was asked on May 6, 2016 to research and prepare a draft Zoning Text Amendment based on a requested assessment from the City Administrator. The draft was provided to the City Administrator on June 8, 2016 for review and comment. The City Planner and City Administrator met on June 24, 2016 to discuss and finalize the wording of the amendment. A final working draft was prepared and filed as a Zoning Text Amendment application (ZTA 16-01) on June 27, 2016. The draft ZTA was scheduled for review by the Planning Commission at its July 11, 2016 regular meeting. At that meeting, the Planning Commission requested clarification that residential uses approved by the Board of Zoning Appeals as "conditional uses" within residential and commercial zones would *not* be subjected to the same 1.0 foot-candle lighting standard as prohibited residential uses in those zones. Staff revised the proposed text amendment language on July 12, 2016 to clarify that change.

Staff Recommendation:

Staff has determined and recommends that, based on the research conducted, that the proposed Zoning Text Amendment is appropriate to address unintended lighting restriction impacts that could be imposed on businesses locating in our commercial and industrial zones without resulting in excessive glare to permitted residential properties that may exist within those zones or on residential properties generally.

Planning Commission Action:

[✓] Recommend adoption of ZTA 16-01 to the Mayor and City Council as presented in the revised June 27, 2016 staff report with no additional changes.

[ ] Recommend adoption of ZTA 16-01 to the Mayor and City Council as presented in the revised June 27, 2016 staff report with the following changes:

_____

_____

_____

_____

_____

_____

_____

_____

[ ] Recommend denial of ZTA 16-01 to the Mayor and City Council.

Motion by: Vic Rezendes

Seconded by: Aaron Hendrickson

Vote:

In favor of motion: 3 Opposed: 0 Abstained: 1

Number of voting members present: 4

Signed:

Bernard C Wolf

Chair, Cumberland Planning Commission

Date: 9/12/2016

Secretary, Cumberland Planning Commission

Date: 9/12/2016

ATTACHMENT 1

ZTA 16-01 – Lighting Standards

ZTA 16-01 – LIGHTING STANDARDS

Proposed Zoning Text Amendment
June 24, 2016 – Revised July 12, 2016

NOTE: (New language to be added is depicted in **BOLD-FACED CAPITAL LETTERS** and language to be deleted is depicted in ~~strikethrough~~ font)

AMEND ONLY THE FOLLOWING SPECIFIC SUBPARAGRAPH IN SECTION 6.08 – GENERAL PERFORMANCE STANDARDS AND ENVIRONMENTAL PRSERVATION AS FOLLOWS:

6.08 GENERAL PERFORMANCE STANDARDS AND ENVIRONMENTAL PRESERVATION

(5) Lighting: Exterior lighting shall not adversely affect adjacent properties, as determined by the following:

(a) Exposed sources of lights, including bare bulbs and tubes and immediately adjacent reflecting surfaces, shall be shielded so as not to create a nuisance across lot lines.

(b) Any light or combination of lights that casts light on a public street **OR A RESIDENTIAL PROPERTY LOCATED WITHIN ANY BUSINESS OR INDUSTRIAL ZONING DISTRICT (B-L, B-H, B-CBD, B-C, OR I-G) WHERE THAT SPECIFIC RESIDENTIAL USE IS PROHIBITED** shall not exceed one foot-candle (meter reading) as measured from the centerline of such street. Any light or combination of lights that cast light on **ANY OTHER** ~~a~~ lot zoned or used for residential purposes **(EXCLUDING THOSE SPECIFIED ABOVE)** shall not exceed 0.4 foot-candles (meter reading) as measured no more than three feet inside the lot line.

Regular Council Agenda
October 18, 2016

Description

Ordinance *(1st reading)* - amending Section 6.08(5) of the Cumberland Zoning Ordinance to reduce the lighting standards restrictions applicable to residential uses prohibited in the City's Business and Industrial Zones

Approval, Acceptance / Recommendation

See attached report from David Umling, City Planner.

A public hearing will be scheduled on this matter on November 15, 2016, to allow for the required number of days for advertisement of the hearing.

