



**MAYOR**

Brian K. Grim

**CITY ADMINISTRATOR**

Jeff Rhodes

**CITY SOLICITOR**

Michael Scott Cohen

**COUNCIL**

Nicole Alt-Myers

Seth D. Bernard

David Caporale

Richard J. "Rock" Cioni

**CITY CLERK**

Marjorie A. Woodring

## MINUTES

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

DATE 7/19/2016

### **\*Pledge of Allegiance**

#### **I. ROLL CALL**

President Grim convened the meeting at 6:30 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; Donald Dunn, Fire Chief; Marjorie Woodring, City Clerk

#### **II. PROCLAMATIONS**

(A) Proclaiming Tuesday, August 2, 2016 as "National Night Out" in Cumberland

Mayor Grim read the proclamation and presented it to Police Chief Charles Hinnant and Terri Hast, who accepted on behalf of the National Night Out Committee. Ms. Hast discussed the purpose of the event that is designed to promote partnerships between the police and the community and encourage neighborhood engagement. Ms. Hast discussed many of the events that would take place and invited the community to attend.

#### **III. CERTIFICATES, AWARDS AND PRESENTATIONS**

(A) Presentation from Dr. Ben Brauer of the Allegany County Public School System and Cumberland Police Chief Charles Hinnant on the proposed use of a passive, drug-detection K-9 by the School Resource Officer (SRO) in Cumberland public schools

Police Chief Hinnant advised that the Cumberland Police Department has been involved with the School Resource Officer Program for 15 years and, with the cooperation of the Allegany County Board of Education, would like to enhance the program with the use of a Drug Detection Canine Program that would be modeled after the Dorchester County K-9 program. Chief Hinnant introduced Dr. Ben Brauer, Allegany County Public School System, Sgt. Corey Rounds, K-9 Supervisor, Patrolman 1st Class Jeremy Hedrick, K-9 Handler, and Corporal

Andrea Robinson, Dorchester County Sheriff's Office.

Chief Hinnant discussed that representatives from the CPD had traveled to Dorchester County to discuss and observe their passive alert drug detection K-9 program and had been impressed with the results of the program, the atmosphere of the schools, and the positive comments received.

Dr. Ben Brauer, ACPS Supervisor of Student Services, advised that the program had also been presented this evening to the elected officials of the Allegany County Board of Education and had received overwhelming support.

Corporal Andrea Robinson discussed how the program had been positively received in the Dorchester County school system by both staff and students, noting that there had been a significant drop in drug cases at the school level and plans were to add an additional K-9 at one of the high schools.

Chief Hinnant advised that the drug canine would rotate between the 7 public schools in the city and would divide its time between the two School Resource Officers. Emphasis would be placed at the high schools, and the program would visit Bishop Walsh and Light House Academy when possible. Both children and school staff would be educated on the program. Chief Hinnant discussed the Health Department's assessment of the rise in drug use among students and stated that this program would work as a deterrent to bringing drugs into the school system.

Council agreed that supporting the program was an appropriate use of resources and provided a consensus to proceed.

**(B) Discussion of the recommendation included in McCormick Taylor's Opportunity Site Study to open both ends of the downtown pedestrian mall**

Mayor Grim stated that a number of opinions on following the design elements of the plan presented by McCormick Taylor had been presented during this evening's prior work session. As noted by Delegate Buckel in the work session, even though differing opinions exist, there needs to be consensus from the City to accept the concept of the plan to allow financing opportunities to be sought. Mayor Grim asked for comments from Council.

Councilman Bernard stated that the merits of the recommended plan allowed it to stand on its own. He noted that the recommended changes would allow easier access to storefronts, enhanced visibility, and greater connectivity of cyclists to the downtown mall. He stated that a professional team of experts had analysed data from this community and from the success and failures of other communities and had designed a plan based on those findings. Bernard stated that with the support of the County, Delegation, DDC, and business community, Cumberland needed to show outside investors that it was serious about the revitalization of the downtown.

Councilman Caporale stated that he had nothing additional to add, other than what was discussed in this evening's prior work session.

Mayor Grim opened the floor for public comment, calling on those who had signed up to speak.

Anthony Tagliaferro, 13406 Bealls Mill Road, Cumberland, stated that the Delegation had indicated they were looking for a broad-scope package deal to support. He questioned what Council foresaw the impact to tourism would be during what may be a long-term construction period. Councilwoman Alt-Myers stated that would be hard to answer without all the design facts in place yet, but the City would work diligently with the business owners during the project. Mayor Grim stated that as the plan moves into the design period, more timelines would be identified, but there will definitely be some dust and inconvenience.

Larry Jackson, 841 Windsor Road, Cumberland, commended the Mayor and Council for moving the community forward. He stated that the infrastructure on the mall was old and this plan provided a unique opportunity to deal with that. This plan would not fix all problems, but what sells it is the flexibility it provides for future uses and the ability to create kinetic energy and vitality that would open some doors that are closed right now.

Brian Bowers, 116 Mt. Pleasant Street, Frostburg, stated he was the owner of 115 Baltimore Street and had invested time and money in the downtown because he thought it was wonderful. He regularly hears from customers that they find it frustrating not to be able to drive in front of the store to see if it is open, busy, etc. There is misconception that there is a parking problem; rather, there is a line of sight problem. He stated traffic would help to create the feeling of safety and activity and asked Council to listen to the recommendations of the professionals.

Dan Bowser, 402 Wempe Drive, Cumberland, stated he was in agreement with the comments made by Councilman Bernard, Mr. Jackson, and Mr. Bowers, adding that "flexibility" was the key. He stated his business at 114 S. Centre Street saw a ridiculous decline when parking had been taken away during a recent street construction period, so he could only imagine the impact the addition of parking spaces would have for those on the mall.

Bill Atkinson, MD Department of Planning, stated that he had been a member of the committee that had worked to obtain a nationally recognized consulting firm and get input from the public to create a downtown plan that would be flexible, work for a majority of the people, and also make a difference. He discussed the City of Salisbury, a community similar to Cumberland, who opened their downtown mall to traffic several years ago and saw such improvement they were looking to open an additional lane. He stated the future was not known, but the downtown would stay the same if nothing was done, and he urged the Mayor and Council to move forward with the plan. Regarding construction and tourism, he advised that there were ways to work with the contractor and use the situation as an advantage.

Dave Romero, 55 Baltimore Street, Cumberland, speaking on behalf of the DDC, advised that the DDC had negotiated a compromise position with the consultants to implement the use of bollards to create flexibility by allowing traffic to be closed off for pedestrian use during the tourist season. Additionally, the DDC had requested that materials be used to ensure that the mall would continue to look like a pedestrian mall when the bollards are up, and specifically that no asphalt or abrupt curb cuts be used. Romero stated that the DDC realizes the great need for infrastructure improvements on the mall. He advised that the DDC supports a plan that is flexible and allows the mall to be used as a pedestrian mall during tourist season while still permitting traffic, but mainly supporting the modernization of the infrastructure.

Daniel Taylor-Neumann, 416 Beall Street, Cumberland, stated that as a member of the DDC, he echoed what Mr. Romero said. The matter of flexibility should be paramount, with bollards being an important factor of that plan. He urged the Mayor and Council to move forward as quickly as possible while there were favorable winds in the State House.

Sandi Saville, Chair of the DDC, stated she was pleased that the DDC was able to work in coordination with the Cumberland Economic Development Corporation and the legislators to create a change that would be significant for the city of Cumberland. She stated the DDC was hopeful to be involved with the design process and would continue to support a flexible plan that would allow the ability to adapt to whatever traffic needs were warranted in the future, whether that be more traffic or less traffic on the mall. He stated she hoped the Mayor and Council proceeded with the plan.

Mayor Grim stated he appreciated that plans were being made to build the downtown into an area with the greatest flexibility and the ability to stand the test of time. Although he has always embraced change in the community, he does have some reservations about the design and he would be advocating for certain modifications as the process moved on.

MOTION: Mayor Grim called for a motion to accept the plan and proceed to the design phase, pending financing and noting forthcoming changes to be recommended by the DDC, Mayor and City Council, and any potential design committee.

Councilwoman Alt-Myers put forth the motion, Councilman Bernard seconded, and the motion passed on a vote of 5-0.

#### **IV. DIRECTOR'S REPORT**

##### **(A) Police**

1. Police Department monthly report for June, 2016

**Item Action:**Approved

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

##### **(B) Fire**

1. Fire Department monthly report for June, 2016

**Item Action:**Approved

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

(C) Public Works

1. Maintenance Division monthly report for June, 2016

**Item Action:**Approved

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

2. Engineering Division monthly report for June, 2016

**Item Action:**Approved

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

**V. UNFINISHED BUSINESS**

(A) Ordinances

1. Ordinance (*2nd and 3rd readings*) - Authorizing the issuance and sale of 1) General Obligation Bonds and General Bond Anticipation Notes each in an aggregate principal amount not to exceed \$5,388,000 and 2) General Obligation Refunding Bonds which shall not exceed 130% of the aggregate principal amount of the bonds refunded therefrom, by private sale to the MD Water Quality Financing Administration (MWQFA), to finance costs of the Combined Sewer Overflow (CSO) Storage Facility Project and related costs

Mr. Rhodes advised that the Ordinance would approve the sale of bonds directly to the Maryland Water Quality Financing Administration to finance the City's portion of financing for the CSO underground storage facility.

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

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

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

ORDINANCE NO. 3808

2. Ordinance (*2nd and 3rd readings*) - authorizing the issuance and sale of 1) General Obligation Bonds and General Bond Anticipation Notes, each in an aggregate principal amount not to exceed \$477,000 and 2) General Obligation Refunding Bonds which shall not exceed 130% of the aggregate principal amount of the bonds refunded therefrom, by private sale to the MD Water Quality Financing Administration (MWQFA) to finance costs of Phase III of the Evitts Creek CSO Upgrade Project and related costs

Mr. Rhodes advised that this Ordinance would approve the sale of General Obligation Bonds to finance pre-construction activities related to the Phase III Evitts Creek CSO Upgrade Project. The bonds would be sold by

private sale to the Maryland Water Quality Financing Administration.

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

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

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

ORDINANCE NO. 3809

## **VI. NEW BUSINESS**

### **(A) Resolutions**

1. Resolution granting the Carver Community Center, Inc. property tax credits for the tax years 2015-2016 and 2016-2017

Mr. Rhodes reviewed the Resolution and the Resolution was then presented in Title only.

Mayor Grim called for questions or comments.

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

RESOLUTION NO. R2016-10

### **(B) Orders (Consent Agenda)**

#### **Item Action:**

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

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

1. Order authorizing the Chief of Police to accept a GOCCP Safe Streets Grant for FY17 in the amount of \$220,000.00 for personnel, equipment and overtime costs associated with the Safe Streets initiative

Chief Hinnant advised that this would be the 5th year the City would be participating as a member agency with the Safe Streets program. Funding had increased from \$180,000 to \$220,000 this year, including an increase in the cost for overtime for police officers to \$62,000.

ORDER NO. 26,003

2. Order authorizing a one (1) year extension to the proposal from Local Government Insurance Trust (LGIT) to provide insurance services for City properties, boilers and machinery, and elevator general liability in the total amount of \$152,785.00

ORDER NO. 26,004

3. Order authorizing the Chief of Police to accept a GOCCP grant entitled "Heroin Coordinator" for FY17 in the amount of \$84,180.00 for personnel and equipment to assist in developing and implementing strategies intended to reduce heroin related crime

Chief Hinnant advised that the GOCCP grant funding for Heroin Coordinator would cover the costs of a full time

coordinator and investigative equipment to track overdoses and heroin arrests. The position would be advertised and the individual would work directly with the Cumberland Police Department and serve as a focal point for tracking resources and coordinating with other drug coordinators across the state. The goal is to work towards identifying source suppliers.

ORDER NO. 26,005

4. Order accepting the proposal for Base Bid and Add Alternate No. 2 from Excavating Associates for the Maryland Avenue Wall and Sidewalk Repairs Project (22-09-M) in the estimated unit price of \$154,379.00

ORDER NO. 26,006

5. Order authorizing payment of \$57,201.46 to the Allegany County Board of Education for costs associated with the expansion of fiber to the Cumberland Central Business District, \$55,000 of which shall represent the City's local match to ARC funding for this project

ORDER NO. 26,007

6. Order declaring a 2006 Chevrolet Van (VIN: 1GCGG25R5Y1171197) as surplus and authorizing it for sale or trade-in

ORDER NO. 26,008

7. Order authorizing the sole source purchase of software implementation services for cashiering and the Community Development Department from New World Systems in the amount not to exceed \$77,038.00

ORDER NO. 26,009

8. Order authorizing execution of an Employee Assistance Program Service Agreement with the Western MD Health System Corporation for a one year term retroactive to July 1, 2016, anticipating an employee volume of 260 at \$27/employee

ORDER NO. 26,010

(C) Letters, Petitions

**Item Action:**

Mayor Grim advised that he had received a letter from the Allegany County Chamber of Commerce supporting moving forward with the Rolling Mill Redevelopment Project. The letter had been signed by Stu Czapski, Executive Director.

Mayor Grim advised that he had received an email from the City Clerk advising that she had reviewed the signatures from the petition submitted in protest of the Rolling Mill Redevelopment Project and determined that 54 of the 122,000 signatures signed as residents of Cumberland.

1. Letter from the City Clerk advising that the period has passed for receiving a petition calling for a referendum on Charter Amendment Resolution No. 144, which was approved to repeal and reenact Charter Section 154 to increase the maximum threshold for local preference allowances to be 10% for city businesses and 7% for county businesses and reduce the number of days required for solicitation of bids, and the Charter Amendment therefore became effective July 6, 2016

The letter was acknowledged and entered into public record.

2. Letter from Atlantic Broadband notifying customers of changes to certain rates and services to be effective July 29, 2016

The letter was acknowledged and entered into public record.

## **VII. PUBLIC COMMENTS**

All public comments are limited to 5 minutes per person

Stanley Boinovich, 11707 Boardwalk Avenue, Cumberland, stated he had spoken with Delegate Mike McKay after the last meeting he had attended and the Delegate had assured him that the Rolling Mill Project would be handled according to regulations. In the meantime, however, 4-5 buildings have been demolished and the City was therefore in violation of national emission standards. He stated the the MD Department of Environment was aware and would be contacting the City. Further, he has checked the website and has found no RFP for demolitions. An acquaintance of his, however, had received an invitation to bid on the project and he had not. Mr. Boinovich also discussed certain problems with asbestos and how that affected the bidding procedure.

Mr. Rhodes replied that he was aware of the complaint and, having spoken with MDE on Friday, it was his understanding that the issue is resolved and he will be meeting with staff in the near future regarding the issue. Mr. Rhodes referred Mr. Boinovich to the Cumberland Economic Development Corporation website to view the RFP for demolitions.

## **VIII. ADJOURNMENT**

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

Minutes approved on September 6, 2016

Mayor Brian K. Grim

ATTEST: Marjorie A. Woodring, City Clerk



City of Cumberland  
- MARYLAND -

# Proclamation

- WHEREAS,** *the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 2, 2016 entitled "National Night Out;" and*
- WHEREAS,** *the 33rd annual "National Night Out" provides a unique opportunity for the neighborhoods of Cumberland to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and*
- WHEREAS,** *the Neighborhood Advisory Commission plays a vital role in assisting the Cumberland Police Department through joint crime, drug and violence prevention efforts in Cumberland and is supporting "National Night Out 2016" locally; and*
- WHEREAS,** *it is essential that all citizens of Cumberland be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Cumberland; and*
- WHEREAS,** *police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program.*

**Now, Therefore, the Mayor and City Council of Cumberland,**  
*do hereby proclaim Tuesday, August 2nd, 2016 in Cumberland as*

## **"National Night Out"**

*and do hereby call upon all citizens of Cumberland to join with the Neighborhood Advisory Commission, the Cumberland Police Department, and the National Association of Town Watch in supporting this event.*

**Given under our Hands and Seals this 19<sup>th</sup> day of July, in the year 2016,  
with the Corporate Seal of the City of Cumberland hereto attached,  
duly attested by the City Clerk.**

**ATTEST:**

**MAYOR AND CITY COUNCIL  
OF CUMBERLAND**

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*Marjorie A. Woodring*  
**City Clerk**

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*Brian K. Grim*  
**Mayor**



Regular Council Agenda  
July 19, 2016

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**Description**

Proclaiming Tuesday, August 2, 2016 as "National Night Out" in Cumberland

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



Regular Council Agenda  
July 19, 2016

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**Description**

Presentation from Dr. Ben Brauer of the Allegany County Public School System and Cumberland Police Chief Charles Hinnant on the proposed use of a passive, drug-detection K-9 by the School Resource Officer (SRO) in Cumberland public schools

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

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# City of Cumberland Strategic Opportunity Sites Study: Baltimore Street Preferred Alternative Investigation

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Prepared by:



April 2016

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## Executive Summary

In Spring of 2015 The City of Cumberland's Economic Development Corporation solicited proposals from consulting firms to provide an economic impact analysis and transportation-connectivity study for four(4) of the City's Strategic Opportunity Sites. These sites included Baltimore Street, Cumberland Plaza, Willowbrook Road and Rolling Mill. The team of Sage Policy Group and McCormick Taylor were selected for the investigation.

After a series of stakeholder and public meetings along with an existing conditions assessment, the consultant team made recommendations for each strategic site see; **Appendix A**. After review of the recommendations, the City of Cumberland's Economic Development Corporation requested the consultant team further investigate roadway alternatives outlined in the Baltimore Street roadway design recommendations submittal. Baltimore Street is currently a pedestrian mall known as **Iseminger Town Center**, spanning three city blocks going west from George Street to South Mechanic Street. The consultant team developed five roadway options for this site; four options reopened Baltimore Street to one-and-two-way vehicular traffic; one option kept the pedestrian mall intact recommending only bicycle and landscaping enhancements. The five options developed were:

- Option 1: Bike Path Only
- Option 2: One-Way Traffic, No Parking
- Option 3: One-Way Traffic with Street Parking
- Option 4: Two-Way Traffic, No Street Parking
- Option 5: Two-Way Traffic, With Street Parking

Recognizing the strong community support for maintaining some form of open public space along Baltimore Street, the consultant team created three (3) "Cumberland Square," concepts to accommodate Roadway Option 3. To maintain consistency with the original name of the pedestrian mall area, the term Cumberland Square has since been changed to Iseminger Square. Throughout this report when Iseminger Square is mentioned, it is in reference to the formally titled Cumberland Square, which was how the concepts were originally presented to the City of

Cumberland and the public. The Iseminger Square concepts served as a roadway/public-square hybrid, keeping the pedestrian mall intact between Centre and Liberty Streets while reopening Baltimore Street to vehicular traffic and on street parking on both east and west sides of Iseminger Square. Iseminger Square was the sixth roadway option developed and became Option 3a.

On January 24, 2016 The City of Cumberland's Economic Development Corporation posted an online public poll requesting respondents to vote for their most preferred Baltimore Street design options and Iseminger Square concepts. The poll remained up until April 12, 2016. During this time, a number of concerns were raised regarding the loss of outside dining between Mechanic and Liberty Streets. As a result, the seventh roadway design option, 3b, was developed. This option extended Iseminger Square from Centre Street to Mechanic Street. Option 3b was not posted online but was presented at the public charrette.

On March 16, 2016 the consultant team and the City of Cumberland's Economic Development Corporation hosted a public charrette, soliciting comments from the community for all the Baltimore Street design options and Iseminger Square concepts. The charrette offered another option for the community to comment on the Baltimore Street design options. The roadway options presented at the charrette included:

- Option 1: Bike Path Only
- Option 2: One-Way Traffic, No Parking
- Option 3: One-Way Traffic with Street Parking
- Option 3a: One-Way Traffic with Street Parking and Iseminger Square (Centre to Liberty)
- Option 3b: One-Way Traffic with Street Parking and Iseminger Square (Centre to Mechanic)
- Option 4: Two-Way Traffic, No Street Parking
- Option 5: Two-Way Traffic, With Street Parking

Results from the online poll and charrette results can be found in **Appendix B**.

Though the public charrette revealed general concerns to maintain an element of outdoor eating between Liberty and Mechanic Streets; the consultant team felt that the design could be modified to meet multiple goals by reopening Baltimore Street to vehicular traffic with parking while maintaining elements of Iseminger Town Center. To accommodate public's desires and meet the recommendations outlined in the in the economic development report; Baltimore Street Option 3a.1 has been identified as the preferred alternative; highlights of this alternative include:

- One-way traffic with north-side street-parking going west from George Street to Centre Street. On street parking will provide more parking options and direct access to businesses for patrons.
- One-way traffic with north-side street-parking going east from Mechanic street to Liberty Street. On street parking will provide more parking options and direct access to businesses for patrons.
- Up to 23' of multi-use sidewalk space on the southern side of Baltimore Street between Liberty and Mechanic Streets. This feature allows enhanced landscaping features and continued outdoor eating for restaurants west of Liberty Street. The area will also be large enough to continue hosting farmers markets.
- Creation of Iseminger Square between Centre Street and Liberty Street to serve as the community meeting place.
- Creation of dedicated bicycle lanes and sharrows (bicycle and vehicle shared lane) on both sides of Iseminger Square. The Bicycle lanes will continue on Baltimore Street going west thru Mechanic Street connecting to the C&O Canal Trail; connecting this critical gap will lure tourism to the Baltimore Street corridor
- Wayfinding and gateway signs to better promote the Baltimore Street corridor.
- **Total Estimated Cost:\$3.7M -\$5M**

# Option 3a-1 - Cumberland Square Roadway Closure with Two-way Cycle Track - DRAFT

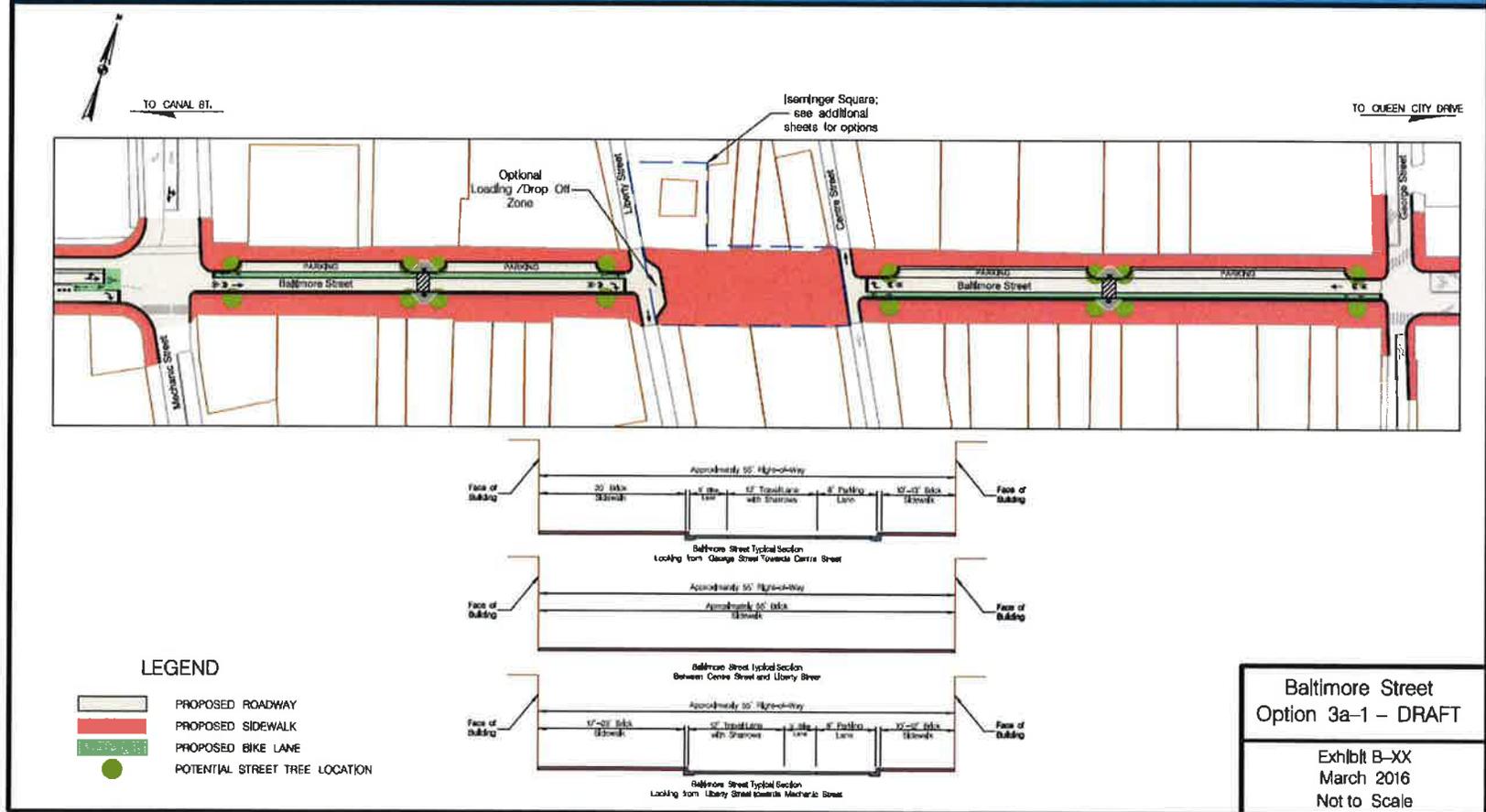


Figure 1. Baltimore Street Preferred Option 3A.1

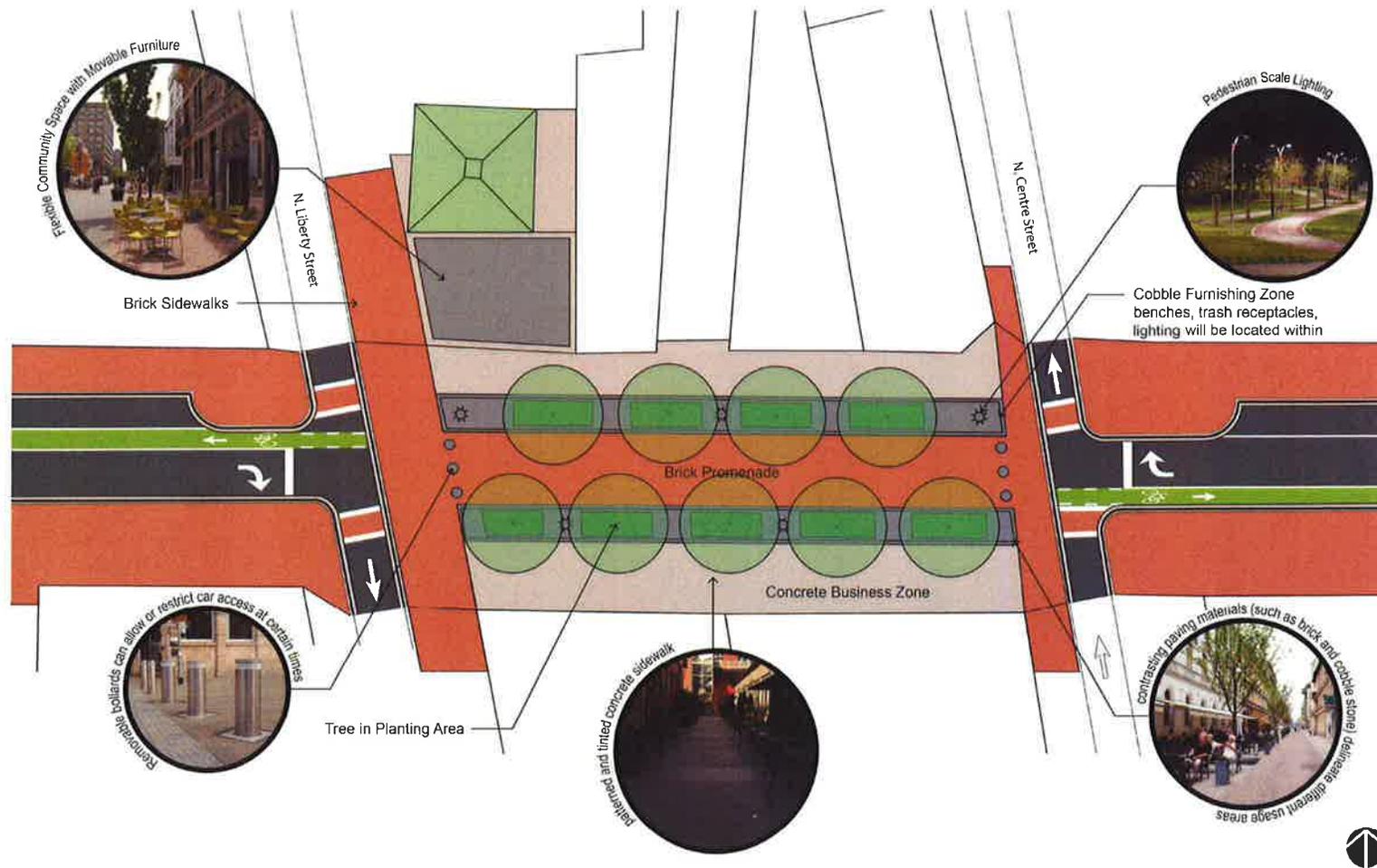


Figure 2. Iseminger Square Concept

## I. Background

As part of the City of Cumberland’s ongoing implementation of recommendations outlined in its strategic plan, the consultant team of Sage Policy Group and McCormick Taylor were retained to investigate transportation-connectivity options in four of the City’s Strategic Opportunity Sites. Accordingly, each site was investigated; stakeholder and community meetings were held to solicit input; and recommendations for each site were submitted in January of 2016. Shortly thereafter, upon request of the City of Cumberland’s Economic Development Corporation, McCormick Taylor began to further investigate roadway design alternatives for the Baltimore Street Strategic Opportunity Site. The team investigated six roadway alternatives (1, 2, 3, 3a, 4 and 5) and the varying attributes each alternative contained.

The investigation included further design analysis and the presentation of the alternatives to the community for feedback. The community was provided with two platforms to respond to the alternatives; an online poll was posted from 1/24/2016 to 4/12/2016 and a public charrette was held on 3/16/2016. With the online poll being posted prior to the charrette, initial community feedback was consistent that a seventh option be developed. Concerns were raised, especially from the business community, regarding the elimination of outdoor eating space by a majority of the proposed alignments.

To address the community response, the consultant team developed option, 3b. This option was developed in time for presentation at the public charrette, however; the option was never posted for the online poll. The primary difference between the new design and Option 3a was the removal of any changes to the western portion of Baltimore Street between Mechanic to Liberty Streets. The existing pedestrian mall condition would remain with improvements only occurring between Liberty Street and George Street on the eastern portion of the mall.

Results for the online poll and charrette are seen in Table 1 and 2 respectively.

Table 1. Online Poll

| Baltimore Street Online Poll |          |          |          |           |           |          |          |           |
|------------------------------|----------|----------|----------|-----------|-----------|----------|----------|-----------|
|                              | Option 1 | Option 2 | Option 3 | Option 3a | Option 3b | Option 4 | Option 5 | No Change |
|                              | 64       | 13       | 103      | 173       | N/A       | 18       | 81       | 57        |
| Concept A                    |          |          |          | 120       |           |          |          |           |
| Concept B                    |          |          |          | 49        |           |          |          |           |
| Concept C                    |          |          |          | 75        |           |          |          |           |

Table 2. Public Charrette

| Baltimore Street Public Charrette |          |          |          |           |           |          |          |
|-----------------------------------|----------|----------|----------|-----------|-----------|----------|----------|
|                                   | Option 1 | Option 2 | Option 3 | Option 3a | Option 3b | Option 4 | Option 5 |
|                                   | 9        | 0        | 13       | 45        | 97        | 1        | 2        |
| Concept A                         |          |          |          | 37        |           |          |          |
| Concept B                         |          |          |          | 14        |           |          |          |
| Concept C                         |          |          |          | 18        |           |          |          |

The poll and charrette were developed solely to engage community input and should not be viewed as overly scientific or as the final decision point, but more so as part of a larger set of contributing factors used to determine, which alternatives or options move forward into final design. After assessing stakeholder and community feedback and coordinating with the City of Cumberland, the team narrowed down the alternatives to the Preferred Alternate 3a.1. Section II of this report, Alternative Selection; details alternatives that were not selected.

## II. Landscape Features

Providing a safe and accessible Baltimore Street was a primary goal of this study. Still, given Baltimore Street's existing land uses' and geographical location, the corridor is prime for economic development initiatives and therefore designing a location that is a destination place for the community and tourism is of equal importance. With this in mind, the consultant team has identified these landscape features that will achieve the ultimate vision for Baltimore Street.

### ***Amenities and Square Design:***

Streets and plazas are an essential part of a city's open space system and a part of the urban fabric that connects and moves citizens throughout the city. A street's most basic function is to act as a movement corridor for pedestrians, cyclists, and cars. However, in a city, streets also sustain social and business activities that play an important role in the livability, vitality, and character of a city's urban core.

Visually, the streetscape serves as a unifying and enhancing element for the downtown district. The appearance and functionality of Baltimore Street will play a large role in the revitalization of downtown Cumberland. A coordinated and consistent streetscape treatment for roadways in the central area of the city already exists; however, when designating Baltimore Street as a special place and destination, additional elements should be added to emphasize the street's uniqueness.

When various streetscape elements are repeated throughout a corridor, the streetscape gains a particular individuality and feeling. Depending on the use, arrangement, and emphasis of different elements, an area can define its identity. By repeating elements throughout the streetscape, the space is connected to the rest of the downtown, but by adding additional design elements it will be designated as a special place. The goal of the design Baltimore Street and Iseminger Town Center area is to create a continuous and unified public space that will reflect the city's historic past while providing modern amenities and revitalizing the downtown.

### **COMPONENTS OF A STREETScape**

Each element of the street from paving to furniture contributes to the streetscape and to the overall identity of the district. In urban areas, the street is where interests intersect and the unique identity of the district emerges.

### ***Gateway Element:***

The first step in creating a special district is defining its boundaries and identifying the space. There will be a gateway or entrance to herald entry into the corridor; it will act as a threshold on either end of the street and



Figure 2. River Street, Chicago, Photo: John Greenfield

will contain and designate the area.

At the community meeting and

charrette, the community clearly indicated that they preferred an arched gateway that spans the street. This sculptural element will be placed at either end of Baltimore Street and could reflect a number of characteristics from Cumberland including: cultural identity, architectural styles or elements, special cultural or historic institutions, or the general historical background of the neighborhood. The use of gateway enhancements will be useful in drawing people into the central district that may not typically venture beyond the highway or bicycle greenway area.

### ***Streetlight Pole Banners and Pole Identifiers:***

Banners are signs made of fabric or canvas that are mounted in flag fashion on one or two sides of the light standards along a streetscape; whereas a pole identifier is a metal sign that is permanently attached to the light pole. Banners can be changed seasonally or for special events and pole identifiers are permanent. The purpose of these signs is to create a

unique visual that will be repeated throughout the corridor that will indicate that the user is somewhere special. The design selection should reflect the other amenities, especially the gateway, and general character of the area.

**Street Lights:**

Pedestrian Lighting is important in creating a sense of rhythm to a space and providing a sense of security there at night. Street lights should provide an illumination level that enables a pedestrian to comfortably see the features of oncoming pedestrians and provides a sense of safety. Light fixtures should be set back from the curb, all at an equal distance. In order to create a rhythm for the street, the lights should be spaced at regular intervals along the corridor.



Figure 3. Pole Identifier: Washington DC

The primary pole used by the City of Cumberland for pedestrian lighting is the Single Acorn, the GranVille Style by Holophane. This pole is approximately 16' in height. The citizens of Cumberland preferred to continue using this light throughout the Baltimore Street corridor. This light selection will create a uniform look throughout the urban core of the city.

**Benches:**

In order to create a unified space, and for ease of maintenance, a standard palette of furniture should be chosen. At the community meeting and charrette, the citizens of Cumberland preferred a traditional style bench. A center



Figure 4. Victory Stanley Classic Collection Bench

arm is recommended to discourage sleeping on the bench. The standard color should be black in order to tie the benches into the other site furnishings and light poles. Benches are usually placed evenly along the corridor or at locations within the streetscape where people tend to gather.

**Trash Receptacles:**

Trash Receptacles are important for the cleanliness of a street and are usually placed two per block, on opposite corners at intersections. To tie into the overall aesthetic, the trashcans should match the benches and other site furnishings.



Figure 5. Victor Stanley Ironsides Trash Receptacle

**Bike Racks:**

One of the major considerations for the redesign of Baltimore Street is the increased bicycle traffic coming off of the Great Allegheny Passage (GAP) Trail and the C&O Canal Towpath. It is hoped that by making Baltimore Street a connection to downtown



Figure 6. Victor Stanley Cycle Sentry Series

Cumberland, that bike tourism will increase within the city. In order to

make this corridor appealing to cyclists, bike amenities, specifically bike racks, must be provided.

At the community meeting and charrette, the citizens of Cumberland indicated that they would prefer a minimal bike rack aesthetic. In areas where cyclists gather, longer racks should be installed; specifically, many bike racks should be installed in Iseminger Town Center. Throughout the corridor, smaller, racks should be installed along the sidewalks.

**Paving:**

Currently, the majority of downtown Cumberland is brick pavers and asphalt streets. Citizens of Cumberland mostly wished to maintain that aesthetic, however, some concern over the safety of seniors was voiced. We propose to continue the brick sidewalk treatment throughout the corridor and there will be additional pavement selections used in the town center (see section below).



Figure 7. Justison Landing, Wilmington DE - Pavement / Use Zones

**Bump Outs:**

Bump outs, or curb extensions, create additional pedestrian space in a roadway surface. Bump outs can be used at intersections on side streets or at the middle of the block. Bump outs have the following benefits: they shorten the distance that a pedestrian must travel to cross a street; create a greater feeling of safety for pedestrians in pedestrian zones; increase the sight distance between motorist and pedestrians crossing the street; and create additional pedestrian space that can be used for amenities and

landscape treatments including street trees, planting beds, and stormwater management areas.

**Crosswalks:**

Crosswalks are an important element in the streetscape environment because they physically and visually link pedestrian spaces on opposite sides of the street. Various materials and patterns, including standard striping, pavers, and stamped asphalt, can be used to create



Figure 8. Indianapolis Cultural Trail Bump Out, Resite.com

crosswalks. Brick patterned, stamped asphalt between white stripes crosswalks would be the best solution for Baltimore Street; the pattern would connect to the brick sidewalks and show a continuation of the pedestrian zone through the vehicular zones.



Figure 9. Stamped Asphalt Sidewalk Image: Bike WalkInconlPark.com

**Street Trees**

Street trees are highly visible elements within any streetscape and should be used to create not only shade but define spatial volume and rhythm along the length of the corridor. Trees provide seasonal interest: spring bloom, summer shade, fall foliage color, and visual interest in the winter. They also soften the straight edges of the urban environment by adding an organic form. Trees also reduce the “urban heat island effect”. Trees provide more than just a decorative element in a streetscape, the

Chicago Department of the Environment has measured the benefits of planting trees throughout the city and found evidence of improved air quality and lower energy costs. Trees should be spaced evenly throughout the Baltimore Street corridor.

**ISEMINGER SQUARE**

The original Concept Design for Iseminger Square can be found in Appendix A. These concepts were developed through a study of urban gathering places and a community charrette with the citizens of Cumberland and the Downtown Development Commission. By considering the wants and needs of all of the involved groups, a linear concept was chosen for the Town Center.



Figure 10. Patterned Concrete

The concept divides the area into three zones, each with its own uses. The central brick promenade, the planting strip, and the patterned concrete sidewalk. The central promenade will allow people flexible space to gather or move through at their own pace. The planting or furnishings zone will house the street trees, site furniture, and street lights and will buffer the sidewalk from the promenade. The sidewalk zone will be a patterned, but smooth, concrete surfaces where businesses can have outdoor seating and additional amenities if they require them.

**Paving:**

In Iseminger Town Center, the paving type will differentiate between the zones and uses of the space. The promenade is a continuation of the city sidewalks and therefore a moving corridor and a continuation of the brick paving. The furnishings zone will have cobble stone as a historic reference and an additional texture in the space. Cobble stone is only used in the town center and its appearance will indicate the space’s additional level of importance. The concrete business zone will be an additional space for the businesses to use as additional space.



Figure 11. Different Paving for Different Uses: Landezine

**Bicycle Dismount:**

While Baltimore Street is being designed as a bicycle corridor, Iseminger Town Center is primarily a pedestrian space. The bike lanes end at the sidewalk and there will be posted signs at the edges of the Town Center by the Bike Lanes to tell cyclists to dismount.



**Bike Racks**

As previously mentioned, the influx of bike traffic to the downtown area is a goal of this project. There should be a number of bike racks located within the Town Center to enable cyclists to dismount and patronize local businesses. The bike racks will primarily be located within the cobble planting zone of the town center.

**Bollard**

A bollard is a short vertical post that is generally used to obstruct the passage of motor vehicles. And that is their purpose in the town center, where they will be positioned where Baltimore Street dead ends into the town center. At the community meeting and charrette, the citizens of Cumberland chose a more traditional design which should be painted black to



Figure 12. Reliance Foundry Bollard

match the other site furnishings.

Removable bollards can also be used to provide a level of flexibility for Baltimore Street. For instance, if a large public event requires a higher amount of pedestrian access, removable bollards could be used to close the entire Baltimore Street section to vehicular traffic and reopen it after the event is completed.



Figure 13. Victor Stanley Backless Classic Bench

**Benches**

The benches should be the same make and color as the rest of the benches throughout the corridor to continue the sense of unified space. However, in a space such as the Town Center, where flexible use of space and amenities is important, a

backless bench option should be considered so that users can have the option to face the promenade or the businesses.

**Café seating**

Since the City of Cumberland wants to use Iseminger Town Center as a multi-use space, it's important to have amenities that are flexible and able to accommodate multiple uses. Café seating, or a table and chairs that are not bolted to the



Figure 14. Paley Park: Flickr (ercwtmnn)

ground, allows users to move and arrange the tables and chairs as they'd like in the space to suit their needs.

**Trees**

In the town center, the trees will be spaced more closely than along the rest of the corridor. The trees will be arranged to create a canopy that will shelter the area, especially during the hot summer months by creating shade. The trees should be tall enough



Figure 15. Photo of Tree Lined Path: Deep Roots

that they are easily seen through and around. Vase-shaped trees that will arch together are the preferred choice of the citizens of Cumberland and will create a good canopy for the Town Center.

### III. Alternative Selection

Below is a description of each roadway alternative and its attributes. For Option 3a, a public square concept was developed. This square, *Iseminger Square* has three concept variations; Concept A, Concept B and Concept C.

#### Option 1: Bike Path Only (Exhibit B-1)

- Keep existing pedestrian mall intact
- Add a bicycle path going westbound from S. George Street extending to Canal Street
- Add streetscape amenities including benches, chairs and tables
- Conduct streetscape catalog of existing plants/planters and make recommendations on potential replacements

#### Team Recommendation:

Option 1's most notable feature was the addition of a bicycle lane down the center of Baltimore Street. This option did not include reopening Baltimore Street and improvements were focused on landscaping. This option was similar to a no-build option and was eliminated as the preferred alternative.

#### Option 2: One-Way Traffic, No Parking (Exhibit B-2)

- Open Baltimore Street to 10' wide, one-way traffic going westbound from S. George Street to Canal Street
- Add 5', at-grade bicycle path on north side of Baltimore Street

#### Team Recommendation:

Option 2 reopened Baltimore Street to one way vehicular traffic, but didn't fully meet community desires for on street parking and public meeting space. This option was eliminated as the preferred alternative.

#### Option 3: One-Way Traffic with Street Parking (Exhibit B-3)

- Open Baltimore Street to 14', one-way-with-sharrows travel lane, going westbound from S. George Street to Canal Street,

- Add 8' wide parking lanes on north side of Baltimore Street
- Add 5', at-grade bicycle path on south side of Baltimore Street going eastbound

#### Team Recommendation:

Option 3 reopened Baltimore Street to vehicular traffic and provided on street parking. However, it did not provide a community meeting place and therefore was eliminated as the preferred alternative.

#### Option 3A: One-Way Traffic with Street Parking from George to Centre Street; Baltimore Street remains closed between Centre and Liberty Streets; Street Parking continues from Liberty Street to Mechanic Street. (Exhibit B-4)

- Open Baltimore Street to 10', one-way travel lane going westbound from S. George Street to Centre Street
- Open Baltimore Street to 10', one-way travel lane going eastbound from Canal Street to Liberty Street.
- Keep pedestrian mall, "Iseminger Square" intact between Centre and Liberty Streets
- Add 8' wide parking lane on north side of Baltimore Street
- Add 9', at-grade two-way bicycle track on south side of Baltimore Street

#### Team Recommendation:

Option 3A was developed to address multiple community needs including vehicular accessibility, on street parking and community gathering space. Option 3A was eliminated as the preferred alternative because it restricted the ability to maintain outdoor dining west of Liberty Street.

#### Option 3B: One-Way Traffic with Street Parking from George Street to Centre Street.

- Open Baltimore Street to 10', one-way travel lane going westbound from S. George Street to Centre Street
- Keep pedestrian mall, "Iseminger Square" intact between Centre and Mechanic Street

- Add 8' wide parking lane on north side of Baltimore Street
- Add 9', at-grade two-way bicycle track on south side of Baltimore Street

**Team Recommendation:**

Option 3B was developed after the online posting of the original roadway alternatives. In response to concerns raised by members of the public regarding the loss of outdoor dining opportunities this option keeps Baltimore Street west of Liberty Street closed to vehicular traffic. Though this option received support, it did not fully meet the needs of reopening Baltimore Street to vehicular traffic and on street parking and therefore was eliminated as the preferred alternative.