The second and third readings of the Ordinance will be scheduled for December 6, 2016.

☐ 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:** __October 18, 2016 _

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

THAT, the Chief of Police be and is hereby authorized to execute a Project Agreement by and between the Cumberland Police Department and the Maryland Highway Safety Office of the State Highway Administration (MHSO) to accept a 2017 Maryland Highway Safety Grant for Three Thousand, Nine Hundred Fifty Dollars and No Cents ($3,950.00) for police overtime support concentrating on occupant protection usage and DUI enforcement for the project period October 1, 2016 through September 30, 2017.

_____

Mayor Brian K. Grim

Project Title: Cumberland Police Department 2017 Highway Safety Grant
Project No. LE 17-032

Motor Vehicle Administration

Maryland Motor Vehicle Administration
6601 Ritchie Highway, N.E.
Glen Burnie, Maryland 21062

410-768-7000
1-800-950-1MVA
CUSTOMER SERVICE CENTER

1-800-492-4575
TTY

www.MVA.Maryland.gov
WEB SITE

August 30, 2016

Lt. Robert Reed
Lieutenant
Cumberland Police Department
20 Bedford Street
Cumberland Maryland 21502

RE: Highway Safety Funds Committed to the Project Entitled:
Cumberland Police Department 2017 Highway Safety Grant
Funding Committed for FFY 2017: $3,950.00
MHSO Project Number: LE 17-032

Dear Lt. Reed:

Thank you for submitting your project proposal for Federal Fiscal Year (FFY) 2017. The Maryland Highway Safety Office (MHSO) is grateful for your interest in reducing the number of crashes, deaths, and associated injuries occurring on Maryland roadways.

The attached Executed Project Agreement serves as the official contract between the MHSO and your agency for this project.

As part of the new Electronic Code of Federal Regulations, the MHSO is required to provide every grantee with information relating to Title 2, Subtitle A, Chapter II, Part 200, Subpart D, §200.331. Therefore, the Federally Required Information Form, which is a new document, is included this year for information regarding your agency's grant award.

The project period covers October 1, 2016 through September 30, 2017. Please remember that the Project Terms and Conditions are part of the Project Agreement and your agency will be held accountable to adhere to these conditions. The formal obligation is contingent upon the availability of federal highway safety funds.

A successful project requires constant evaluation and monitoring, and our staff is prepared to assist you in this regard. We look forward to working with you to enhance the safety of those that travel Maryland's highways. Thank you for working with us to reach our goal of *Toward Zero Deaths because every life counts.*

Sincerely,

Thomas J. Gianni, Chief
Maryland Highway Safety Office

Enclosures

cc: MHSO Project file

Maryland Department of Transportation

Federally Required Information

Maryland Highway Safety Office MVA

The Maryland Highway Safety Office (MHSO) is providing the following information pursuant to Title 2, Subtitle A, Chapter II, Part 200, Subpart D, Section 200.331. This information is for your records regarding your grant with MHSO for highway safety funded through the National Highway Transportation Safety Administration (NHTSA). Awarding Agency (MHSO) contact: 410-787-4050.

Federal Subrecipient: Cumberland Police Dept **Grant Number** LE 17-032 **Tax ID:** 52-6000786 **DUNS#:** 010095024

The following information pertains to the Federal Awards received by the MHSO from which your grant is funded:

Federal Award Identification	Fed Award Description	CFDA	CFDA Description	Fed Award	FAIN Number	Date of Award
MAP 21 405c	Data Program	20.616	National Priority Safety Programs	$794,245.82	18X920405CMD14	11/27/2013
MAP 21 405d	Impaired Driving Low	20.616	National Priority Safety Programs	$2,133,322.59	18X920405DMD14	11/27/2013
164	164 Transfer Funds-AL	20.608	64 Transfer – AL Repeat Offenders	$4,585,004.00	18X9205464MD14	03/25/2014
NHTSA 402	NHTSA 402	20.600	State and Community Highway Safety	$2,955,260.26	18X9204020MD15	11/04/2014
MAP 21 405b	Occupant Protection High Belt Use	20.616	National Priority Safety Programs	$673,673.89	18X920405BMD15	11/24/2014
MAP 21 405c	Data Program	20.616	National Priority Safety Programs	$489,639.86	18X920405CMD15	11/24/2014
MAP 21 405d	Impaired Driving Low	20.616	National Priority Safety Programs	$1,756,883.45	18X920405DMD15	11/24/2014
MAP 21 405f	Motorcycle Programs	20.616	National Priority Safety Programs	$55,359.66	18X920405FMD15	11/24/2014
NHTSA 402	NHTSA 402	20.600	State and Community Highway Safety	$3,899,733.88	18X9204020MD16	11/19/2015
MAP 21 405b	Occupant Protection High Belt Use	20.616	National Priority Safety Programs	$673,042.08	18X920405BMD16	02/11/2016
MAP 21 405c	Data Program	20.616	National Priority Safety Programs	$589,181.82	18X920405CMD16	02/11/2016
MAP 21 405d	Impaired Driving Low	20.616	National Priority Safety Programs	$2,127,963.05	18X920405DMD16	02/11/2016
MAP 21 405f	Motorcycle Programs	20.616	National Priority Safety Programs	$65,472.25	18X920405FMD16	02/11/2016
			Total MHSO Federal Awards:	**$20,798,782.61**		

The following funds have been awarded to for the period of 10/1/2015 through 9/30/2016.

Federal Award Identification	Fed Award Description	CFDA	CFDA Description	Fed Award
NHTSA 402	NHTSA 402	20.600	State and Community Highway Safety	$1,450.00
MAP 21 405b	Occupant Protection High Belt Use	20.616	National Priority Safety Programs	
MAP 21 405c	Data Program	20.616	National Priority Safety Programs	
MAP 21 405d	Impaired Driving Low	20.616	National Priority Safety Programs	$2,500.00
MAP 21 405f	Motorcycle Programs	20.616	National Priority Safety Programs	
164	Transfer Funds-AL	20.608	164 Transfer – AL Repeat Offenders	
	Total Federal Award			**$3,950.00**
	Non Federal Award funds in grant	N/A	N/A	$ 0.00

Total Funding Awarded to this Grant $3,950.00

None of the funds obligated are for Research and Development.

Indirect Rate for Grant: 0

Regular Council Agenda
October 18, 2016

Description

Order authorizing the Chief of Police to accept a Maryland Highway Safety Office grant for FY17 in the amount of $3,950.00 for police overtime support concentrating on Occupant Protection Usage and DUI Enforcement

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

$3,950.00

Source of Funding (if applicable)

Project No. LE 17-032

- ORDER -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. _____ **DATE:** __October 18, 2016 _

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

THAT, Order No. 25,975, passed May 17, 2016 authorizing the execution of an Art Easement Agreement for the placement of art work at 55 Baltimore Street be and is hereby rescinded, to allow for placement of the art work at 157 Baltimore Street.

_____

Mayor Brian K. Grim

- ORDER -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. 25,975 **DATE:** May 17, 2016

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

THAT the Mayor be and is hereby authorized to execute three (3) Art Easement Agreements for the placement of artwork as follows:

PROPERTY OWNERS	LOCATION
CBIZ Insurance Services, Inc.	42 Baltimore Street
David F. and Margaret A. Romero	55 Baltimore Street
Edward C. and Andrea M. Hedrick	18-20 S. Mechanic Street

BE IT FURTHER ORDERED, that this Agreement shall be for a period of five (5) years with provisions for automatic 5-year renewals; and

BE IT FURTHER ORDERED, that funding for this project shall be provided by the CDBG program and the Downtown Development Commission.