**Option 4: Two-Way Traffic, No Street Parking (Exhibit B-5)**

- Open Baltimore Street to two (2) 10', two-way travel lanes going east and west bound from S. George Street to Canal Street
- Add two (2), at-grade, 5' bicycle paths on both north and south side of Baltimore Street

**Team Recommendation:**

Option 4 reopened Baltimore Street to two way vehicular traffic but didn't fully meet community desires for on street parking. This option was eliminated as the preferred alternative

**Option 5: Two-Way Traffic, With Street Parking (Exhibit B-6)**

- Open Baltimore Street to two (2) 10', two-way travel lanes going east and west bound from S. George Street to Canal Street
- Add 8' parking lane on north side of Baltimore Street
- Add two (2), at-grade, 5' bicycle paths on both north and south side of Baltimore Street.

**Team Recommendation:**

Option 5 reopened Baltimore Street to two way vehicular traffic with on street parking. The lack of a public community place eliminated this as the preferred alternative.

**Preferred Alternative**

**Option 3A.1 One-Way Traffic with Street Parking from George to Centre Street; Baltimore Street remains closed between Centre and Liberty Streets; Street Parking continues from Liberty Street to Mechanic Street.**

- One-way traffic with north-side street-parking going west from George Street to Centre Street. On street parking will provide more parking options and direct access to businesses for patrons.
- One-way traffic with north-side street-parking going east from Mechanic street to Liberty Street. On street parking will provide more parking options and direct access to businesses for patrons.
- Up to 23' of multi-use sidewalk space on the southern side of Baltimore Street between Liberty and Mechanic Streets. This approach allows for enhanced landscaping features and continued outdoor eating for restaurants west of Liberty Street. The area will also be large enough to continue hosting farmers markets. If desired, removable bollards could be used on both ends of the Iseminger Town Center area at George and Mechanic Streets to close off the entire area for larger events.
- Creation of Iseminger Square between Centre Street and Liberty Street to serve as the community meeting place.
- Creation of dedicated bicycle lanes and sharrows (bicycle and vehicle shared lane) on both sides of Iseminger Square. The Bicycle lanes will continue on Baltimore Street going west thru Mechanic Street connecting to the C&O Canal Trail; connecting this critical gap will lure tourism to the Baltimore Street corridor
- Wayfinding and gateway signs to better promote the Baltimore Street corridor.

**Team recommendation:**

This option was chosen as the preferred alternative. Through Iseminger Square, this option maintains a multi-use public space. A temporary parking space on Liberty and Baltimore Street has been added to provide quick drop-off and pick-up for community events such as the farmers market. By widening the sidewalk west of Liberty Street, local restaurants will be able to continue providing the popular outdoor dining experience.

This alternate provides local businesses with the street parking they need to better serve their customers, especially the elderly. Bike paths and bike sharrows connect the C&O Canal Trail users to the central business district; bike de-boarding before entering Iseminger square will ensure safe pedestrian flow. Overall, the preferred alternative addresses a multitude of needs along the corridor and strikes a good multimodal balance related to bike, pedestrian and vehicular accessibility while providing ample space for outdoor dining and large community events.

#### IV. Iseminger Concept Selection

Below is a description of the *Iseminger Square* concept selection. The square had three concept variations; Concept A, Concept B and Concept C. The square concept selection was based on public voting. The public was provided the opportunity to identify potential landscape / hardscape elements for the square, as discussed in section II.

##### Concept B (Exhibit B-8)

Concept B features a central lawn space which can be used for many kinds of community gathering and recreation. The lawn space will have a curving edge and the paving will have linear features; the contrasting undulating shapes within linear spaces will be unique in the area.

- Central lawn
- Raised planters featuring lawn space for seating
- Flexible seating in lawn and paved areas

##### Team Recommendation

This concept received the least amount of support and was eliminated as an option.

##### Concept C (Exhibit B-9)

Concept C features a curvilinear bike path that creates dynamic shapes and is buffered by a series of lawns. The curved path will slow down bicycle traffic while they are in the pedestrian-heavy square. Like in Concept B, contrasting undulating shapes within linear spaces will create a unique space which signifies to the user that they have entered a special space.

- Undulating bike path
- Curved lawn areas

- Patterned pavement
- Tree bosque in lawn with moveable furniture

##### Team Recommendation

This concept received the second least amount of support and was eliminated as an option.

##### Preferred Concept

##### Concept A (Exhibit B-7)

Concept A is a promenade with an old world feel. Different types of pavement indicate different uses; walking, planting zones, commercial fronts, etc. The central corridor includes the bike lane and has the option form removable bollards, which could allow vehicular traffic flow when desired.

- Removable bollards to allow westbound, one way traffic to flow thru
- Flexible space in front of the pavilion
- Tree allée adds green space

##### Team Recommendation:

This alternate received the most public votes and became the preferred concept.

## Appendix A

Strategic Site Findings and Recommendations

## Appendix A: Strategic Site Findings and Recommendations

A critical goal of the City of Cumberland's economic development strategic plan implementation is to investigate transportation-connectivity options in four of the City's Opportunity Sites. These preliminary investigations will yield design concepts for vehicular, pedestrian and bicycle connectivity along key corridors in the City of Cumberland. More specifically, the Sage-McCormick Taylor Team investigated the following at each Opportunity Site:

- **Baltimore Street:** Creating a multimodal corridor that includes potential vehicular, bicycle and pedestrian connectivity yet maintains the economic interest and historic fabric of the corridor.
- **Rolling Mill:** Identifying typical street sections within the business/residential/industrial corridor and recommending treatment options that will safely accommodate pedestrian and bicycle uses, all while respecting existing land uses and maintaining comfortable vehicular connectivity to the larger region. In residential areas where with noticeable pedestrian activity; sidewalks are widened to enhance pedestrian level of comfort. Wider street sections are narrowed down to allow for dedicated bicycle lanes. Better signage and markings are added in areas with on-street parking, notifying vehicles to be aware of bicyclist.
- **Willowbrook Road:** Identifying typical street sections within the business and residential corridor and recommending treatment options that will safely accommodate bicycle and pedestrian uses; with heavy consideration for connecting local institutional anchors, such as Allegheny College of Maryland, to the downtown business district. This was accomplished by reducing travel lane widths and adding dedicated bicycle lanes with proper markings and signage to enhance safety. In sections closer to the central business district, treatment options will leave travel lane widths the same; however, proper signage and markings for informing vehicles to share the road with bicyclist will be added. In residential communities where pedestrian access is more desirable; sidewalks are widened to improve level of comfort for those choosing to walk.
- **Cumberland Plaza:** With the Team recommending the removal of Cumberland Plaza, investigating connectivity options greatly depends on future uses which is currently not known. However, typical street sections at Cumberland Plaza are similar to those on Baltimore Street and Rolling Mill and therefore potential treatment options are consistent with those used at other Opportunity Sites.

### A. Baltimore Street Opportunity Site

Design options for the Baltimore Street Opportunity Site included the following four options:

#### Option 1: Bike Path Only (Exhibit B-1)

- Keep existing pedestrian mall intact
- Add a bicycle path going westbound from S. George Street extending to Canal Street
- Add streetscape amenities including benches, chairs and tables
- Conduct streetscape catalog of existing plants/planters and make recommendations on potential replacements

#### Option 2: One-Way Traffic, No Parking (Exhibit B-2)

- Open Baltimore Street to 10' wide, one-way traffic going westbound from S. George Street to Canal Street
- Add 5', at-grade bicycle path on north side of Baltimore Street

**Option 3: One-Way Traffic with Street Parking (Exhibit B-3)**

- Open Baltimore Street to 14', one-way-with-sharrows travel lane, going westbound from S. George Street to Canal Street,
- Add 8' wide parking lanes on north side of Baltimore Street
- Add 5', at-grade bicycle path on south side of Baltimore Street going eastbound

**Option 3A: One-Way Traffic with Street Parking from George to Center Street; Baltimore Street remains closed between Centre and Liberty Streets; Street Parking continues from Liberty Street to Mechanic Street. (Exhibit B-4)**

- Open Baltimore Street to 10', one-way travel lane going westbound from S. George Street to Centre Street
- Open Baltimore Street to 10', one-way travel lane going eastbound from Canal Street to Liberty Street.
- Keep pedestrian mall, "Cumberland Square" intact between Centre and Liberty Streets
- Add 8' wide parking lane on north side of Baltimore Street
- Add 9', at-grade two-way bicycle track on south side of Baltimore Street

**Option 3B: One-Traffic with Street Parking from George Street to Centre Street.**

- Open Baltimore Street to 10', one-way travel lane going westbound from S. George Street to Centre Street
- Keep pedestrian mall, "Cumberland Square" intact between Centre and Mechanic Street
- Add 8' wide parking lane on north side of Baltimore Street
- Add 9', at-grade two-way bicycle track on south side of Baltimore Street

**Option 4: Two-Way Traffic, No Street Parking (Exhibit B-5)**

- Open Baltimore Street to two (2) 10', two-way travel lanes going east and west bound from S. George Street to Canal Street
- Add two (2), at-grade, 5' bicycle paths on both north and south side of Baltimore Street

**Option 5: Two-Way Traffic, With Street Parking (Exhibit B-6)**

- Open Baltimore Street to two (2) 10', two-way travel lanes going east and west bound from S. George Street to Canal Street
- Add 8' parking lane on north side of Baltimore Street
- Add two (2), at-grade, 5' bicycle paths on both north and south side of Baltimore Street

**B. Cumberland Square Design Concepts**

McCormick Taylor developed three site concepts for the **Cumberland Square** area of Baltimore Rd in the heart of historic Cumberland, MD. All three concepts aim to create a dynamic space within the city center that will accommodate civic functions, provide public space, allow usage by local businesses, and

allow multi-modal transportation. Flexible spaces are ones that have moving elements and allow different uses at different times. The resulting space is one that can adapt to various civic needs.

In several of the concepts, movable furniture is suggested; movable furniture allows citizens to gather as they please and is easily removable when larger gatherings occur. Additionally, all design concepts incorporate historic building materials that respect Cumberland's past while providing modern functionality. Cobblestone is proposed throughout the corridor as a nod to the venerable nature of the area and as a means of traffic calming. Brick pavers will also be used as pedestrian areas and pathways. These contrasting paving materials will be used to delineate areas for different types of uses such as the bike path, seating areas, and walking areas.

#### **Concept A (Exhibit B-7)**

Concept A is a promenade with an old world feel. Different types of pavement indicate different uses; walking, planting zones, commercial fronts, etc. The central corridor includes the bike lane and has the option form removable bollards, which could allow vehicular traffic flow when desired.

- Removable bollards to allow westbound, one way traffic to flow thru
- Flexible space in front of the pavilion
- Tree allée adds green space

#### **Concept B (Exhibit B-8)**

Concept B features a central lawn space which can be used for many kinds of community gathering and recreation. The lawn space will have a curving edge and the paving will have linear features; the contrasting undulating shapes within linear spaces will be unique in the area.

- Central lawn
- Raised planters featuring lawn space for seating
- Flexible seating in lawn and paved areas

#### **Concept C (Exhibit B-9)**

Concept C features a curvilinear bike path that creates dynamic shapes and is buffered by a series of lawns. The curved path will slow down bicycle traffic while they are in the pedestrian-heavy square. Like in Concept B, contrasting undulating shapes within linear spaces will create a unique space which signifies to the user that they have entered a special space.

- Undulating bike path
- Curved lawn areas
- Patterned pavement
- Tree bosque in lawn with moveable furniture

Elements from the various concepts can be mixed and matched according to community preference.

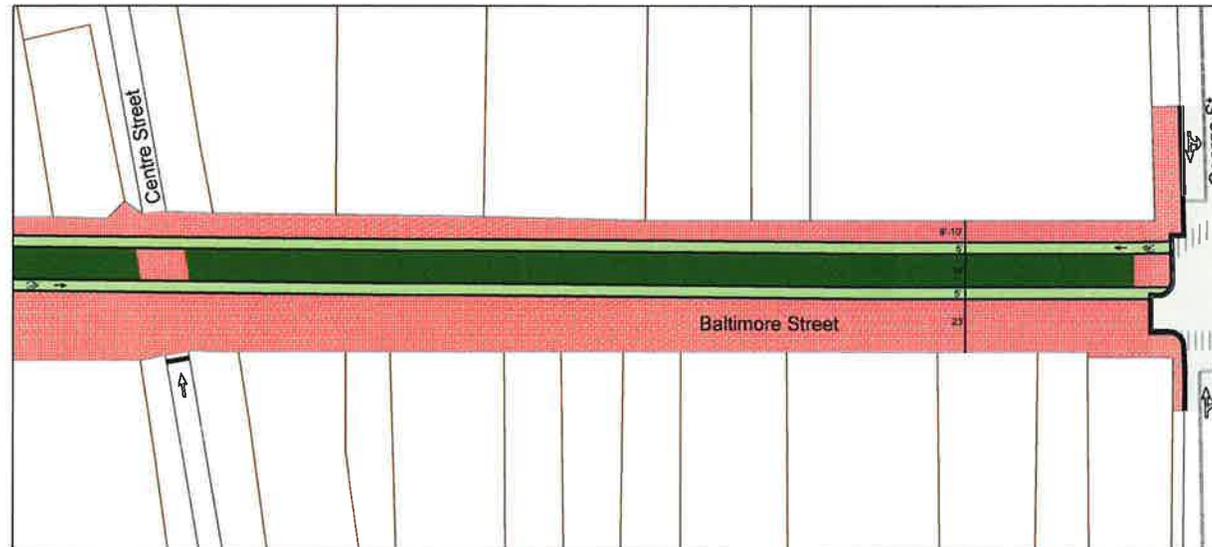
#### **C. Rolling Mill Opportunity Site**

For typical street sections and accompanying bicycle and pedestrian treatment recommendations please see **Exhibit B-10**

#### **D. Willowbrook Opportunity Site**

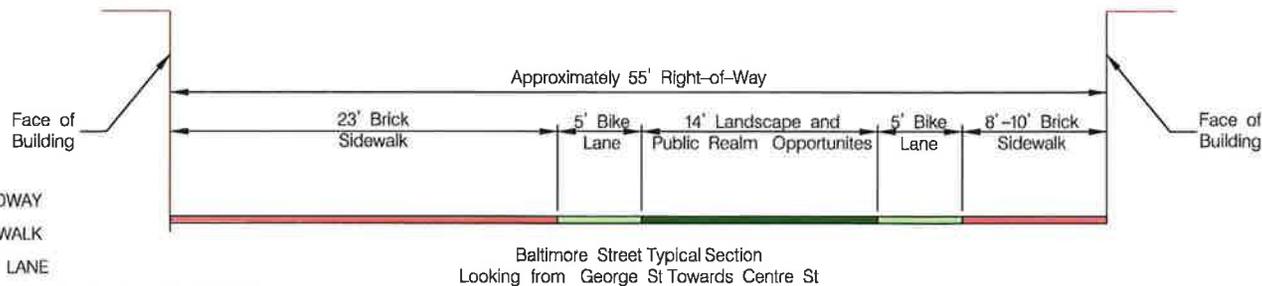
For typical street sections and accompanying bicycle and pedestrian treatment recommendations please see **Exhibit B-11**

# Option 1 - Bike Path Only - DRAFT



## LEGEND

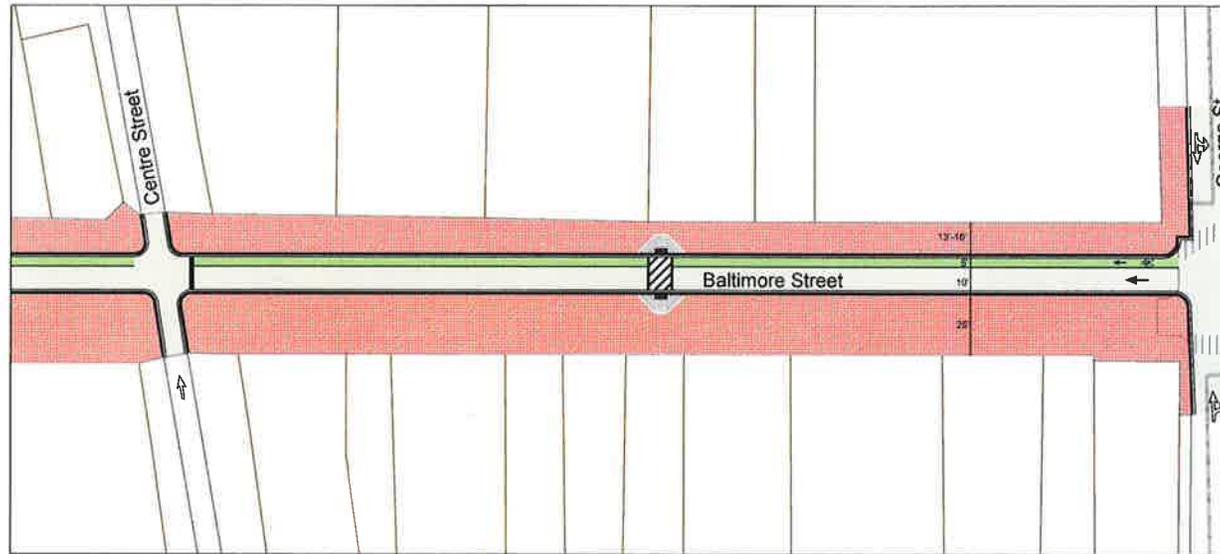
- PROPOSED ROADWAY
- PROPOSED SIDEWALK
- PROPOSED BIKE LANE
- LANDSCAPE AREA/PUBLIC REALM OPPORTUNITIES



Baltimore Street  
Option 1 - DRAFT

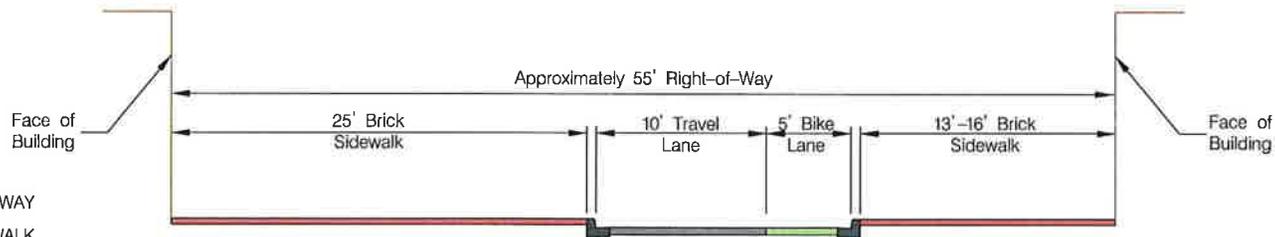
December 2015  
Exhibit B-1

# Option 2 - One-Way Traffic, No Parking - DRAFT



## LEGEND

- PROPOSED ROADWAY
- PROPOSED SIDEWALK
- PROPOSED BIKE LANE



Baltimore Street Typical Section  
Looking from George St Towards Centre St

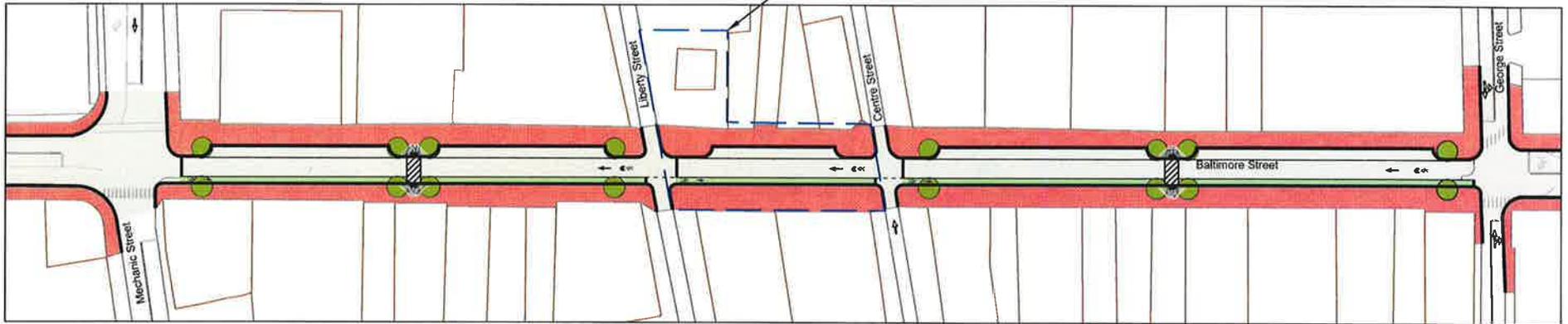
Baltimore Street  
Option 2 – DRAFT

Exhibit B-2  
Not to Scale

# Option 3 - One-Way Traffic with Street Parking - DRAFT

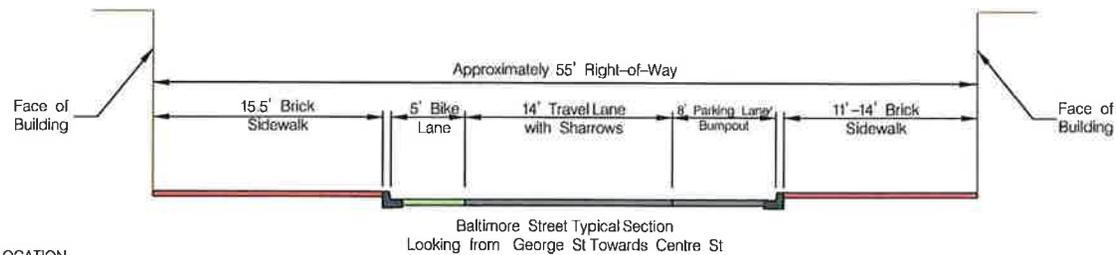


Cumberland Square:  
see additional  
sheets for options



## LEGEND

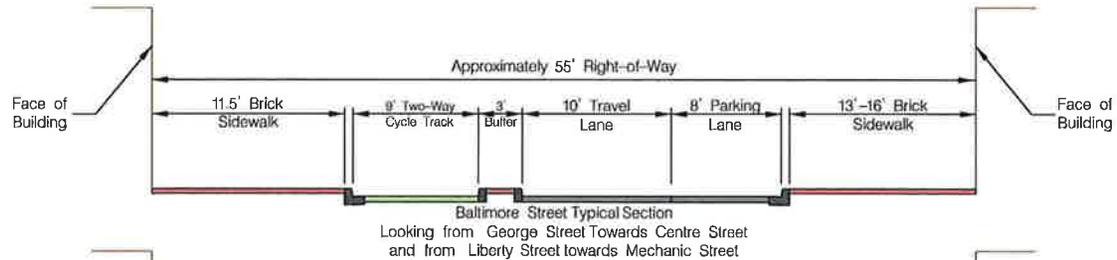
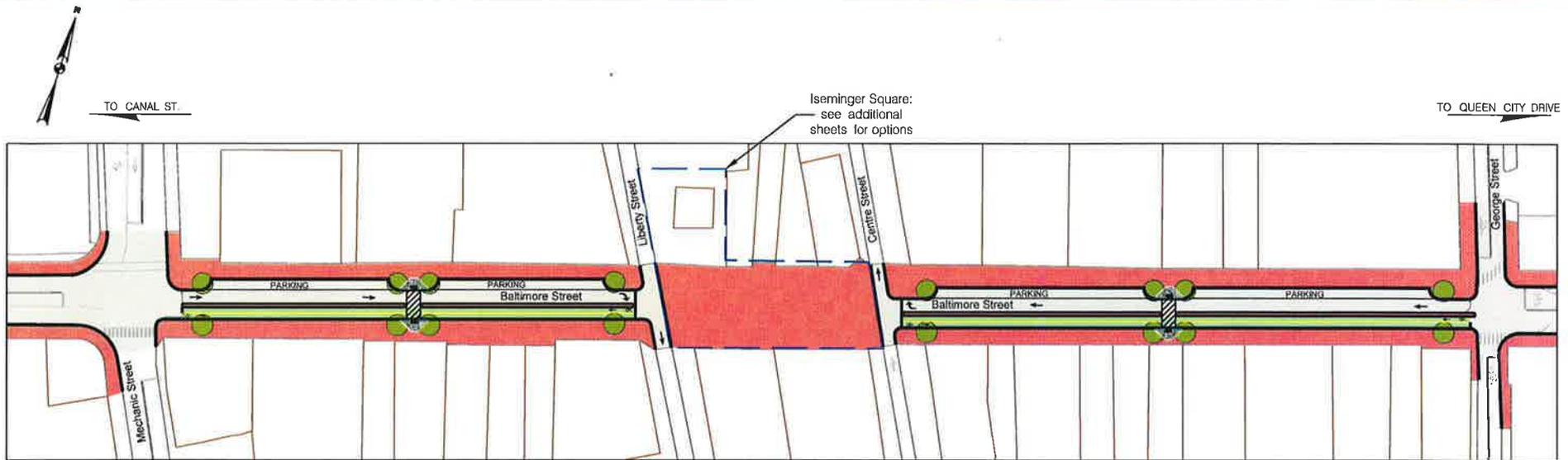
- PROPOSED ROADWAY
- PROPOSED SIDEWALK
- PROPOSED BIKE LANE
- POTENTIAL STREET TREE LOCATION



Baltimore Street  
Option 3 - DRAFT

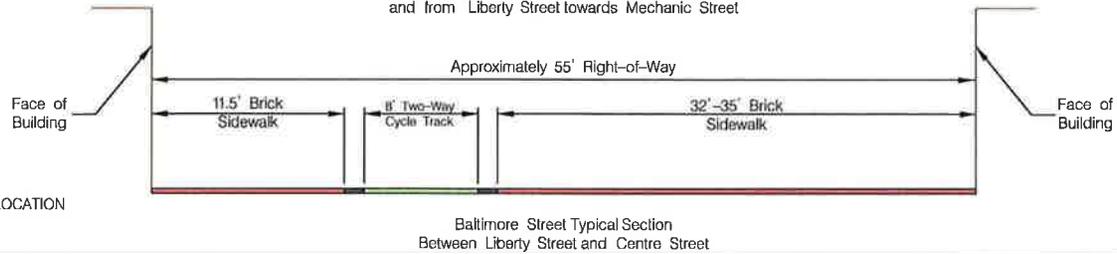
Exhibit B-3  
Not to Scale

# Option 3a - Cumberland Square Roadway Closure with Two-way Cycle Track - DRAFT



## LEGEND

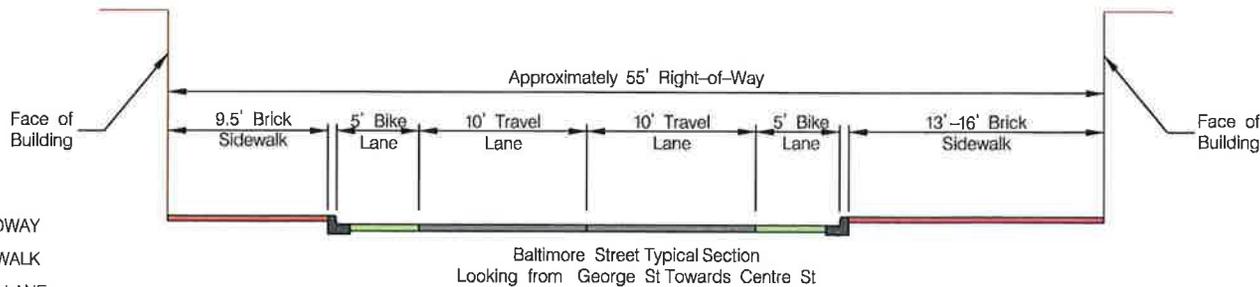
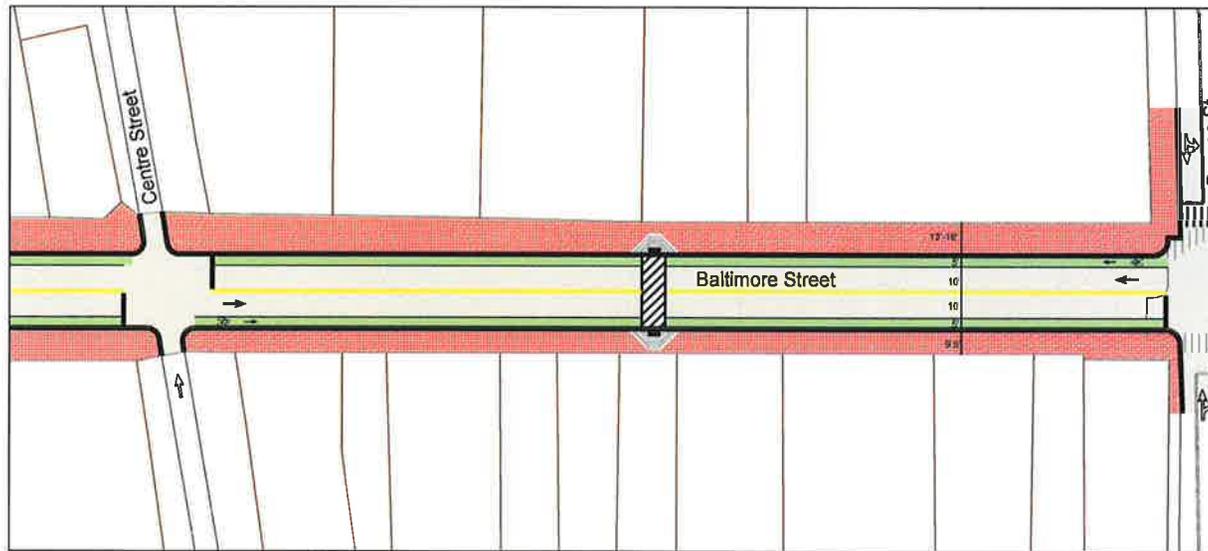
-  PROPOSED ROADWAY
-  PROPOSED SIDEWALK
-  PROPOSED BIKE LANE
-  POTENTIAL STREET TREE LOCATION



Baltimore Street  
Option 3a - DRAFT

Exhibit B-4  
March 2016  
Not to Scale

# Option 4 - Two-Way Traffic with no Parking - DRAFT



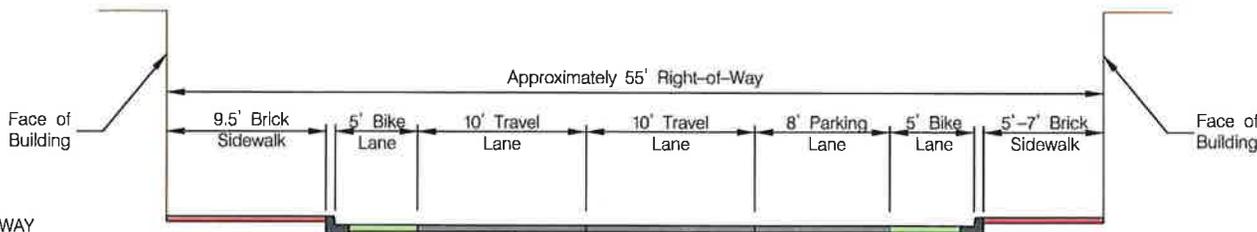
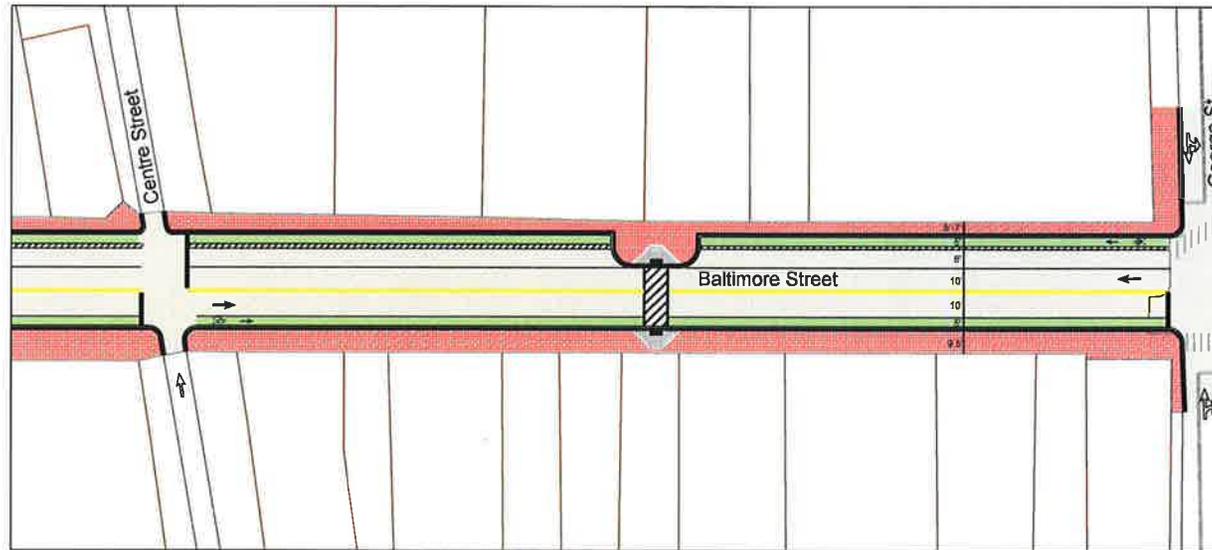
## LEGEND

- PROPOSED ROADWAY
- PROPOSED SIDEWALK
- PROPOSED BIKE LANE

Baltimore Street  
Option 4 - DRAFT

Exhibit B-5  
Not to Scale

# Option 5 - Two-Way Traffic with Street Parking - DRAFT



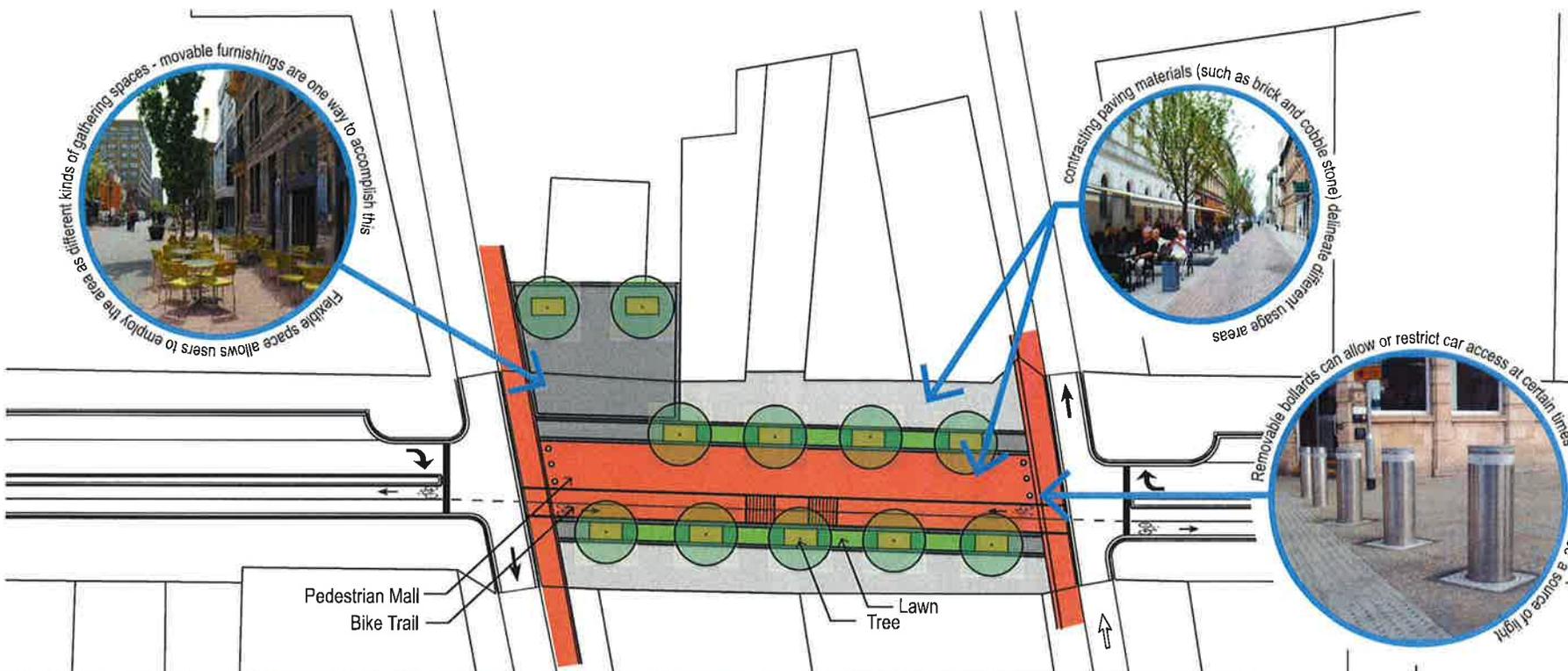
## LEGEND

- PROPOSED ROADWAY
- PROPOSED SIDEWALK
- PROPOSED BIKE LANE

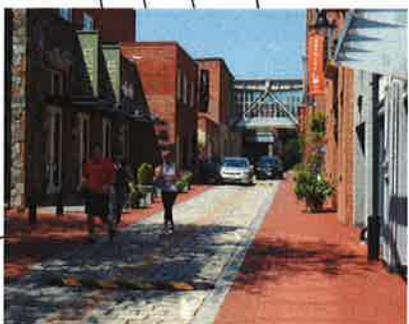
Baltimore Street Typical Section  
Looking from George St Towards Centre St

Baltimore Street  
Option 5 – DRAFT

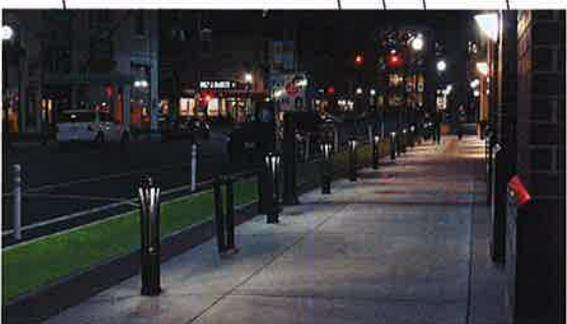
Exhibit B-6  
Not to Scale



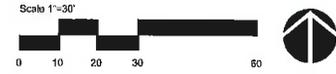
Create an urban space that allows for multiple uses



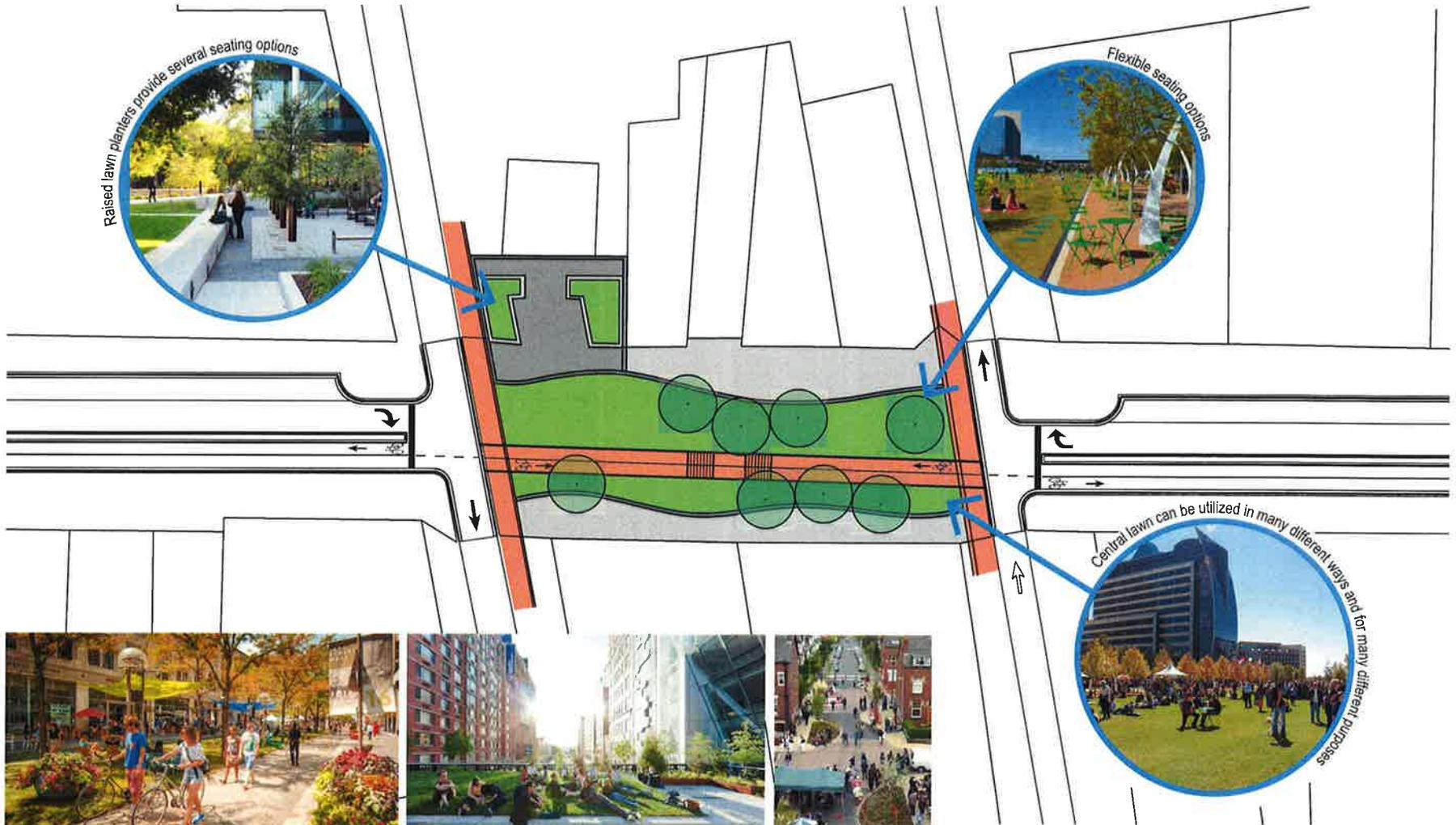
Contrasting paving materials show different areas



Variety of pedestrian scale lights



**Cumberland Square Concept A**  
City of Cumberland  
Exhibit B-7



Central Lawn Gathering Space



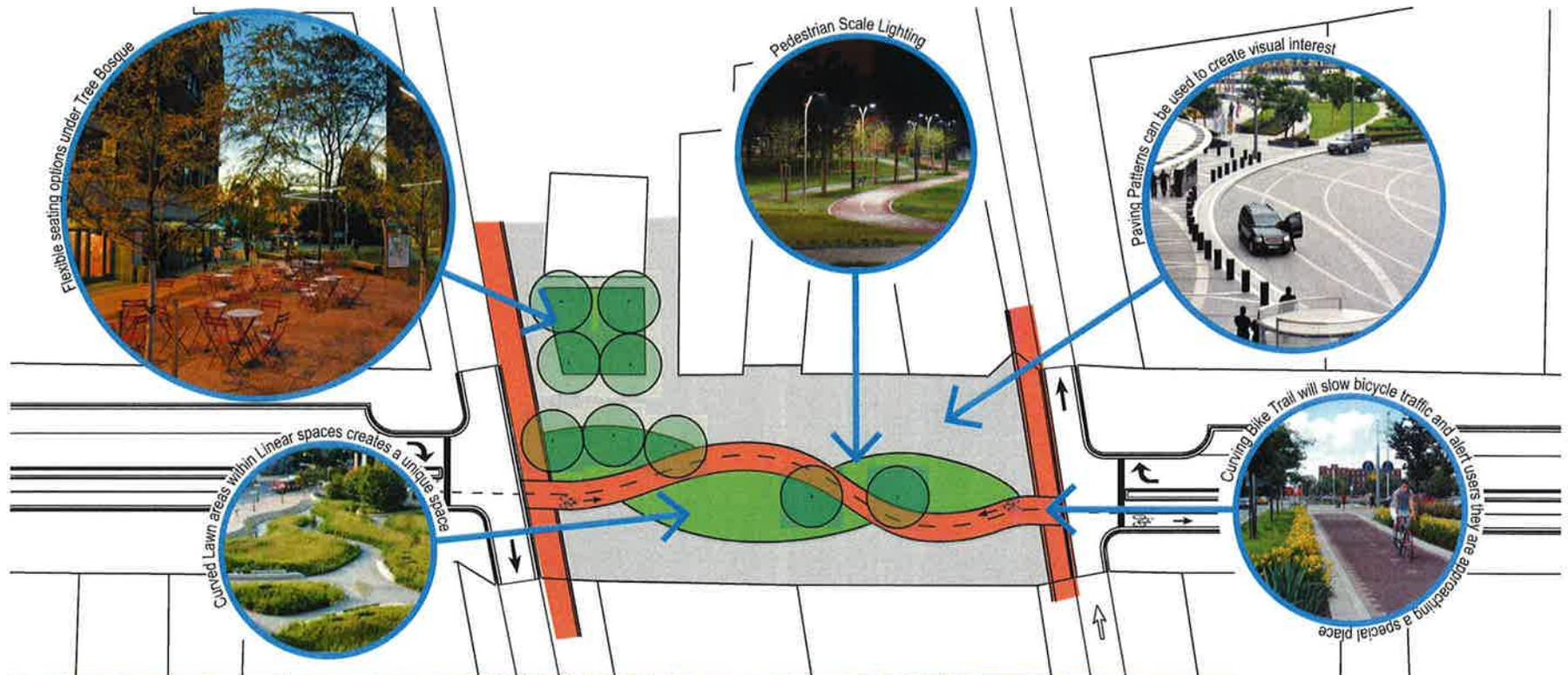
Raised Lawn Seating



Curved Beds in Linear Space

Scale 1"=30'