Mayor Brian K. Grim

Funding: CDBG / DDC

MAY 17 2016

BOOK 2217 PAGE 401

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☑ County: Allegany

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

1 Type(s) of Instruments (Check Box if addendum Intake Form is Attached.)

☐ Deed ☐ Deed of Trust	☐ Mortgage ☐ Lease	x Other Art Easmt. Agreement	☐ Other _____

2 Conveyance Type Check Box

☐ Improved Sale Arms-Length *[1]*	☐ Unimproved Sale Arms-Length *[2]*	☐ Multiple Accounts Arms-Length *[3]*	☐ Not an Arms-Length Sale *[9]*

3 Tax Exemptions (if applicable) Cite or Explain Authority

Recordation	
State Transfer	
County Transfer	

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration	
Purchase Price/Consideration	$ 0.00		
Any New Mortgage	$	Transfer Tax Consideration	$
Balance of Existing Mortgage	$	X ( ) % =	$
Other:	$	Less Exemption Amount −	$
		Total Transfer Tax =	$
Other:	$	Recordation Tax Consideration	$
		X ( ) per $500 =	$
Full Cash Value:	$	TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2	
Recording Charge	$ 20.00	$	Agent:
Surcharge	$ 40.00	$	Tax Bill:
State Recordation Tax	$	$	
State Transfer Tax	$	$	C.B. Credit:
County Transfer Tax	$	$	
Other	$	$	Ag. Tax/Other:
Other	$	$	

6 Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
04	010671	714/137			(5)

Subdivision Name	Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)

Location/Address of Property Being Conveyed (2)

55 Baltimore Street, Cumberland, MD 21502

Other Property Identifiers (if applicable)	Water Meter Account No.

Residential or Non-Residential | **Fee Simple or Ground Rent** | **Amount:**

Partial Conveyance? Yes ✓ No | Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 – Grantor(s) Name(s)	Doc. 2 – Grantor(s) Name(s)
David F. Romero & Margaret A. Romero	
Doc. 1 – Owner(s) of Record, if Different from Grantor(s)	**Doc. 2 – Owner(s) of Record, if Different from Grantor(s)**

8 Transferred To

Doc. 1 – Grantee(s) Name(s)	Doc. 2 – Grantee(s) Name(s)
Mayor and City Council of Cumberland	

New Owner's (Grantee) Mailing Address

57 N. Liberty Street, Cumberland, MD 21502

9 Other Names to Be Indexed

Doc. 1 – Additional Names to be Indexed (Optional)	Doc. 2 – Additional Names to be Indexed (Optional)

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: Michael Scott Cohen

Firm Michael Scott Cohen, LLC

Address: 213 Washington Street, Cumberland, MD 21502

Phone: (301) 724-5200

☑ Return to Contact Person

☐ Hold for Pickup

☐ Return Address Provided

11 **IMPORTANT: *BOTH* THE ORIGINAL DEED *AND* A PHOTCOPY MUST ACCOMPANY EACH TRANSFER**

☐ Yes ✓ No Will the property being conveyed be the grantee's principal residence?

ART EASEMENT AGREEMENT

THIS ART EASEMENT AGREEMENT ("Agreement"), effective April 5, 2016, is made by and between **David F. Romero and Margaret A. Romero** (the "Property Owners") and the **Mayor and City Council of Cumberland**, a Maryland municipal corporation (the "City").

Recitals:

WHEREAS, the Property Owners own the real property and the improvements thereon located at 55 Baltimore Street, Cumberland, MD 21502 (the "Property") which is described in the deed from Timothy J. Mullaney to David F. Romero and Margaret A. Romero, husband and wife, dated February 19, 2003 and recorded among the Land Records of Allegany County, Maryland in Deed Liber 714, folio 137;

WHEREAS, the City desires to place a piece of publicly commissioned art described in the Exhibit A attached hereto (hereinafter referred to as the "Artwork") on the Property on the southern wall of the structure on the Property in the approximate location shown on the said Exhibit A; and

WHEREAS, the Property Owners, in recognition of the aesthetic enhancement the Artwork will provide for its benefit as well as that of the citizens of the City of Cumberland and other passersby, is willing to allow the City an easement to display the Artwork on the Property and for the other purposes described hereinafter subject to the hereinafter set forth terms and conditions.

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the City and the Property Owners agree as follows:

1. **Recitals.** The Recitals set forth above are not merely prefatory. They are incorporated by reference herein and form a part of this Agreement.