Uncommon Geometry will emphasize the unique space



Provide separate but related spaces for different uses



Buffer Bike Lane with Planting or Lawn Areas



# Rolling Mill - Bicycle and Pedestrian Accommodations



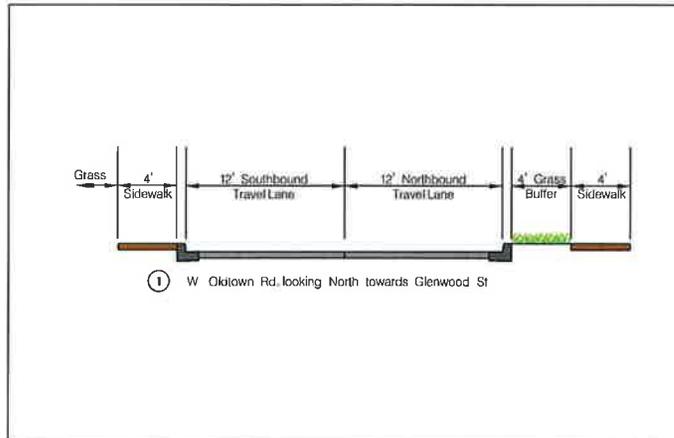
Rolling Mill  
Bike and Ped Accomodations

Exhibit B-10  
Not to Scale

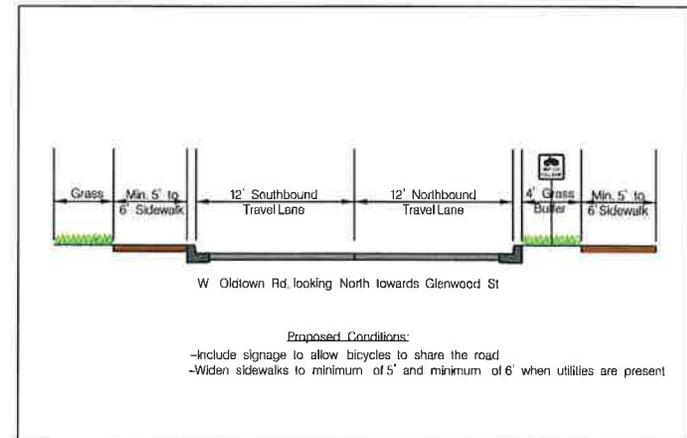
# Rolling Mill - Bicycle and Pedestrian Accommodations

## RESIDENTIAL TWO-LANE FACILITY - NO ON-STREET PARKING

EXISTING TYPICAL SECTION



PROPOSED TYPICAL SECTION



LEGEND

-  ROADWAY
-  SIDEWALK
-  BRICK SIDEWALK
-  PROPOSED BIKE LANE
-  GRASS AREA

Rolling Mill  
 Bike and Ped Accomodations

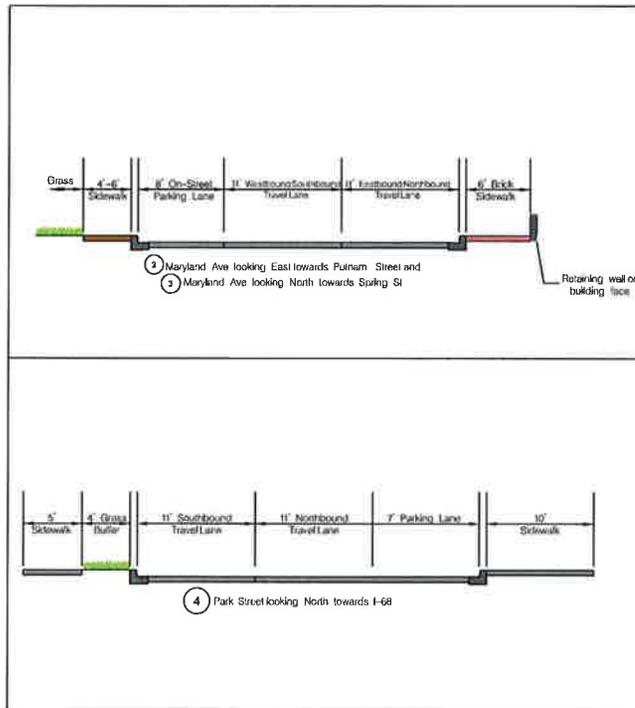
---

January 2016  
 Not to Scale

# Rolling Mill - Bicycle and Pedestrian Accommodations

## RESIDENTIAL TWO-LANE FACILITY WITH ON-STREET PARKING ON ONE SIDE

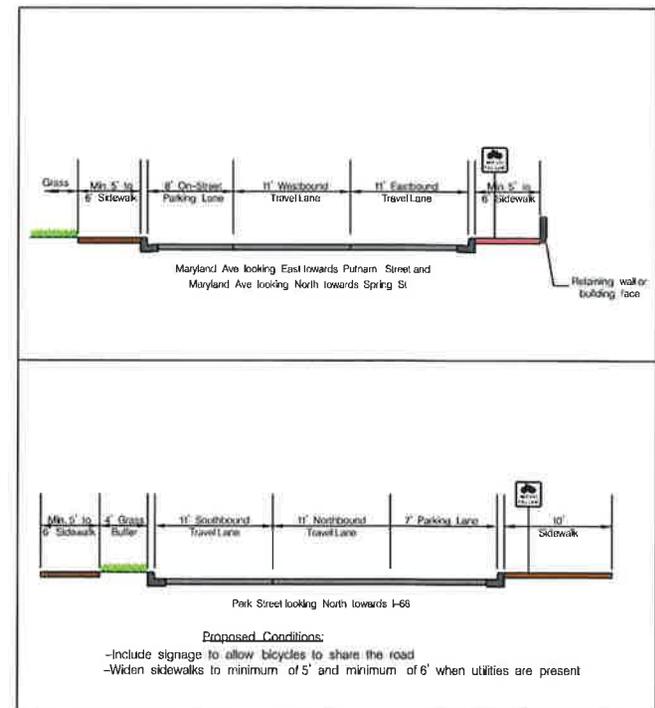
EXISTING TYPICAL SECTIONS



LEGEND

-  ROADWAY
-  SIDEWALK
-  BRICK SIDEWALK
-  PROPOSED BIKE LANE
-  GRASS AREA

PROPOSED TYPICAL SECTIONS



Rolling Mill  
 Bike and Ped Accomodations

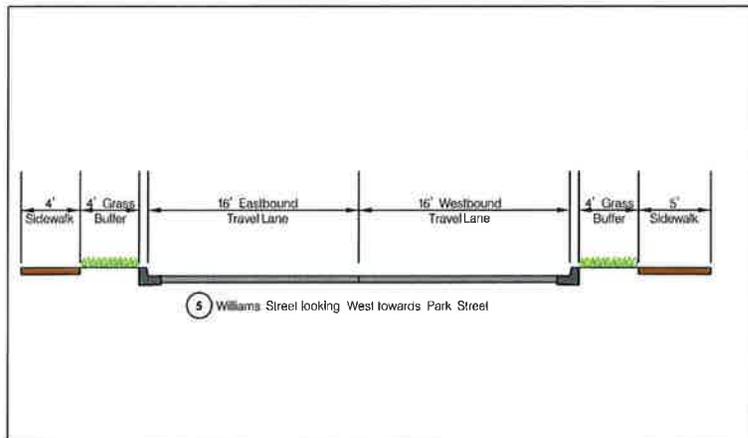
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January 2016  
 Not to Scale

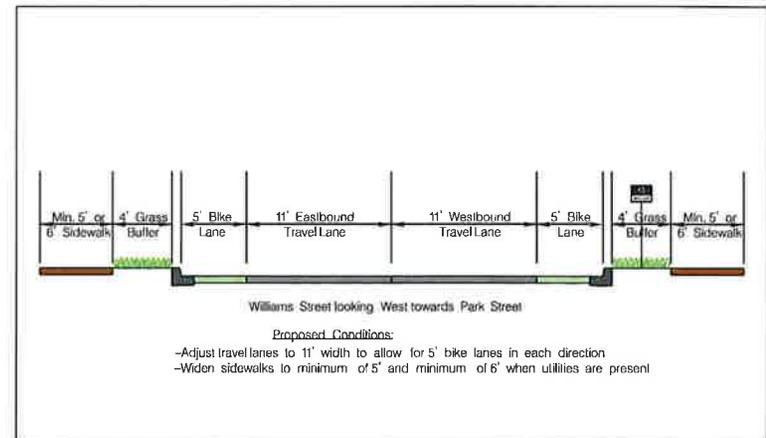
# Rolling Mill - Bicycle and Pedestrian Accommodations

## COMMERCIAL/BUSINESS TWO-LANE FACILITY - NO ON-STREET PARKING

EXISTING TYPICAL SECTION



PROPOSED TYPICAL SECTION



LEGEND

-  ROADWAY
-  SIDEWALK
-  BRICK SIDEWALK
-  PROPOSED BIKE LANE
-  GRASS AREA

Rolling Mill  
 Bike and Ped Accomodations

---

January 2016  
 Not to Scale

# Willowbrook - Bicycle and Pedestrian Accommodations

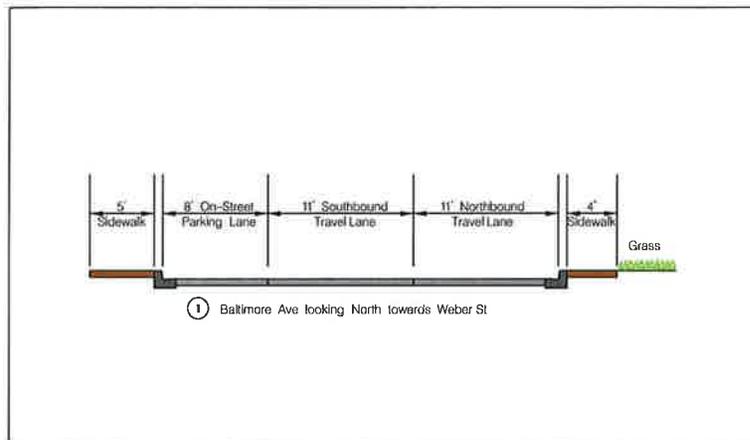


|   |
|---|
| Willowbrook<br>Bike and Ped Accomodations |
| January 2016<br>Exhibit B-11              |

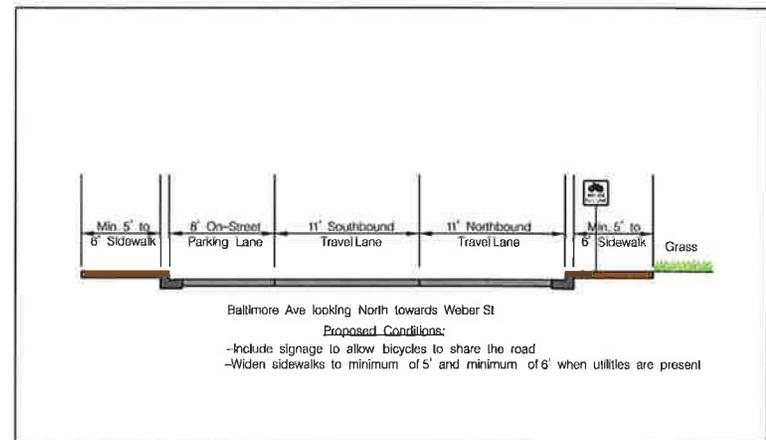
# Willowbrook - Bicycle and Pedestrian Accommodations

## RESIDENTIAL TWO-LANE FACILITY WITH ON-STREET PARKING ON ONE SIDE

EXISTING TYPICAL SECTION



PROPOSED TYPICAL SECTION



LEGEND

-  ROADWAY
-  SIDEWALK
-  BRICK SIDEWALK
-  PROPOSED BIKE LANE
-  GRASS AREA

Willowbrook  
 Bike and Ped Accomodations

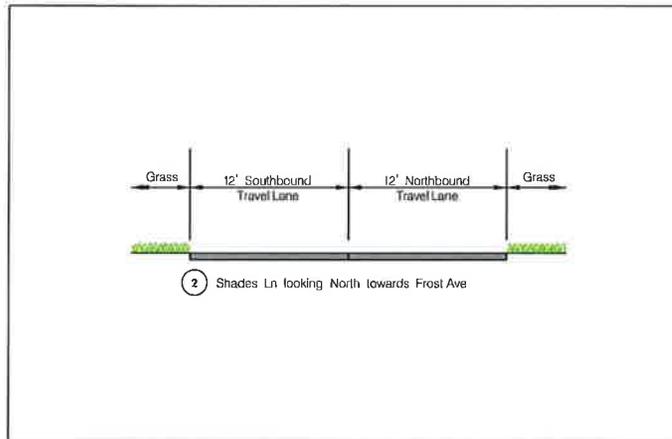
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January 2016  
 Not to Scale

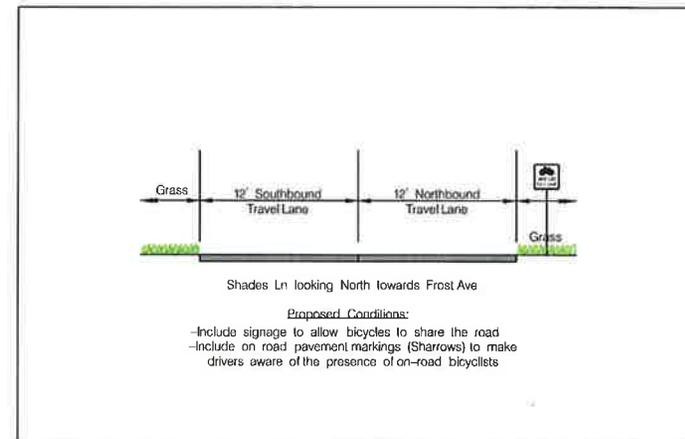
# Willowbrook - Bicycle and Pedestrian Accommodations

## OPEN SECTION TWO-LANE FACILITY - NO ON-STREET PARKING

EXISTING TYPICAL SECTION



PROPOSED TYPICAL SECTION



LEGEND

-  ROADWAY
-  SIDEWALK
-  BRICK SIDEWALK
-  PROPOSED BIKE LANE
-  GRASS AREA

Willowbrook  
 Bike and Ped Accommodations

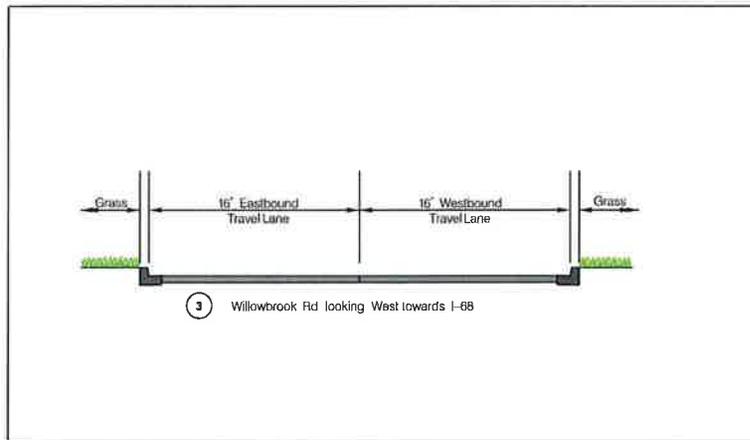
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January 2016  
 Not to Scale

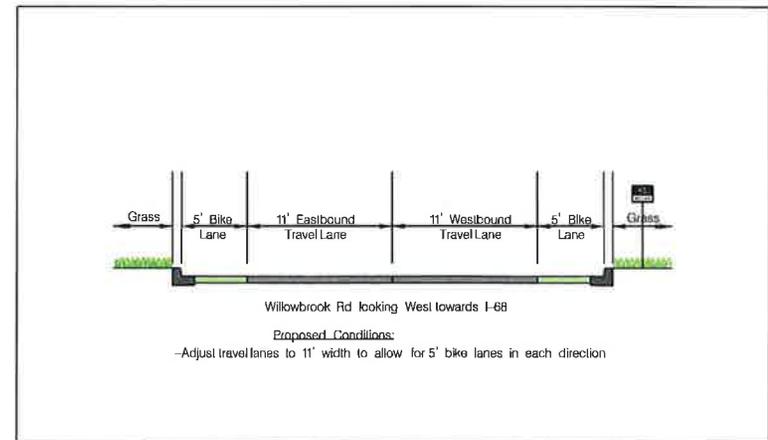
# Willowbrook - Bicycle and Pedestrian Accommodations

## TWO-LANE FACILITY - NO ON-STREET PARKING

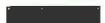
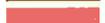
EXISTING TYPICAL SECTION



PROPOSED TYPICAL SECTION



LEGEND

-  ROADWAY
-  SIDEWALK
-  BRICK SIDEWALK
-  PROPOSED BIKE LANE
-  GRASS AREA

Willowbrook  
Bike and Ped Accommodations

January 2016  
Not to Scale

## **Appendix B**

**Technical Memorandum for Online Poll and  
Public Charrette**

## Memorandum

To: Shawn Hershberger

From: McCormick Taylor

Date: March 21, 2016

Re: City of Cumberland Baltimore Street Charrette - Summary of Public Participation

The below summarizes public responses to information presented at the above referenced public charrette. The summary first tabulates the Baltimore Street Roadway Option responses and then the Cumberland Square Concept responses. McCormick Taylor will incorporate these findings into the final report with preferred alternative and treatment features. Please contact Wes Mitchell or Charles Penny with any questions.

### Baltimore Street

|                | Option 1 | Option 2 | Option 3 | Option 3a | Option 3b | Option 4 | Option 5 |
|----------------|----------|----------|----------|-----------|-----------|----------|----------|
| Comment Cards: | 5        | 0        | 6        | 14        | 28        | 1        | 1        |
| Dots:          | 4        | 0        | 7        | 31        | 69        | 0        | 1        |

Comment Trends:

- ❖ Vehicle traffic reversed, going from Center Street towards George Street (Medium)
- ❖ Keep vehicle traffic away from the Mall (High)
- ❖ One-way traffic with angled parking (Medium)
- ❖ Open entire street to traffic (Low)
- ❖ Only Handicap Parking (Low)
- ❖ Angled parking instead of parallel (High)
- ❖ Two way traffic with parking on both sides (High)
- ❖ Space for outdoor seating and dining (High)
- ❖ Concern with intersection of Baltimore and Mechanic Street (Low)
- ❖ Larger sidewalk on South side, narrow sidewalk on North side (option 3a) (Low)
- ❖ Bike Traffic
  - Support bike lane (Medium)
  - A hazard and unnecessary (Medium)
  - Fear it will interfere with outdoor dining (Low)

## Cumberland Square

|                | Concept A | Concept B | Concept C |
|----------------|-----------|-----------|-----------|
| Comment Cards: | 15        | 5         | 6         |
| Dots:          | 22        | 9         | 12        |

### Comment Trends:

- ❖ Use of Native Plants (Low)
- ❖ Removable Seating (Low)
- ❖ No bike trail, Bike parking areas suggested instead (Low)
- ❖ No Brick or cobblestone (Medium)
  - A need for smooth pavement for ease of walking for seniors, children, etc.
  - But also keep with the historical feel and motif of the area (Medium)

| Comment Card Breakdown |           |
|------------------------|-----------|
| Rank                   | Frequency |
| High                   | 5+        |
| Medium                 | 3-4       |
| Low                    | 1-2       |

### Online Pole Results

| Baltimore Street Online Poll |          |          |           |          |          |           |
|------------------------------|----------|----------|-----------|----------|----------|-----------|
| Option 1                     | Option 2 | Option 3 | Option 3a | Option 4 | Option 5 | No Change |
| 64                           | 13       | 103      | 173       | 18       | 81       | 57        |

|           |     |
|-----------|-----|
| Concept A | 120 |
| Concept B | 49  |
| Concept c | 75  |



Regular Council Agenda  
July 19, 2016

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**Description**

Discussion of the recommendation included in McCormick Taylor's Opportunity Site Study to open both ends of the downtown pedestrian mall

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



# **City of Cumberland Department of Police**

**Monthly Report**  
**June 2016**



# City of Cumberland Department of Police

## Monthly Report

### June 2016

#### Part 1 Crimes for the Month

|                     | 2015 |   | 2016           |    | 2015 |                 | 2016 |   | 2015 |   | 2016 |  |
|---------------------|------|---|----------------|----|------|-----------------|------|---|------|---|------|--|
| Aggravated Assaults | 5    | 6 | B & E (All)    | 18 | 25   | Murder          | 0    | 0 | Rape | 2 | 0    |  |
| Robbery             | 3    | 7 | Theft - Felony | 6  | 6    | Theft - Vehicle | 3    | 1 |      |   |      |  |

#### Selected Criminal Complaints for the Month

|                     | 2015 |     | 2016              |    | 2015 |                   | 2016 |    | 2015            |    | 2016 |  |
|---------------------|------|-----|-------------------|----|------|-------------------|------|----|-----------------|----|------|--|
| Theft - Misdemeanor | 49   | 33  | Theft - Petty     | 46 | 51   | Domestic Assaults | 24   | 18 | CDS             | 62 | 82   |  |
| Disturbances        | 211  | 198 | DOP/Vandalism     | 49 | 35   | Indecent Exposure | 5    | 6  | Sex Off - Other | 5  | 6    |  |
| Suicide             | 0    | 0   | Suicide - Attmp.  | 2  | 0    | Tampering M/V     | 0    | 0  | Abuse - Child   | 8  | 4    |  |
| Trespassing         | 24   | 28  | Assault on Police | 2  | 5    | Assault Other     | 36   | 42 |                 |    |      |  |

#### Selected Miscellaneous Incidents for the Month

|                   | 2015 |    | 2016             |    | 2015 |                 | 2016 |    | 2015                |    | 2016 |  |
|-------------------|------|----|------------------|----|------|-----------------|------|----|---------------------|----|------|--|
| Alcohol Volations | 2    | 11 | Juvenile Compl.  | 22 | 30   | Missing Persons | 6    | 17 | School Resource     | 20 | 7    |  |
| School Threat     | 0    | 0  | Sex Off. Regist. | 20 | 25   | Truancy         | 1    | 2  | Death Investigation | 1  | 7    |  |

#### Selected Traffic Incidents for the Month

|     | 2015 |   | 2016      |    | 2015 |           | 2016 |    | 2015         |     | 2016 |  |
|-----|------|---|-----------|----|------|-----------|------|----|--------------|-----|------|--|
| DWI | 10   | 8 | Hit & Run | 23 | 23   | M/V Crash | 63   | 81 | Traffic Stop | 216 | 439  |  |

#### Selected Service Calls for the Month

|                     | 2015 |    | 2016            |    | 2015 |                  | 2016 |     | 2015                |     | 2016 |  |
|---------------------|------|----|-----------------|----|------|------------------|------|-----|---------------------|-----|------|--|
| Alarms              | 48   | 44 | Assist Motorist | 59 | 41   | Check Well-Being | 93   | 129 | Foot Patrol         | 28  | 25   |  |
| Assist Other Agency | 65   | 63 | Bike Patrol     | 0  | 2    | Special Events   | 13   | 14  | Suspicious Activity | 105 | 87   |  |

#### Arrests Totals for the Month

|               | 2015 |    | 2016         |     | 2015 |             | 2016 |     | 2015           |    | 2016 |  |
|---------------|------|----|--------------|-----|------|-------------|------|-----|----------------|----|------|--|
| M/V Citations | 40   | 83 | M/V Warnings | 169 | 334  | Adult Crim. | 136  | 174 | Juvenile Crim. | 13 | 18   |  |

**Total Incidents Reported :**                      **2015      2016**  
**2,009      2,260**

Charles Hinnant - Chief of Police

# CUMBERLAND POLICE DEPARTMENT

## MONTHLY REPORT

JUNE 2016

### SWORN PERSONNEL: 51 SWORN OFFICERS

|                 |            |
|-----------------|------------|
| Administration  | 6 officers |
| Squad 1A        | 9 officers |
| Squad 1B        | 9 officers |
| Squad 2A        | 8 officers |
| Squad 2B        | 9 officers |
| C3I/C3IN        | 5 officers |
| School Resource | 2 officers |
| Academy         | 3 officers |

### CIVILIAN EMPLOYEES: 6 full time, 6 part time

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

### LEAVE REPORT

VACATION TAKEN: 1181 HOURS  
COMP TIME USED: 412 HOURS  
SICK TIME USED: 336 HOURS

YEAR TO DATE (beginning 7/1/15): 10299 HOURS  
YEAR TO DATE (beginning 7/1/15): 2629 HOURS  
YEAR TO DATE (beginning 7/1/15): 2575 HOURS

### OVERTIME REPORT

OVERTIME WORKED: 329 HOURS  
HOSPITAL SECURITY: 80 HOURS  
COURT TIME WORKED: 110 HOURS

YEAR TO DATE (beginning 7/1/15): 4987 HOURS  
YEAR TO DATE (beginning 7/1/15): 1356 HOURS  
YEAR TO DATE (beginning 7/1/15): 1001 HOURS

### TRAINING REPORT

13 OFFICERS TRAINED FOR 170 HOURS

YEAR TO DATE (beginning 7/1/15) 5334 HOURS

# *CUMBERLAND POLICE DEPARTMENT*

## Warrant Fugitive Initiative

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

|       |           |                   |
|-------|-----------|-------------------|
| CPD   | 4 arrests | 4 warrants served |
| ACSO  | 6 arrests | 6 warrants served |
| MSP   | 0 arrests | 0 warrants served |
| FPD   | 0 arrests | 0 warrants served |
| C3I   | 2 arrests | 3 warrants served |
| C3IN  | 0 arrests | 0 warrants served |
| OTHER | 0 arrests | 0 warrants served |

**TOTALS      12 arrests      13 warrants served**

Of these, Detective David Broadwater arrested 12 people and served 13 warrants.