2. **Grant of Easement.** The Property Owners give, grant and convey to the City, its successors and assigns, an easement for the purpose of installing, repairing, maintaining, operating, exhibiting and removing the Artwork on the Property at the location described in the Recitals above or at such other locations on the Property as may be agreed upon by the Property Owners and the City in writing. For the purpose of agreeing to an alternate location, the City designates the Executive Director of the City of Cumberland Downtown Development Corporation as its agent for the purpose of agreeing to alternate locations for the Artwork.

3. **Term of Agreement.** This Agreement shall commence upon the effective date set forth in the introductory paragraph of this Agreement and shall continue for a period of five (5) years thereafter unless terminated sooner as provide in section 4. Unless terminated as provided in section 4, this Agreement shall automatically renew for successive five (5) year terms.

4. **Termination.**

4.1. Either party may terminate this Agreement effective the end of the initial term or any renewal term by providing the other party with written notice of the termination no later than thirty (30) days prior to the end of the then-current term.

4.2. This Agreement may be terminated by the Property Owners with the City's written consent upon the Property Owners' showing of any of the following: (i) that the Property is to be sold and the buyer requires removal of the easement as a condition of the purchase and sale; (ii) that financing secured by the Property is to be refinanced and the lender requires removal of the easement as a condition of the refinancing; (iii) that the Property is to be substantially remodeled or altered in a way that precludes the continued display of the Artwork at the location shown on the Exhibit A attached hereto; or (iv) that circumstances have materially changed and the continued existence of the easement substantially impedes the Property Owners' reasonable use and enjoyment of the Property. The City shall not unreasonably withhold consent to termination upon the Property Owners' satisfactory demonstration of any of the foregoing conditions of termination.

4.3. The City may terminate the easement at any time at its sole discretion upon 30 days written notice to the Property Owners. Should the City elect to exercise this right of termination, City expressly agrees and warrants that the Artwork shall be removed and the area where the Artwork was placed shall be restored to a reasonable facsimile of the condition it was in just prior to the placement of the Artwork thereon, except that the City shall not be required to restore ordinary wear and tear. Such removal shall occur within 60 days of the termination of the easement, unless this period is extended in writing by the parties.

5. **Maintenance and Removal of Artwork.** The City shall be responsible for the maintenance and repair of the Artwork during the term of this Agreement. In the event the Artwork is damaged during the term of this Agreement, the City reserves the right to replace it. Upon the expiration or termination of this Agreement, at its expense, the City shall remove the Artwork from the Property and restore the area where the Artwork was placed to a reasonable facsimile of the condition it was in just prior to the placement of the Artwork thereon, except that the City shall not be required to restore ordinary wear and tear. Such removal and restoration shall be effected no later than sixty (60) days from the date of the expiration or termination of this Agreement unless the parties agree in writing the written extension of this time frame.

6. **Property Owner's Covenants.** The Property Owners covenant with the City and agree that:

(a) It will not permit any other works of art, billboards or other media to be displayed on the wall where the Artwork is displayed without the prior written approval of the City;

(b) It will not permit any shrubs, trees, vines, or other vegetation to be planted or grow on the Property which would obstruct or materially impair the visibility of the Artwork; and

(c) It will not permit any signs, billboards or structures to be erected or placed on the Property which would obstruct or materially impair the visibility of the Artwork.

7. **Right of Entry.** The City shall have the right to enter onto the Property weekdays from between 8:00 a.m. and 5:00 p.m. for any and all of the purposes described in this Agreement. It may enter onto the Property at such other times as the Property Owners may allow.

8. **Assignment.** This Agreement shall not be subject to assignment except upon the written consent of the Property Owners.

9. **Entire Agreement.** This Agreement contains the final and entire agreement between the parties, and neither they nor their agents shall be bound by any terms, conditions, statements, warranties or representations, oral or written, not herein contained.

10. **Maryland Law Applies.** This Agreement shall be governed and construed according to the laws of the State of Maryland without regard to principles of conflict of laws. Any litigation arising out of or concerning its terms shall be commenced in the Circuit Court for Allegany County, Maryland or the District Court of Maryland for Allegany County, and both parties waive the right to claim that such courts constitute inconvenient fora or improper venues.

11. **Binding Effect.** This Agreement shall be binding upon the parties hereto and, as applicable, each of their respective heirs, personal representatives, administrators, executors, successors and assigns as well as the Property Owners' successors in title. The covenants contained herein shall be deemed to touch, concern and run with the land of the Property.

12. **Gender/Tense/Conjugation.** The use of any gender, tense, or conjugation herein shall be applicable to all genders, tenses and conjugations. The use of the singular shall include the plural and the plural shall include the singular.

13. **Jury Trial Waiver. THE PARTIES HERETO WAIVE TRIAL BY JURY IN ANY ACTION OR PROCEEDING TO WHICH ANY OF THEM MAY BE PARTIES ARISING OUT OF OR IN ANY WAY PERTAINING TO THIS AGREEMENT. IT IS AGREED AND UNDERSTOOD THAT THIS WAIVER CONSTITUTES A WAIVER OF TRIAL BY JURY OF ALL CLAIMS AGAINST ALL PARTIES TO SUCH ACTIONS OR PROCEEDINGS, INCLUDING CLAIMS AGAINST PARTIES WHO ARE NOT PARTIES TO THIS AGREEMENT.**

14. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

15. **Notices.** All requests, approvals, consents, notices and other communications required to be given in writing under the terms hereof shall be properly given only if hand-

LR - Agreement
Recording Fee 20.00
Grantor/Grantee Name:
romero/cumberland
Reference/Control #:
LR - Agreement
Surcharge 40.00
SubTotal: 60.00
Total: 60.00
05/31/2016 02:23
CC01-MB
#6239174 CC0401 -
Allegany
County/CC04.01.01 -
Register 01

delivered or delivered by United States Post Office or overnight courier and addressed as follows:

To the City:

City of Cumberland
57 N. Liberty Street
Cumberland, MD 21502
ATTN: City Administrator

To the Property Owners:

Mr. & Mrs. David F. Romero
55 Baltimore Street
Cumberland, MD 21502

Such requests, approvals, consents, notices and other communications shall be deemed to have been effected on the date of mailing if mailed or on the date of delivery if hand delivered.

16. **Recordation.** This Agreement may be recorded among the Land Records of Allegany County, Maryland. The party who records it shall bear the costs of recordation.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first written above intending that it be an instrument under seal.

WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF CUMBERLAND

Marjorie A. Woodring
City Clerk

By: _____ (SEAL)
Brian K. Grim, Mayor

_____ (SEAL)
David F. Romero

_____ (SEAL)
Margaret A. Romero

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 17 day of May, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Brian K. Grim**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland and made oath that he is duly authorized by it to make this acknowledgment.

WITNESS my hand and Notarial Seal.

Marjorie A. Woodring
NOTARY PUBLIC

MARJORIE A. WOODRING NOTARY PUBLIC ALLEGANY COUNTY, MD

My Commission Expires: 6/10/20

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 17 day of May, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **David F. Romero**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, and he acknowledged the foregoing instrument to be his act and deed.

WITNESS my hand and Notarial Seal.

Marjorie A. Woodring
NOTARY PUBLIC

MARJORIE A. WOODRING NOTARY PUBLIC ALLEGANY COUNTY, MD

My Commission Expires: 6/10/20

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 17 day of May, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Margaret A. Romero**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, and she acknowledged the foregoing instrument to be her act and deed.

WITNESS my hand and Notarial Seal.