He opened 10 “Fugitive” investigations and made arrests in 7 existing cases, for a total of 17 cases generated for the month.

### **SIGNIFICANT CASES:**

1.) On 06/03/2016 Detective Broadwater was assigned to locate and apprehend a wanted sex offender, who was wanted on a Parole Re-Take warrant, and had been avoiding arrest. Detective Broadwater was able to enlist the aid of an acquaintance of the suspect who was able to convince the suspect to meet with them in West Virginia. Detective Broadwater was able to coordinate with the West Virginia State Police and they set up surveillance on the location where the meet was going to take place. After the suspect entered the acquaintance's vehicle, the WVSP conducted a traffic stop and the suspect was taken into custody at that time.

2.) During the week of June 6-10, 2016, a warrant sweep was conducted in Allegany County as part of the “Safe Streets” initiative. Detective Broadwater was personally responsible for arresting 9 suspects and serving 11 warrants.

**CPD ACTIVITY  
OUTSIDE CPD JURISDICTION**

**JUNE 2016**

On 6/20/16 A CPD canine team assisted the Allegany County Sheriff's Office with a drug scan of a vehicle in the parking lot of the Country Club Mall.

On 6/15 16 A CPD canine team assisted the Maryland State Police with a drug scan of a vehicle along I-68 W/B at the 50-mile marker.



Regular Council Agenda  
July 19, 2016

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**Description**

Police Department monthly report for June, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

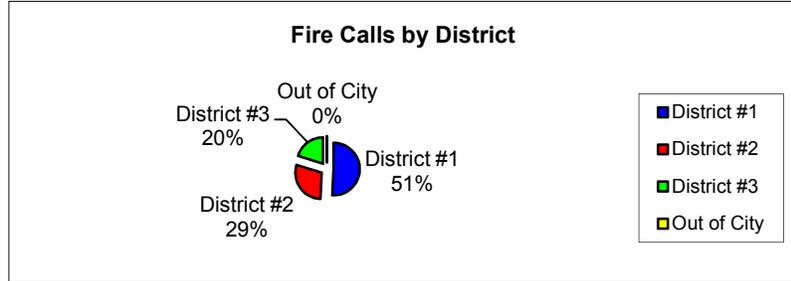
**Value of Award (if applicable)**

**Source of Funding (if applicable)**

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

**Cumberland Fire Department Responded to 134 Fire Alarms:**

|                        |       |
|------------------------|-------|
| Responses by District: |       |
| District #1            | 68    |
| District #2            | 39    |
| District #3            | 27    |
| Out of City            | 0     |
|                        | <hr/> |
|                        | 134   |



|                            |       |
|----------------------------|-------|
| Number of Alarms Answered: |       |
| First Alarms Answered:     | 133   |
| Second Alarms Answered:    | 1     |
|                            | <hr/> |
|                            | 134   |

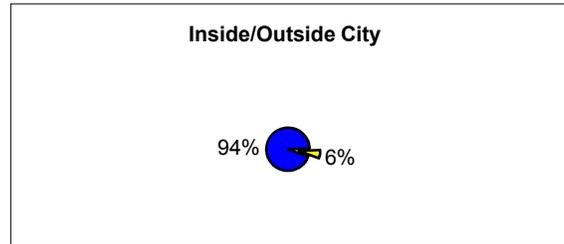
|                     |       |
|---------------------|-------|
| Calls Listed Below: |       |
| Property Use:       |       |
| Public Assembly     | 2     |
| Educational         | 1     |
| Institutional       | 6     |
| Special Properties  | 43    |
| Residential         | 74    |
| Storage             | 1     |
| Stores and Offices  | 5     |
| None                | 2     |
|                     | <hr/> |
|                     | 134   |

|                       |       |
|-----------------------|-------|
| Type of Situation:    |       |
| Fire or Explosion     | 6     |
| Overpressure, Rupture | 2     |
| Rescue Calls          | 78    |
| Hazardous Conditions  | 12    |
| Service Calls         | 11    |
| Good Intent Calls     | 16    |
| False Calls           | 9     |
|                       | <hr/> |
|                       | 134   |

|   |             |
|---|-------------|
| Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid in June:             | \$1,090.00  |
| Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid Fiscal Year to Date: | \$26,290.00 |
| Fire Service Fees for Fire Calls Paid in June:  | \$360.00    |
| Total Fire Service Fees for Fire Calls Paid Fiscal Year to Date:                        | \$8,680.00  |
|   |             |
| Fire Service Fees for Inspections and Permits Billed in June:                           | \$350.00    |
| Fire Service Fees for Inspections and Permits Paid in June:                             | \$50.00     |
| Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:           | \$1,700.00  |

**Cumberland Fire Department Responded to 495 Emergency Medical Calls:**

|                   |           |
|-------------------|-----------|
| In City Calls     | 464       |
| Out of City Calls | <u>31</u> |
| Total             | 495       |



|   |                |
|---|----------------|
| Total Ambulance Fees Billed by Medical Claim-Aid in June, 2016:                   | \$117,114.88   |
| Ambulance Fees Billed Fiscal Year to Date:  | \$1,594,804.02 |
| Ambulance Fees Paid:  |                |
| Revenue received in June, 2016:   | \$82,310.50    |
| Revenue:  |                |
| FY2016 Ambulance Fees Paid in FY2016:   | \$953,653.72   |
| Total Ambulance Transport Fees paid in FY2016:                                    | \$1,112,214.55 |
| (Includes all ambulance fees, previous and current fiscal years, paid in FY2016.) |                |

**Cumberland Fire Department Responded to 17 Paramedic Assist Calls:**

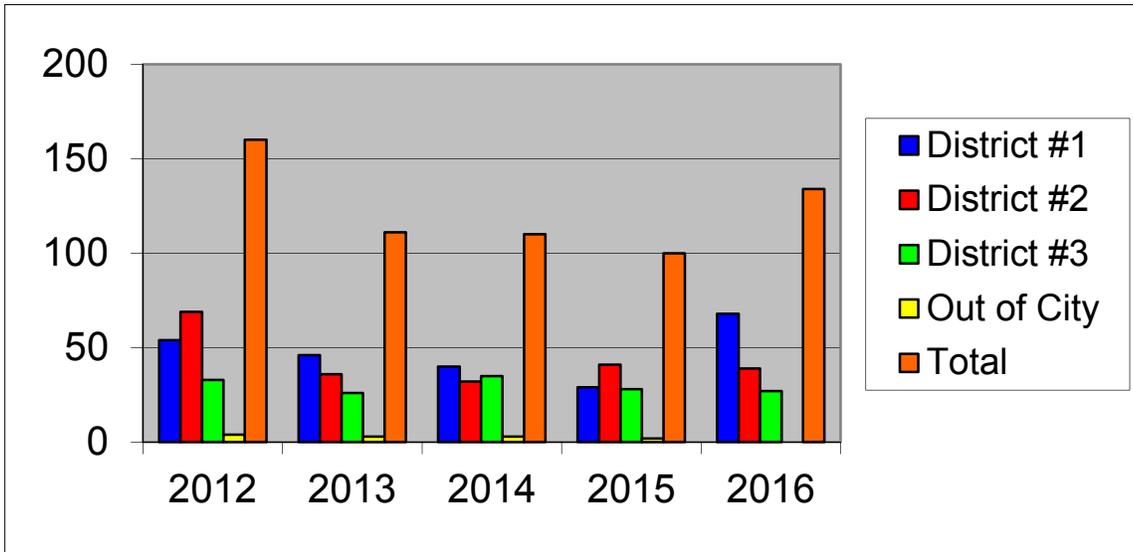
|   |          |
|---|----------|
| 4 Paramedic Assist Calls within Allegany County             |          |
| <u>13 Paramedic Assist Calls outside of Allegany County</u> |          |
| 17  |          |
| Bowman's Addition VFD                                       | 1        |
| Cresaptown VFD  | 2        |
| Flintstone VFD  | <u>1</u> |
|   | 4        |
| Hyndman Area Rescue Squad                                   | 8        |
| Ridgeley VFD  | 2        |
| Short Gap VFD   | 1        |
| Springfield Area Rescue Squad                               | 1        |
| Wiley Ford VFD  | <u>1</u> |
|   | 17       |

**Cumberland Fire Department Responded 14 Mutual Aid Calls:**

|  |          |
|--|----------|
| 13 Mutual Aid Calls within Allegany County           |          |
| <u>1 Mutual Aid Calls outside of Allegany County</u> |          |
| 14   |          |
| Bowman's Addition VFD                                | 4        |
| Cresaptown VFD                                       | 4        |
| District #16 VFD                                     | 1        |
| Flintstone VFD                                       | 3        |
| Oldtown VFD  | <u>1</u> |
|  | 13       |
| Hyndman Area Rescue Squad                            | <u>1</u> |
|  | 14       |

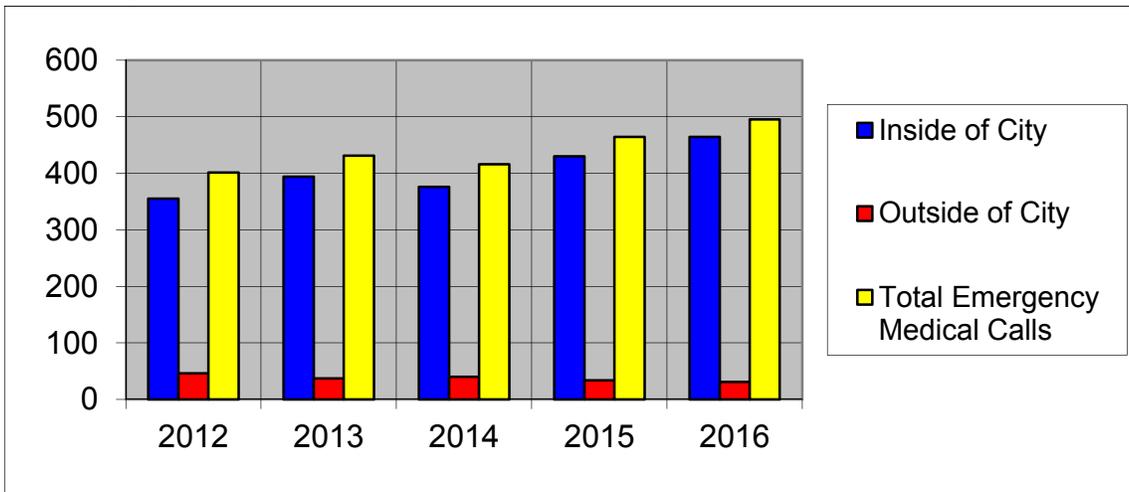
**Fire Calls in the Month of June for a Five-Year Period**

|              | <u>2012</u> | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> |
|--------------|-------------|-------------|-------------|-------------|-------------|
| District #1  | 54          | 46          | 40          | 29          | 68          |
| District #2  | 69          | 36          | 32          | 41          | 39          |
| District #3  | 33          | 26          | 35          | 28          | 27          |
| Out of City  | 4           | 3           | 3           | 2           | 0           |
| <b>Total</b> | <b>160</b>  | <b>111</b>  | <b>110</b>  | <b>100</b>  | <b>134</b>  |



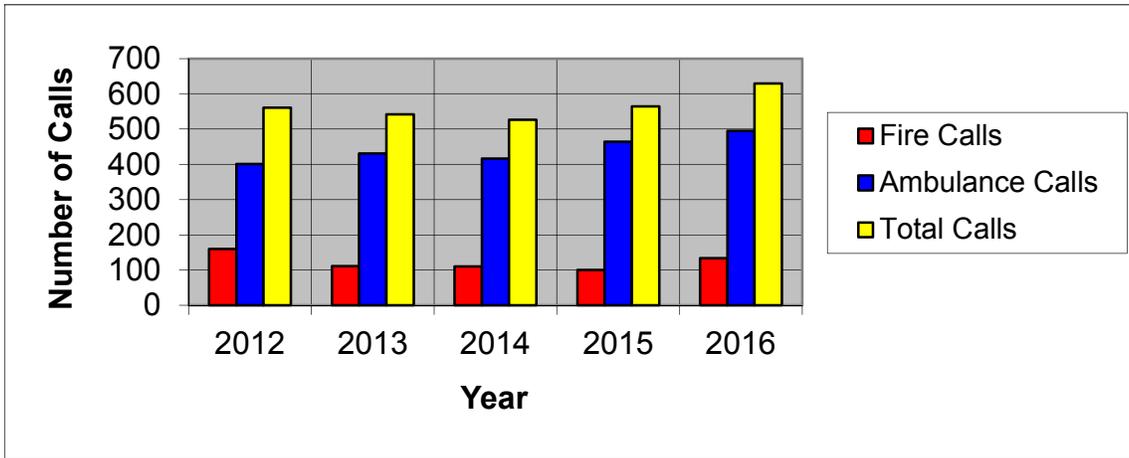
**Ambulance Calls in the Month of June for a Five-Year Period**

|                                      | <u>2012</u> | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> |
|--------------------------------------|-------------|-------------|-------------|-------------|-------------|
| Inside of City                       | 355         | 394         | 376         | 430         | 464         |
| Outside of City                      | 46          | 37          | 40          | 34          | 31          |
| <b>Total Emergency Medical Calls</b> | <b>401</b>  | <b>431</b>  | <b>416</b>  | <b>464</b>  | <b>495</b>  |



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

|                 | <u>2012</u> | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> |
|-----------------|-------------|-------------|-------------|-------------|-------------|
| Fire Calls      | 160         | 111         | 110         | 100         | 134         |
| Ambulance Calls | 401         | 431         | 416         | 464         | 495         |
| Total Calls     | 561         | 542         | 526         | 564         | 629         |



**Training**

Training Man Hours: 172.75

Training Listed Below:

|                            |        |
|----------------------------|--------|
| Safety Issues              | 11.00  |
| Aerial Operations          | 9.00   |
| Apparatus Check Procedures | 22.00  |
| Pak Tracker System         | 9.00   |
| Protocol Update            | 18.00  |
| Hose Lines                 | 71.00  |
| Physical Fitness           | 9.00   |
| High Angle Rescue          | 13.75  |
| EBSS Connection Practice   | 10.00  |
|                            | <hr/>  |
|                            | 172.75 |

**Fire Prevention Bureau**

|                          |    |
|--------------------------|----|
| Complaints Received      | 2  |
| Conferences Held         | 60 |
| Correspondence           | 14 |
| Inspections Performed    | 19 |
| Investigations Conducted | 10 |
| Plan Reviews             | 3  |

**Personnel**

Fire Equipment Operator Merel M. Chaney, Jr. retired effective June 1, 2016, with nearly thirty (30) years of service.





Regular Council Agenda  
July 19, 2016

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**Description**

Fire Department monthly report for June, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

**MAINTENANCE DIVISION REPORT**  
**June 2016**

**Street Maintenance Report**

**Parks & Recreation Maintenance Report**

**Fleet Maintenance Report**

**PUBLIC WORKS/MAINTENANCE  
STREET BRANCH  
MONTHLY REPORT  
JUNE 2016**

- POTHoles AND COMPLAINTS
  - Potholed 18 Streets and 7 Alleys using approximately 47 tons of HMA.
  - Permanent patch along flood control wall using approximately 42 tons of HMA.
  
- UTILITY HOLE REPAIR
  - Completed 1 Water Utility Hole Repair and 4 Sewer Utility Hole Repairs using 38 tons of HMA.
  
- TRAFFIC CONTROL SIGNS/STREET NAME SIGNS
  - No sign work this month.
  
- STREET SWEEPING
  - Swept 545 curb miles (approx. 212 cubic yards of debris).
  - Hauled 32 tons to Landfill.
  
- MISCELLANEOUS
  - Completed 26 Service Request.
  - Cleaned Baltimore Street Underpass 1 time.
  - Removed brush along Viaduct for LBC.
  - Underdrain installed at First and South Street.
  - Installed curbs and drainage at Pear & Henderson due to removal of RR Crossing.

| <b>STREET MAINTENANCE - JUNE 2016</b>        |          | 6/1-6/4 | 6/5-6/11 | 6/12-6/18 | 6/19-6/25 | 6/26-6/30 | TOTAL |
|--|----------|---------|----------|-----------|-----------|-----------|-------|
| SERVICE REQUEST COMPLETED                    |          | 2       | 8        | 3         | 5         | 8         | 26    |
| PAVING PERFORMED                             | TONS     |         |          |           | 1         | 9         | 10    |
| CONCRETE WORK                                | CY       |         |          |           | 1         | 3         | 4     |
| UTILITY HOLES REPAIRED                       | WATER    |         |          |           | 1         |           | 1     |
|  | SEWER    |         | 1        |           | 1         | 2         | 4     |
|  | CY       |         |          |           |           |           | 0     |
|  | TONS     |         | 26.0     |           | 5.0       | 7.0       | 38    |
| POTHoles FILLED                              | STREETS  | 2       | 8        | 2         | 2         | 4         | 18    |
|  | ALLEYS   | 3       | 2        | 1         |           | 1         | 7     |
|  | DAYS     |         |          |           |           |           | 0     |
|  | Cold Mix |         |          |           |           |           | 0     |
|  | TONS     | 13.0    | 23.5     | 5.0       | 2.0       | 3.5       | 47    |
| PERMANENT PATCH                              | CY       |         |          |           |           |           | 0     |
|  | TONS     |         | 8        | 17        | 17        |           | 42    |
| COMPLAINTS COMPLETED                         |          |         |          |           |           |           | 0     |
|  | CY       |         |          |           |           |           | 0     |
|  | TONS     |         |          |           |           |           | 0     |
| TRAFFIC CONTROL SIGNS REPAIRED/INSTALLED     |          |         |          |           |           |           | 0     |
| STREET NAME SIGNS REPAIRED/INSTALLED         |          |         |          |           |           |           | 0     |
| HANDICAPPED SIGNS REPAIRED/INSTALLED/REMOVED |          |         |          |           |           |           | 0     |
|  |          |         |          |           |           |           | 0     |
|  |          |         |          |           |           |           | 0     |
| PAINTING PERFORMED                           | BLUE     |         |          |           |           |           | 0     |
|  | YELLOW   |         |          |           |           |           | 0     |
|  | RED      |         |          |           |           |           | 0     |
| PAVEMENT MARKINGS INSTALLED                  | No.      |         |          |           |           |           | 0     |
| STREET CLEANING                              | LOADS    | 13      | 16       | 15        |           | 9         | 53    |
|  | MILES    | 128     | 152      | 92        |           | 173       | 545   |
| SWEEPER DUMPS HAULED TO LANDFILL             | TONS     |         |          | 31.6      |           |           | 32    |
| SALT BARRELLS - PICK UP                      | DAYS     |         |          |           |           |           | 0     |
| CLEANED BALTIMORE ST. UNDERPASS              |          |         |          | 1         |           |           | 1     |
| CLEAN SNOW EQUIPMENT                         | Days     |         |          |           |           |           | 0     |
| BRUSH REMOVAL/TREE WORK                      | Days     |         |          |           |           |           | 0     |
| Check Drains/Clean Debris                    | DAYS     |         | 1        |           |           |           | 1     |
| LEAF PICK UP                                 | Loads    |         |          |           |           |           | 0     |

6//3/16 - Removed bushes along Viaduct for LBC as per Mayor

Flood Control Work - Remove grass along wall and place blacktop

6/16 - 9 ton

6/17 - 5 ton

6/22 - 13 ton

6/23 - 4 ton

Pear Street Crossing Removal - install curbing and drainage

6/24 - 1cy

6/28 - 3 cy

6/30 - 5.5 cy

Underdrain installed @ First/South 6/21-22/16

**PUBLIC WORKS/MAINTENANCE  
PARKS & RECREATION  
MONTHLY REPORT  
JUNE 2016**

- Constitution Park
  - Cleaned up garbage, bathrooms and pavilions 3 time/week.
  - Cut grass in Park and Long Field.
  - Maintained pool and pumps.
  
- Mason Complex
  - Cleaned up garbage 3 time/week.
  - Lined Fields as per schedule.
  - Cut grass.
  
- Abrams, Cavanaugh and JC
  - Cleaned up garbage and bathrooms 3 time/week.
  - Cut grass.
  - Rolled water off Cavanaugh several times.
  - Maintained and lined Abrams, JC and Cavanaugh Fields as per schedule.
  
- Miscellaneous Work
  - Continue to maintain, cut grass and pick up garbage at Parklets and other areas.