Marjorie A. Woodring
NOTARY PUBLIC

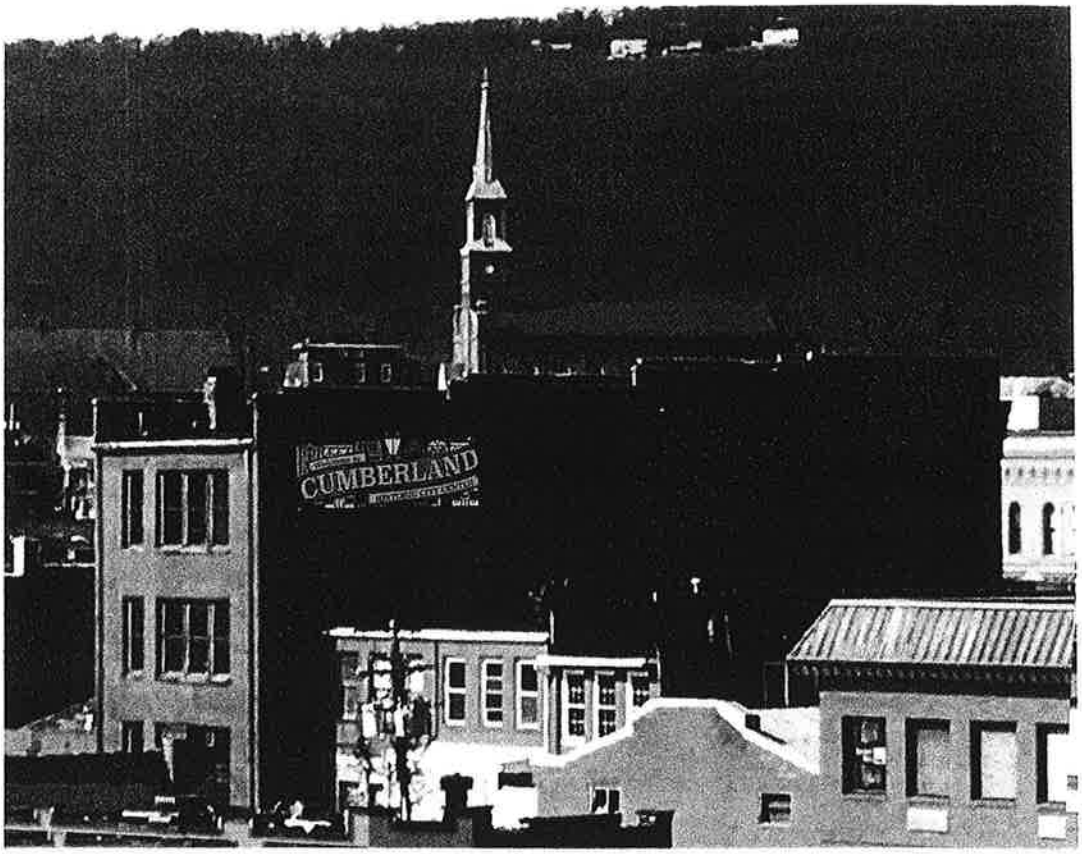
MARJORIE A. WOODRING NOTARY PUBLIC ALLEGANY COUNTY, MD

My Commission Expires: 6/10/20

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

MICHAEL SCOTT COHEN

EXHIBIT A



Regular Council Agenda
October 18, 2016

Description

Order rescinding the Art Easement Agreement approved per Order No. 25,975 for the placement of art work at 55 Baltimore Street to allow for replacement of the art work at 157 Baltimore Street