**Fleet Maintenance  
June 2016**

|   |           |
|---|-----------|
| <b>Total Fleet Maintenance Projects</b> | <b>60</b> |
| Street Maintenance                      | 8         |
| Snow Removal                            | 0         |
| DDC                                     | 0         |
| CPD                                     | 15        |
| Water Distribution                      | 10        |
| P & R Maintenance                       | 4         |
| CFD                                     | 3         |
| Sewer                                   | 4         |
| Code Enforcement                        | 2         |
| Flood                                   | 1         |
| PIP                                     | 0         |
| WWTP                                    | 0         |
| Engineering                             | 1         |
| Facility Maintenance                    | 0         |
| Fleet Maintenance                       | 1         |
| Central Services                        | 0         |
| Municipal Parking                       | 0         |
| Public Works                            | 2         |
| Water Filtration                        | 0         |
| Small Engine Repairs                    | 0         |
| Scheduled Preventive Maintenance        | 7         |
| Field Service Calls                     | 2         |
| <br>                                    |           |
| <b>Total Work Orders Submitted</b>      | <b>35</b> |
| <br>                                    |           |
| <b>Risk Management Claims</b>           | <b>1</b>  |
| <br>                                    |           |
| <b>Fork Lift Inspections</b>            | <b>0</b>  |



Regular Council Agenda  
July 19, 2016

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**Description**

Maintenance Division monthly report for June, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

## City of Cumberland, Maryland Engineering Division - Monthly Report

| Program Projects Update |                            |  |  |                       |   | June 30, 2016 |                |
|-------------------------|----------------------------|--|--|-----------------------|---|---------------|----------------|
| Order                   | Department                 | Program/Project Name                                   | Description  | Phase                 | Comments  | Updated By    | Date of Update |
|                         | PUBLIC WORKS               | Curbside Recycling                                     | Curbside recycling program started in the City of Cumberland July 1, 2014  | Ongoing               | <b>UPDATE</b><br>Planning for promotions for Recycling at Heritage Days June 11 & 12. Cumberland Neighborhood Housing Services donated an HP Laptop to giveaway in promotion of NOTIFY ME - CURBSIDE RECYCLING SCHEDULE. Signups will kick off at the festival and go through July 1.   | RJK           | 2-Jun-16       |
|                         | WWTP                       | Cumberland Pretreatment Program                        | City Ordinance No. 3251 regulates industrial and significant dischargers to Cumberland's sewer and POTW. There are 4 Significant Industrial Users (SIUs) permitted under this Ordinance. Program may also regulate non-significant users that pose a threat or cause problems to | Regulatory            | <b>UPDATE</b> Industries continue self monitoring as per individual permits. Quarter 2 reports due to the City July 20, 2016. City's report to MDE due August 15, 2016. Expecting a State inspection of the City's program Fall 2016.<br><br>Industry inspections ongoing at this time.   | RJK           | 7-Jul-16       |
|                         | WWTP                       | POTW NPDES Permit                                      | Requirements for compliance  |                       | <b>UPDATE</b> One-year sampling of CSO Sites for compliance wrapped up May 21, 2016.  | RJK           | 7-Jul-16       |
|                         | WWTP/CSO                   | CSO Consent Decree Compliance Reporting                | Reporting/Inspections  | Semi-Annual/As Needed | <b>UPDATE</b> The semi annual report was submitted July 1, 2016. Due to the number of demolitions, the report yields a decrease in WW flows by 21 EDUs. July 10, 2016. The City of Cumberland is limited annually to 23,000 gpd in connections (or about 92 new housing units). Any new large size developments shall undergo review from the Engineering Division for the need for approval for new connections. | RJK           | 7-Jul-16       |
|                         | WFP                        | NPDES Permit   | Requirements for compliance  |                       | <b>NEW</b> Application for renewal of permit underway (due November 2016).  | RJK           | 7-Jul-16       |
|                         | Watershed                  | Evitts Creek Steering Committee                        | Cross-jurisdictional committee working on source water protection efforts.   |                       | <b>NO CHANGE</b>  | PTE           | 29-Apr-16      |
|                         | STC                        | Shade Tree Commission                                  | Care of trees along city rights of way and in parks.   | NA                    | <b>UPDATE</b><br>Street tree planting completed in June. Was assisted by MCC to do some pruning on Westside.  | PTE           | 8-Jul-16       |
|                         | Evitts Creek Water Company | Forest Stewardship Plan (aka Resource Management Plan) | Management of the forested property around Lakes Gordon and Koon   | NA                    | <b>NO CHANGE</b><br>The Forest Management Plan is in the analysis and writing stage.  | PTE           | 8-Jul-16       |

## City of Cumberland, Maryland Engineering Division - Monthly Report

| Capital Projects |             |  |   |              |  | June 30, 2016 |                |
|------------------|-------------|--|---|--------------|--|---------------|----------------|
| Order            | Project No. | Project Name   | Description   | Phase        | Comments   | Updated By    | Date of Update |
| 2008             | 05-08-S     | Evitts Creek CSO Upgrades Phase III (gravity sewer under railroad) | Replacement of CSO line connecting Evitts Creek Pump Station effluent with gravity line that parallels the Canal Towpath. Said gravity line is being replaced under project 17-03-S(1).       | Design       | Working with CSX for permitting and insurance.   | PJD           | 7/7/2016       |
| 2009             | 12-09-T     | Circulation, TAC Signing and Traffic Signal Studies                | Three traffic related planning studies  | Study        | <b>UPDATE</b> - City comments on the plans have been provided to SHA and we expect to see FINAL Plans by June 2016. We did not get the final plans in June, but did confirm to SHA that the City controls the right of way where signs will located.   | JDF           | 7/7/2016       |
| 2009             | 22-09-M     | Maryland Avenue Wall & Sidewalk Repairs                            | Replace of a portion of sidewalk and its supporting wall in the 900 Block of Maryland Avenue  | Funding      | <b>UPDATE</b> - The project will be bid with construction taking place this summer. Another section of wall has failed a few houses north of this project. We hope that the extra work can be done under the same contract, but won't know that until we obtain bids. Project will be bid in June and Bids opened in July. The recommendation for award is expected to be done at the July 19 mayor and City Council Meeting.  | JDF           | 7/14/2016      |
| 2010             | 01-10-WWTP  | CSO Storage Facility At WWTP                                       | CSO storage and handling facility in accordance with LTCP   | Design       | <b>UPDATE</b> This project was included in the Governor's proposed budget for FY'17. We hope to be able to bid the project near the end of FY'16 so that the project can be awarded in late summer or fall of 2016. This is an optimistic schedule, and it may be that actual finalization work won't be able to start until FY'17. Engineering work to bid the project was authorized in June.  | JDF           | 7/7/2016       |
| 2011             | 24-11-W     | Water Line Extension From MD 144 to Ali Ghan Shrine Club           | Add water line supply as part of a proposed Love's Country Store Development.   |              | <b>COMPLETE</b> - This project is now complete, as-built drawings were submitted in early March, 2016.   | JDF           | 3/9/2010       |
| 2011             | 25-11-SWM   | 25-11-SWM Love's Country Store and Travel Stop                     | SWM review for a proposed development   | Construction | <b>NO CHANGE</b> - SWM as-builts received. Construction of Sleep Inn continues   | PJD           | 7/7/2016       |
| 2012             | 2-12-M      | Baltimore Avenue Improvements                                      | Resurfacing of Baltimore Ave. from Front Street to Marion Street; with ADA and bicycle safety improvements, water main replacement (Goethe St to Marion St), and traffic safety improvements. | Construction | SHA material clearances have been finalized. SHA review of project sketch book (quantities) continues, and we are awaiting a ruling on ADA compliance from the SHA as requested by the Contractor  | JRD           | 7/8/2016       |
| 2012             | 10-12-M     | Bike Improvements on Mechanic and Centre St                        | Bike Lane Markings and Signs on Centre and Mechanic Sts from Henderson Ave to Harrison St   | Design       | <b>UPDATE</b> - Center Street paving was included in CDBG funding package. The current plan is to mill and pave Centre Street and Valley Street under the IA Contract, then to install pavement markings and signs along with the Frederick Street / Bedford Street Bike Improvement Project. The milling and paving work was started in May and will be completed in June. Bike improvements will follow under a separate contract. The project is expected to be bid out on July 14, 2016. | JDF           | 7/8/2016       |

## City of Cumberland, Maryland Engineering Division - Monthly Report

| Capital Projects |             |  |  |              |   | June 30, 2016 |                |
|------------------|-------------|--|--|--------------|---|---------------|----------------|
| Order            | Project No. | Project Name   | Description  | Phase        | Comments  | Updated By    | Date of Update |
| 2013             | 1-13-FPM    | Misc Flood Control System Concrete Repairs                                   | Repairs to various points of FCS system per USACOE inspection  | Design       | Specifications 90% complete. Design drawings approximately 90% complete. Additional details provided for added work at "The Bullpen".   | PJD           | 7/7/2016       |
| 2013             | 4-13-SWM    | Avirett Development at 12313 Messick Road                                    | Development at Messick Road, north of the proposed Chessie Federal Credit Union site.  | Design       | Looking at installing sewer line.   | PJD           | 7/7/2016       |
| 2013             | 11-13-M     | Frederick & Bedford Sts. Bike Lane Improvements                              | Proposed bicycle safety improvements; including, bike lanes along Frederick Street and Bedford Street from the Mechanic Street to the City Limits, where possible, and traffic calming                                       | Design       | This project is expected to be bid soon, for summer installation. Work must be completed by the end of the construction season 2016.  | JRD           | 6/16/2016      |
| 2014             | 04-14-WWTP  | Sludge Screening Study   | Study to select the best alternative to keep rags out of the recently cleaned and modified digester because the modifications will make it impossible to   | Study        | <b>UPDATE</b> - Price proposal has been requested from the selected equipment supplier. A request for an MDE Permit has been submitted. As soon as we are sure funding is in place this project will be finalized for bidding.          | JDF           | 3/9/2016       |
| 2014             | 05-14-M     | Mill Grind, patch and Resurface Pavements in accordance with MD SHA Contract | Belt Contract to mill and pave   | Construction | Greene Street paving was started in June, and will be completed in July. Once complete and bill paid the City will request reimbursement from SHA because of damage to the street related to the closing of I68 Bridge Work in 2014 1nd | JDF           | 7/7/2016       |
| 2014             | 10-14-M     | Amtrak Station Streetscape Improvements - Baltimore Street Rail Connection   | ADA improvements to curbs and sidewalks along Baltimore Street from George Street to Chessie System Railroad Tracks.   | Design       | Updates to the SHA specification portion of the contract documents should be completed in July, and the documents resubmitted to SHA for final review and permission to bid the project.  | JRD           | 7/8/2016       |
| 2014             | 10-14-M     | Canal Street Rehabilitation Improvements                                     | This project will make bicycle safety improvements to Canal Street.  | Construction | Work is complete, we will request reimbursement was submitted in June. A final report is still needed and should be done in July or August. The City Bike Improvement was combined with a Canal Place Contract.                         | JDF           | 7/8/2016       |
| 2014             | 13-14-M     | Mechanic Street Access Road Improvement Project                              | Repaving and ADA ramp improvements to the section Mechanic Street from I-68 to Bedford Street. Includes improvements to the block of Bedford Street from N. Centre to N. Mechanic Street and Baltimore Street to the Bridge. | Design       | Expecting bid-ready documents for review mid-July, 2017   | PJD           | 7/7/2016       |
| 2014             | 17-14-M     | Demolition of East Side School   |  | Complete     | <b>NO CHANGE</b> - Work complete. Awaiting MDE review and permission to remove S&EC devices   | PJD           | 7/7/2016       |
| 2014             | 18-14-SWM   | New HS at site of SHH - SWM  | SWM for new Allegany High School   | Construction | <b>NO CHANGE</b> - Initial site meeting with MDE held, work is underway.  | PJD           | 7/7/2016       |

## City of Cumberland, Maryland Engineering Division - Monthly Report

| Capital Projects |             |  |  |              |  | June 30, 2016 |                |
|------------------|-------------|--|--|--------------|--|---------------|----------------|
| Order            | Project No. | Project Name   | Description  | Phase        | Comments   | Updated By    | Date of Update |
| 2014             | 19-14-M     | Greene Street Complete Street Plan   | Planning Study for Greene Street   | Planning     | <b>UPDATE</b> - The Design Report from Alta Planning + Design was submitted and we are planning a very brief presentation to the mayor and City Council in May, 2016. The next step in this project will be to seek funding. We believe that several West Side Project could be combined into a single funding request. More on that as the other project reports are completed. We anticipate being able to fund a project to seek grant funds through the MPO, and that should proceed in July or August 2016. | JDF           | 7/7/2016       |
| 2015             | 1-15-M      | Maryland Smart Energy Communities 2015                                       | Designation and Grant for energy reduction improvements. Also required 3 deliverables in 2015: Energy Reduction and Renewable Energy Policies, Energy Baseline, and an energy reduction plan.                    | Planning     | <b>NO CHANGE</b> STILL awaiting MEA approval to move forward with lighting and HVAC projects. This review is taking a very long time, so long that the PE lighting rebates have been exhausted. Lighting project will likely have to change to a bid document or broken down to one building replacement project.  | RJK           | 7/7/2016       |
| 2015             | 9-15-M      | Potomac River Walk   | The Study Phase of this project is being done through the Cumberland MPO and consists of a Walk / Trail for pedestrians and bikes along the Potomac River between Wills Creek and the YMCA                       | Study        | This project should become a Canal Place Project, but the City will have to be involved because the Flood Control Project. The MDOT Planning Funding may be turned over to Canal Place so that the preliminary study can get started and Canal Place is expected to find additional funding so the project can proceed to the design stage.  | JDF           | 2/10/2016      |
| 2015             | 13-15-SWM   | Sheetz Improvement at Greene Street - SWM                                    | Complete revamp of the facility at Greene Street   | Construction | Work in progress.  | PJD           | 7/7/2016       |
| 2015             | 14-15-SWM   | Hampton Inn - Welton Drive   | New Hampton Inn off Welton Drive   | Planning     | <b>NO CHANGE</b> - Awaiting Site Development Plan submittal  | PJD           | 7/7/2016       |
| 2015             | 15-15-P     | Mill Grind, patch and Resurface Pavements in accordance with MD SHA Contract | A similar contract had been awarded to Belt Paving in 2014, however Belt could not provide City work, so other paving contractors were asked to provide the work. Only IA Construction responded with a proposal | Construction | Planning work for paving is underway and will be reported in more detail in the April 2016 report.   | JDF           | 4/15/2016      |
| 2015             | 16-15-M     | 2015 Fall Tree Removal   | Hazard Tree Removal  | Complete     | <b>UPDATE</b> Contractor has completed project. This will be the last report on this project.  | PTE           | 4/29/2016      |
| 2015             | 18-15-S     | CSO Water Quality Analysis   | Base line data collection for analysis of future CSO needs after CSO Storage is on line.   | Study        | <b>UPDATE</b> Stream sampling plan being implanted by MDE with assistance from the City and co-coordinated by WR&A. Sampling to commence in July in 6 locations on the Potomac and Wills Creek.<br><br>Study contract awarded to Whitman Requardt & Associates (WR & A), and they were notified to start work on 17 Dec 2015. A study update is anticipated in April 2016.   | RJK           | 7/7/2016       |

**City of Cumberland, Maryland**  
**Engineering Division - Monthly Report**

| <b>Capital Projects</b> |                    |  |   |              |  | <b>June 30, 2016</b> |                       |
|-------------------------|--------------------|--|---|--------------|--|----------------------|-----------------------|
| <b>Order</b>            | <b>Project No.</b> | <b>Project Name</b>  | <b>Description</b>  | <b>Phase</b> | <b>Comments</b>  | <b>Updated By</b>    | <b>Date of Update</b> |
| 2015                    | 21-15-M            | Washington Street Lighting                                       | Install decorative lighting along Washington Street   | Design       | <b>UPDATE</b> - This project was originated by the Neighborhood Association, however after they received State funding the City has agreed to take on the project and provide the necessary local funds to get it completed. Design work is currently in progress and we should be able to provide a good update in the May, 2016 report. Paving of Washington Street is included in the IA Paving Contract, but work can't begin until all of the conduit work for lighting is completed. | JDF                  | 4/15/2016             |
| 2015                    | 23-15-M            | Flood Insurance Rate Map (FIRM) Modernization and Implementation | Update FIRMs and the Floodplain Ordinance, and conduct an outreach to the community to apprise landowners of the impact of those changes. | Planning     | <b>UPDATE</b> - A public open house meeting with local, state and federal officials was held at the Allegany County Fairgrounds on June 7th from 5 to 7 PM. Very few Cumberland floodplain questions were received at this open meeting.   | RJK                  | 7/7/2016              |
| 2016                    | 5-16-SWM           | Gasoline and Manual Car Wash Station - Willowbrook Road          | L.C. Nixon Development Company Car Wash and Gas Station development of an existing property into a Gas Station and manual car wash.       | Design       | <b>NO CHANGE</b> - Concept Plan approval rescinded. New site plan needed.  | PJD                  | 7/7/2016              |
| 2016                    | 11-16-SWM          | Site Modifications to MacDonald's on the Industrial Boulevard    | Drive-thru modification to a side-by-side configuration   | Design       | Final SWM Plan submittal approved  | PJD                  | 7/7/2016              |

John:

Here is my planning staff activities report contribution for the month of June 2016. If you should have any questions, please let me know. Thanks.

2013 Comprehensive Plan Implementation – Discussed NAC progress on neighborhood group organization and promotions with Community Development staff. Reviewed and updated Plan Implementation status report.

Cumberland Bicycle Advisory Committee – Cancelled the July 14 CBAC meeting due to a lack of agenda items. Responded to a prospective contractor’s inquiry regarding the status of the skatepark project.

Subdivision/Site Plan Reviews - Discussed minor site plan and building permit application and review procedures with the engineering consultant for an expansion of the McDonalds on Industrial Blvd. Responded to an inquiry from a North Mechanic Street business regarding off-street parking requirements for a business in building with multiple businesses. Discussed steep slope requirements in the Cumberland Zoning Ordinance with Engineering staff as they may apply to a proposed hotel site along Shades Lane. Reviewed and discussed with Code Enforcement staff a minor site plan for an addition to the Footer Dye Works building. Coordinated with Engineering staff on minor site plan review for the McDonald’s drive through on Industrial Boulevard.

Zoning Amendment Petitions – Incorporated adopted ZTA 15-01 Boarding Houses amendment changes into Zoning Ordinance and made copies of the affected chapters of the ordinance for Planning Commission and Zoning Board of Appeals members. Reviewed Lighting Standards technical guidance received from John Emmerick. Prepared draft ZTA 16-01 – Lighting Standards and reviewed with the City Administrator on June 24. Made final changes to the proposed Lighting Standards text amendment and filed a ZTA application with the Community Development office.

Planning Commission Administration – Confirmed a quorum for the July 11 PC meeting. Finalized the agenda and prepared a meeting packet for the July 11 PC meeting for distribution to the members.

Board of Appeals Administration – Attended the June 15 BOA meeting. Prepared a variance reconsideration approval letter to the applicant for ZA 132 – 409 Willowbrook Road. Responded to reconsideration procedural questions from the applicant’s and opponent’s attorneys. Conducted a variance site inspection of 409 Willowbrook Road on June 14. Inspected and confirmed the permit status of the ZA 124 – 130 Winow Street sign variance. Cancelled the July 6 and July 20 BOA meetings due to a lack of agenda items. Determined the front yard setback line for a Glenn Street property.

MDP/MML Coordination – Consulted with MML staff on proposed lighting standards. Responded to questions from MDP staff regarding the 2015 PC Annual Report permit trends. Provided copies of annexation plans for prior annexations to MDP staff. Met with MDP Western MD office staff on June 30 to discuss proposed Cell Tower regulations. Consulted with MML staff regarding legal requirements for compliance with the Telecommunication Act of 1996.

Annexation Petitions – No work was conducted on this task during the month of June.

Street Closure/Naming Petitions – No work was conducted on this task during the month of June.

Economic Development – Attended the June 7 Heritage Association meeting. Responded to an inquiry from a construction consultant regarding recently approved hotel/motel projects in the city.

General Transportation Issues/Projects – Researched new Transportation Enhancement program grant opportunities and discussed project eligibility with MDOT staff. Coordinated with MDOT staff on the status of the city's proposed functional classification changes. Inquired with MDOT staff regarding the status of the U.S. 220 upgrade project.

TMDL/Stormwater Management Coordination and Implementation - No work was conducted on this task during the month of June.

Zoning Administration – Responded to an inquiry from a residential property owner regarding required setbacks and yard placement requirements for an above ground pool. Responded to an inquiry from a North Centre Street business regarding replacement of an existing sign. Responded to a Frederick Street property owner regarding his interest in purchasing an adjoining , undeveloped 2-acre property. Responded to questions from a Virginia Avenue business regarding zoning requirements and permit procedures for a guard dog fence. Researched cell tower regulations and determined the ability of cities to limit cell tower installation to city properties only. Responded to questions from a Columbus, OH sign consultant regarding zoning and permit requirements for replacement signs at the Wendy's on South Centre Street. Responded to an inquiry from a Greene Street property owner for a zoning district confirmation of the property and discussed various potential business uses for the property. Reviewed recent legal guidance regarding cell tower regulations.

Western Maryland Local Government Exchange Board of Directors – Discussed possible keynote speaker change with Nancy Nunn due to workshop rescheduling. Coordinated with Western MD Cooperative Extension Service staff regarding status of rescheduled workshop date and next teleconference meeting.

Miscellaneous Other Activities – Conducted final FY16 budget review. Responded to inquiries from an appraiser regarding a home addition and permitting requirements. Responded to questions from the City of Laurel regarding grants and funding that may be accessed through the Main Street Program. Requested all new street addresses issued by city staff between April 1 and June 30 for a quarterly status report to Allegany County.