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: ____October 18, 2016__**

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

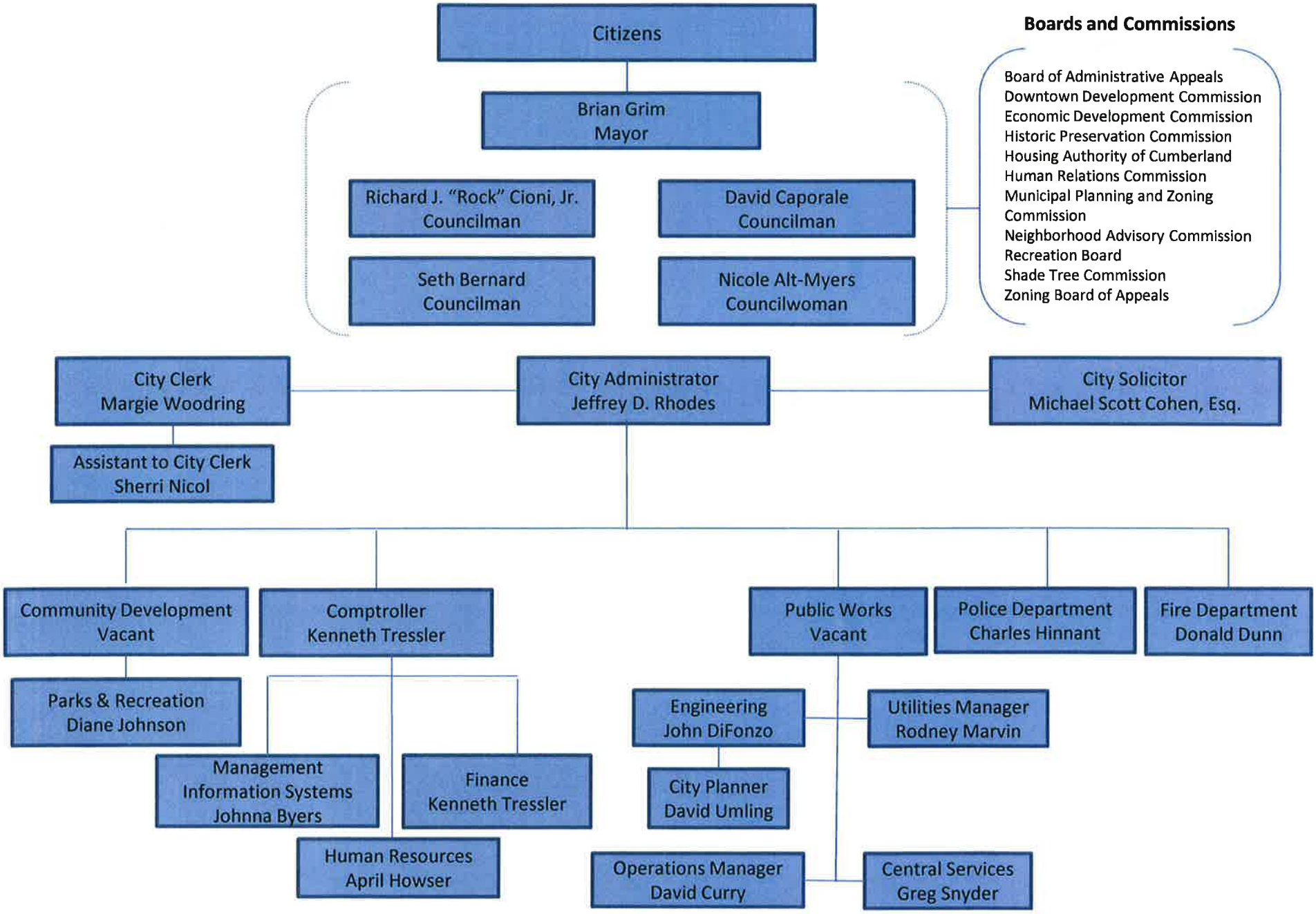
THAT, the Table of Organization be and is hereby amended to add the position of Utilities Manager, remove the position of Economic Development Coordinator, per the attached organizational chart.

_____

Mayor Brian K. Grim

**Attachment I*

City of Cumberland Organizational Chart



Regular Council Agenda
October 18, 2016

Description

Order amending the Table of Organization to add the position of Utilities Manager and remove the position of Economic Development Coordinator

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:** ___October 18, 2016___

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

THAT, the following individuals be and are hereby reappointed to the Shade Tree Commission:

Cassie Conklin	Term: November 1, 2016 – November 1, 2020
Garry Mallow	Term: November 1, 2016 – November 1, 2020

_____

Mayor Brian K. Grim

Regular Council Agenda
October 18, 2016

Description

Order reappointing Cassie Conklin and Gary Mallow to the Shade Tree Commission for a 4-year term effective November 1, 2016 through November 1, 2020

Approval, Acceptance / Recommendation

☐ Budgeted

☐ 1st Reading
☐ 2nd Reading
☐ 3rd Reading

Value of Award (if applicable)

Source of Funding (if applicable)