Regular Council Agenda  
July 19, 2016

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**Description**

Engineering Division monthly report for June, 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 ENTITLED AN ORDINANCE TO AUTHORIZE AND EMPOWER MAYOR AND CITY COUNCIL OF CUMBERLAND (THE "CITY"), FOR THE PUBLIC PURPOSE OF FINANCING, REIMBURSING OR REFINANCING COSTS OF A PROJECT THAT THE CITY GENERALLY REFERS TO AS THE COMBINED SEWER OVERFLOW (CSO) STORAGE FACILITY PROJECT AND RELATED COSTS AS PROVIDED HEREIN, TO ISSUE AND SELL FROM TIME TO TIME, UPON ITS FULL FAITH AND CREDIT, ONE OR MORE SERIES OF (1)(A) GENERAL OBLIGATION BONDS AND (B) GENERAL OBLIGATION BOND ANTICIPATION NOTES, EACH IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,388,000, AND (2) GENERAL OBLIGATION REFUNDING BONDS, PROVIDED THAT THE AGGREGATE PRINCIPAL AMOUNT OF ANY SERIES OF REFUNDING BONDS SHALL NOT EXCEED ONE HUNDRED THIRTY PERCENT (130%) OF THE AGGREGATE PRINCIPAL AMOUNT OF THE BONDS REFUNDED THEREFROM; DETERMINING THAT ANY SUCH SERIES OF BONDS BE SOLD TO THE MARYLAND WATER QUALITY FINANCING ADMINISTRATION (THE "ADMINISTRATION") BY PRIVATE SALE, WITHOUT PUBLIC BIDDING; AUTHORIZING THE APPROVAL BY RESOLUTION OF ONE OR MORE LOAN AGREEMENTS WITH THE ADMINISTRATION AND, WITH RESPECT TO ANY SUCH LOAN AGREEMENT, ACKNOWLEDGING THE ADMINISTRATION'S RIGHTS THEREUNDER, MAKING A PLEDGE OF CERTAIN REVENUES RECEIVABLE FROM THE STATE OF MARYLAND, AND ACKNOWLEDGING

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CERTAIN PAYMENT RESPONSIBILITIES OF THE CITY; PROVIDING THAT THE MAYOR AND CITY COUNCIL BY RESOLUTION SHALL DETERMINE OR PROVIDE FOR CERTAIN DETAILS OF ANY SUCH SERIES OF GENERAL OBLIGATION BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS (EACH, A “SERIES OF OBLIGATIONS” OR “OBLIGATIONS”), INCLUDING WITH RESPECT TO ANY DEBT SERVICE RESERVE ACCOUNT REQUIRED BY THE ADMINISTRATION; PROVIDING THAT ANY SUCH SERIES OF GENERAL OBLIGATION BOND ANTICIPATION NOTES OR REFUNDING BONDS WILL BE SOLD BY PRIVATE SALE UNLESS THE MAYOR AND CITY COUNCIL BY RESOLUTION DETERMINES OTHERWISE; IDENTIFYING OR PROVIDING FOR THE DETERMINATION OF THE SOURCES FROM WHICH DEBT SERVICE ON ANY SUCH SERIES OF OBLIGATIONS WILL BE PAYABLE IN THE FIRST INSTANCE; PLEDGING THE CITY’S FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER TO PAYMENT OF ANY SUCH OBLIGATIONS AND PROVIDING FOR THE LEVY OF AD VALOREM TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY SUBJECT TO ASSESSMENT FOR UNLIMITED MUNICIPAL TAXATION TO PAY ANY SUCH OBLIGATIONS; AUTHORIZING THE MAYOR AND CITY COUNCIL BY RESOLUTION TO PROVIDE FOR POST-CLOSING MODIFICATIONS AFFECTING ANY SERIES OF BONDS OR REFUNDING BONDS; PROVIDING THAT ANY SUCH OBLIGATIONS MAY BE CONSOLIDATED WITH OTHER OBLIGATIONS OF THE CITY; AUTHORIZING AND DIRECTING OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ANY AND ALL ACTION NECESSARY TO COMPLETE AND CLOSE THE

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SALE, ISSUANCE AND DELIVERY OF ANY SUCH SERIES OF OBLIGATIONS AND TO CONSUMMATE THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING THAT THIS TITLE CONSTITUTES A FAIR SUMMARY OF THIS ORDINANCE; AND OTHERWISE GENERALLY RELATING TO THE SALE, ISSUANCE, DELIVERY AND PAYMENT OF AND FOR ANY SUCH SERIES OF OBLIGATIONS.

RECITALS

1. Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland and a municipality within the meaning of the Enabling Act identified below (the “City”), is authorized and empowered by Sections 19-301 to 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the “Enabling Act”), and Sections 81 and 82A of the Charter of the City of Cumberland, as replaced, supplemented or amended (the “Charter”), to borrow money for any proper public purpose in connection with the wastewater system serving the City and surrounding areas and to evidence such borrowing by the issuance and sale of its general obligation bonds.

2. The City has determined to undertake activities relating to a project that the City generally refers to as the Combined Sewer Overflow (CSO) Storage Facility Project, and in connection with such activities and project, to acquire or pay for, as applicable, necessary property rights and equipment, related site and utility improvements and related architectural, engineering, planning, design, bidding, acquisition, construction, improvement, installation, modification, demolition, removal, renovation, reconstruction, rehabilitation, equipping, inspection, construction management and permitting expenses, costs of related activities, improvements and appurtenances, and related administrative, financial and legal expenses and

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costs of issuance (collectively, the “Project”), and to borrow money for all or a portion of such purposes through the issuance and sale of one or more series of its general obligation bonds.

3. Title VI of the Federal Water Pollution Control Act (commonly known as the “Clean Water Act”), as amended by the Water Quality Act of 1987 (“Title VI”), authorizes the U.S. Environmental Protection Agency (the “EPA”) to award grants to qualifying states to establish and capitalize state water pollution control revolving funds (“SRFs”) for the purpose of providing loans and other forms of financial assistance to finance, among other things, the construction of publicly-owned wastewater treatment facilities, and the implementation of estuary conservation management plans and nonpoint source management programs.

4. As contemplated by Title VI, the General Assembly of Maryland at its 1988 session enacted the Maryland Water Quality Financing Administration Act, codified at Sections 9-1601 through 9-1622, inclusive, of the Environment Article of the Annotated Code of Maryland (as replaced, supplemented or amended, the “MWQFA Act”), establishing the Maryland Water Quality Financing Administration (the “Administration”) and establishing an SRF designated the Maryland Water Quality Revolving Loan Fund (the “SRF Fund”) to be maintained and administered by the Administration.

5. The MWQFA Act authorizes the Administration, among other things, to make a loan from the SRF Fund to a “local government” (as defined in the MWQFA Act) for the purpose of financing or refinancing all or a portion of the cost of a “wastewater facility” project (as defined in the MWQFA Act).

6. The City is a “local government” within the meaning of the MWQFA Act, and the Project is a “wastewater facility” project within the meaning of the MWQFA Act.

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7. The MWQFA Act authorizes a local government to issue one or more bonds, notes or other evidences of obligation (each, a “loan obligation” as defined in the MWQFA Act) to evidence its indebtedness under a loan agreement with respect to a loan from the Administration, to sell any such bond, note or other evidence of obligation to the Administration at private sale, without public bidding, and to establish a dedicated source of revenues for repayment of such loan.

8. Pursuant to the authority of the MWQFA Act, the Enabling Act and the Charter, the City has determined to borrow money from the Administration for the public purpose of financing, reimbursing or refinancing costs of the Project or such components of the Project as the Administration shall approve.

9. In connection with the issuance and sale of any series of the general obligation bonds contemplated hereby, and pursuant to the MWQFA Act, the City will enter into one or more loan agreements with the Administration.

10. In connection with the issuance of any series of bonds contemplated by this Ordinance (and any series of refunding bonds contemplated hereby that are issued to the Administration), the Administration may require the City to establish, fund and maintain for a period of time acceptable to the Administration a debt service reserve account in a manner that satisfies the Administration’s debt service coverage requirements.

11. Prior to issuing any such series of bonds to the Administration, the City may need to obtain interim financing in order to finance Project costs on a timely basis through the issuance of one or more series of its general obligation bond anticipation notes pursuant to the authority of Sections 19-211 to 19-223, inclusive, of the Local Government Article of the Annotated Code of

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Maryland, as replaced, supplemented or amended (the “Bond Anticipation Note Act”), and the Charter.

12. Subsequent to the issuance to the Administration of any series of bonds provided for herein, the City may desire to currently refund or advance refund all or a portion of such series of bonds pursuant to the authority of Section 19-207 of the Local Government Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the “Refunding Act”).

13. The City has determined to pledge its full faith and credit and unlimited taxing power to the prompt payment of debt service on any such series of bonds, bond anticipation notes or refunding bonds contemplated hereby.

14. The City expects to pay the principal of, and interest on, as applicable, any such bonds, bond anticipation notes or refunding bonds in the first instance from revenues received by the City in connection with the operation of the wastewater system serving the City, including fees for use of or connection to such system and, to the extent required by the purchaser of any such series of obligations, from revenues received by the City in connection with the operation of the water system serving the City (referred to herein as the “water supply system”), including fees for use of or connection to such system, all to the extent lawfully available for such purpose.

15. The City, as authorized by the MWQFA Act, may pledge any moneys that the City is entitled to receive from the State of Maryland, including the City’s share of the State income tax, to secure its obligations under any loan agreement with the Administration contemplated hereby.

16. Pursuant to the authority of the Charter, the City shall issue any series of bonds, bond anticipation notes or refunding bonds authorized hereby in accordance with the terms and conditions provided for in a resolution or resolutions to be adopted by the Mayor and City Council pursuant to the Charter and this Ordinance.

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BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND:

SECTION 1. (a) The Recitals to this Ordinance are deemed a substantive part of this Ordinance and incorporated by reference herein. Capitalized terms used in this Ordinance and not otherwise defined in the Sections of this Ordinance shall have the meanings given to such terms in the Recitals.

(b) References in this Ordinance to any official by title shall be deemed to refer (i) to any official authorized under the Charter or other applicable law to act in such titled official's stead during the absence or disability of such titled official, (ii) to any person who has been elected, appointed or designated to fill such position in an acting capacity under the Charter or other applicable law, (iii) to any person who serves in a "Deputy", "Associate" or "Assistant" capacity as such an official, provided that the applicable responsibilities, rights or duties referred to herein have been delegated to such deputy, associate or assistant in accordance with applicable law or authority, and/or (iv) to the extent an identified official commonly uses another title not provided for in the Charter or the code of City ordinances (the "City Code"), the official, however known, who is charged under the Charter, the City Code or other applicable law or authority with the applicable responsibilities, rights or duties referred to herein.

SECTION 2. Pursuant to the authority of the MWQFA Act, the Enabling Act and the Charter, the City hereby determines to borrow money and incur indebtedness for the public purpose of financing, reimbursing or refinancing costs of any one or more components of the Project, all to the extent permitted by the Administration. The total cost of the Project not otherwise payable from other sources is not expected to exceed Five Million Three Hundred Eighty-eight Thousand Dollars (\$5,388,000).

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SECTION 3. To evidence the borrowing and indebtedness authorized in Section 2 of this Ordinance, the City, acting pursuant to the authority of the MWQFA Act, the Enabling Act and the Charter, hereby determines to issue and sell from time to time, upon its full faith and credit, one or more series of its general obligation bonds in an aggregate principal amount not to exceed Five Million Three Hundred Eighty-eight Thousand Dollars (\$5,388,000) (individually, a “Bond” and, collectively, the “Bonds”). Each such series may consist of one or more bonds and any Bond may be issued in installment form and/or draw-down form.

SECTION 4. Pursuant to the authority of the MWQFA Act, the Enabling Act and the Charter, the City hereby determines to sell each series of the Bonds to the Administration by private sale, without public bidding, due, in part, to the ability to issue any series of the Bonds as draw-down obligations and the beneficial interest rates offered by the Administration.

SECTION 5. The proceeds of each series of the Bonds shall be used and applied by the City exclusively and solely for the public purposes described in Section 2 of this Ordinance, unless, with the approval of the Administration, a supplemental ordinance is enacted by the Mayor and City Council to provide for the use and application of such proceeds for some other proper public purpose authorized by the MWQFA Act.

SECTION 6. (a) As required by the MWQFA Act, the City is hereby authorized to enter into one or more loan agreements with the Administration (each, a “Loan Agreement” and collectively, the “Loan Agreements”) in connection with any series of the Bonds. The final or substantially final form of each Loan Agreement shall be approved by the Mayor and City Council pursuant to the Resolution (as defined in Section 8 hereof) and the execution and delivery of each Loan Agreement shall be authorized by the Mayor and City Council pursuant to the Resolution.

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(b) The City hereby acknowledges that the provisions of each Loan Agreement may allow for, among other remedies, all payments on any series of the Bonds subject to such Loan Agreement to be declared immediately due and payable upon the occurrence of any event of default provided for in such Loan Agreement.

SECTION 7. As authorized by Section 9-1606(d) of the MWQFA Act, the City hereby pledges any moneys that the City is entitled to receive from the State of Maryland, including the City's share of the State income tax, to secure its obligations under the Loan Agreements. Such pledge shall be evidenced and detailed in each Loan Agreement.

SECTION 8. Pursuant to the authority of the Enabling Act and this Ordinance, the Mayor and City Council, prior to the issuance, sale and delivery of any series of the Bonds, shall adopt a resolution or resolutions (in each such case, the "Resolution") specifying, prescribing, determining or providing for the determination of, providing for, or approving or providing for the approval of, such matters, details, forms (including, without limitation, the complete form of the Bonds of such series), documents or procedures as may be required by the MWQFA Act, the Enabling Act, the Charter or this Ordinance or as the Mayor and City Council may deem appropriate for the authorization, sale, security, issuance, delivery, payment or redemption of or for such series of the Bonds. The Resolution shall or may set forth, determine or provide for the determination of, provide for, or approve or provide for the approval of, among other things, as applicable, the aggregate principal amount of such series of the Bonds; the principal installment or installments of, or the method of determining the principal installment or installments of, such series of the Bonds; the rate or rates of interest, or the method of determining the rate or rates of interest, which may be fixed or variable, payable on such series of the Bonds; provisions relating to the payment of any late fees or penalties with respect to such series of the Bonds; the components of the Project on which

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proceeds of such series will be expended, if limited in any way; provisions for the appropriation and disposal of such proceeds; provisions relating to the prepayment of such series of the Bonds, if applicable; provisions for the application of unexpended proceeds of such series of the Bonds; the procedures for the sale of such series of the Bonds by private sale, without public bidding; provisions relating to the principal forgiveness of such series of the Bonds, if applicable; certifications, representations, determinations, designations or elections relating to the tax-exempt status of interest payable on such series of the Bonds, if applicable; and all other terms and conditions pursuant to which such series of the Bonds will be issued, sold and delivered. Any Resolution may specify, prescribe, determine or provide for the determination of, or approve or provide for the approval of, the details required or authorized by this Section 8 for more than one series of the Bonds.

(b) In the event the Administration requires the City establish a debt service reserve account to be funded from non-Bond proceeds in order to provide security for any series of the Bonds as a condition to the issuance of such series of the Bonds, provisions relating to the establishment, funding and maintenance of such debt service reserve account and the investment and application of moneys held in such debt service reserve account shall be determined, approved or provided for in the Resolution, and any such debt service reserve account may be identified in the applicable Loan Agreement as a dedicated source of revenues contemplated by the MWQFA Act.

SECTION 9. The City is hereby authorized and directed to pay any fees or costs provided for in any Loan Agreement which are not payable from Bond proceeds, including, without limitation, any administrative fees and any ongoing fees or costs. The obligation of the City to pay such amounts shall be absolute and unconditional as further provided in any Loan Agreement.

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SECTION 10. Notwithstanding anything to the contrary contained in this Ordinance, the City shall use and apply proceeds of each series of the Bonds only as permitted by the related Loan Agreement, the Clean Water Act (as defined in such Loan Agreement) and the MWQFA Act (which may be referred to in each Loan Agreement as the “Act”).

SECTION 11. (a) Pursuant to the authority of the Bond Anticipation Note Act and the Charter, the City may issue and sell from time to time, upon its full faith and credit, one or more series of its general obligation bond anticipation notes in an aggregate principal amount not to exceed Five Million Three Hundred Eighty-eight Thousand Dollars (\$5,388,000) (each, a “series of the BANs” and, collectively, the “BANs”) prior to and in anticipation of the sale of any series of the Bonds in order to finance or reimburse costs of the Project on an interim basis, including paying costs of issuance and capitalized interest on such series of the BANs within the limitations of the Bond Anticipation Note Act. Any such series of the BANs may consist of one or more notes and any note may be issued in installment form and/or draw-down form. Prior to the issuance, sale and delivery of any series of the BANs, the Mayor and City Council shall adopt a resolution or resolutions pursuant to the authority of the Bond Anticipation Note Act, the Charter and this Ordinance authorizing such series of the BANs and specifying, prescribing, determining or providing for the determination of, or approving or providing for the approval of , the same types of matters, details, forms, documents, procedures or determinations detailed in Section 8 hereof that may be made or addressed with respect to any series of the Bonds, to the extent applicable with respect to such series of the BANs, and as otherwise may be authorized or required by applicable law. Unless the Mayor and City Council determines otherwise in a resolution providing for any series of the BANs, pursuant to the authority of the Bond Anticipation Note Act, each series of the BANs shall be sold by private negotiation. Any such sale by private negotiation is hereby

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determined to be in the public interest due to the ability to time the market, negotiate with potential purchasers and thereby achieve a beneficial interest rate or rates and other beneficial terms by undertaking a private (negotiated) sale, and the lower costs of issuance typically incurred with a negotiated sale.

(b) As authorized by the Bond Anticipation Note Act, by resolution the Mayor and City Council may provide for the renewal of any series of the BANs at maturity with or without resale, as well as any amendments of or modifications to such series of the BANs and any related documentation.

SECTION 12. (a) Pursuant to the authority of the Refunding Act, the Enabling Act and the Charter, the City is hereby authorized and empowered to issue and sell from time to time, upon its full faith and credit, one or more series of general obligation bonds (each, a “series of the Refunding Bonds” and, collectively, the “Refunding Bonds”) for the purpose of currently refunding or advance refunding any of the Bonds issued pursuant to the authority of this Ordinance then outstanding, including paying all or any portion of outstanding principal, prepayment premium and/or interest accrued or to accrue to the date of prepayment, purchase or maturity of the Bonds to be refunded, and paying costs and expenses in connection with the issuance, sale and delivery of such series of the Refunding Bonds, and, to the extent determined by the Mayor and City Council by resolution, interest on such series of the Refunding Bonds, for the public purpose of realizing savings to the City in the aggregate cost of debt service on either a direct comparison or present value basis or in order to accomplish any debt restructuring that is permitted by applicable law; provided that, the aggregate principal amount of any such series of the Refunding Bonds may not exceed one hundred thirty percent (130%) of the aggregate principal amount of the Bonds refunded therefrom. Any such series of the Refunding Bonds

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may consist of one or more bonds and any bond may be issued in installment form and/or draw-down form. Prior to the issuance, sale and delivery of any series of the Refunding Bonds, the Mayor and City Council shall adopt a resolution or resolutions authorizing such series of the Refunding Bonds and specifying, prescribing, determining or providing for the determination of, or approving or providing for the approval of, such matters, details, forms, documents, procedures or determinations detailed in Section 8 hereof that may be made or addressed with respect to each series of the Bonds, to the extent applicable with respect to such series of the Refunding Bonds, and as otherwise may be authorized or required by applicable law. Unless the Mayor and City Council determines otherwise in a resolution providing for any series of the Refunding Bonds, pursuant to the authority of the Refunding Act, each series of the Refunding Bonds shall be sold at a private sale, without soliciting bids. Any such sale on a private basis is hereby determined to be in the public interest due to the ability to time the market, negotiate with potential purchasers and thereby achieve a beneficial interest rate or rates and other beneficial terms (including restructuring terms, if applicable) by undertaking a private (negotiated) sale, and the lower costs of issuance typically incurred with a negotiated sale.

(b) To the extent any series of the Refunding Bonds is sold to the Administration, the Mayor and City Council by resolution may specify, prescribe, determine or provide for the determination of, approve or provide for the approval of any determinations contemplated by in this Ordinance that may be made with respect to any series of the Bonds, including, without limitation, entry into a new loan agreement or any modification to an existing Loan Agreement, as applicable, provisions for the potential forgiveness of any such series of the Refunding Bonds, a pledge of the City's right to receive revenues from the State in the nature referred to in Section 7 above, the obligation of the City to pay any administrative fees or

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ongoing fees and expenses in the nature of those referred to in Section 9 above, the identification of any source of dedicated revenues and provisions for any debt service reserve account with respect to such series of the Refunding Bonds required by the Administration.

SECTION 13. The Mayor and City Council is hereby authorized, by resolution, to make any further determinations or approvals or provide for any matters or actions deemed necessary or desirable in connection with the issuance of any series of the BANs or the Refunding Bonds, including, without limitation, (i) any determination authorized by the Bond Anticipation Note Act or the Refunding Act, as applicable, (ii) to commit or provide for the commitment of the City to pay to the purchaser or purchasers of any series of the BANs or the Refunding Bonds (A) any commitment fee or similar fee and any legal costs in connection with such purchaser's or purchasers' agreement to purchase such series of the BANs or the Refunding Bonds and/or (B) any breakage compensation or other amount that may be determined to be due to such purchaser or purchasers in the event the City fails to deliver such series of the BANs or the Refunding Bonds and, in connection therewith, to approve or provide for the approval of, and the execution and delivery of, any agreement relating to such payment or payments (which such agreement may, but shall not be required to be, contained within any purchase or similar agreement for such series of the BANs or the Refunding Bonds), and (iii) to approve or provide for any offering documents, credit enhancement, liquidity enhancement, ratings, or continuing disclosure undertakings relating to such series of the BANs or the Refunding Bonds.

SECTION 14. (a) The principal of and interest on each series of the Bonds, the BANs and the Refunding Bonds (each, a series of the "Obligations") will be payable in the first instance from revenues received by the City in connection with the operation of the wastewater system serving the City and surrounding areas, including charges for the use of or connection to such

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wastewater system and, to the extent required by the purchaser of such series of the Obligations, from revenues received by the City from the operation of the water supply system serving the City, including charges for the use of or connection to such water supply system, all to the extent such revenues are lawfully available for such purpose. (Any such identification of water supply system revenues as a source of payment for the applicable series of the Obligations shall be provided for in the Resolution, any resolution relating to a series of the BANs or the Refunding Bonds or a Loan Agreement, as applicable.) In the event such moneys are insufficient in any fiscal year to provide for the payment of the principal of and interest on such series of the Obligations, the City shall levy or cause to be levied, for each and every fiscal year during which such series of the Obligations may be outstanding, ad valorem taxes on all real and tangible personal property within the City that is subject to assessment for unlimited municipal taxation in rate and amount sufficient to pay the principal of and interest on such series of the Obligations in each fiscal year in which any of the Obligations are outstanding and, in the event the proceeds from the collection of the taxes so levied may prove inadequate for such purposes in any fiscal year, additional taxes shall be levied in the subsequent fiscal year to make up any deficiency.

(b) The full faith and credit and unlimited taxing power of the City are hereby irrevocably pledged to the prompt payment of the principal of and interest on each series of the Obligations as and when the same are payable and to the levy and collection of the taxes hereinabove described as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of such series of the Obligations. The City hereby covenants with the registered owner of each Obligation to take any action that may be lawfully appropriate from time to time during the period that such Obligation remains outstanding and unpaid to provide the funds necessary to pay promptly the principal and interest due thereon.

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(c) The foregoing provisions shall not be construed so as to prohibit the City from paying the principal of and interest on any series of the Obligations from the proceeds of the sale of any other obligations of the City (including, without limitation, with respect to the Bonds, from the proceeds of the Refunding Bonds authorized hereby) or from any other funds legally available for that purpose. Within any applicable limitations of Maryland or federal law (including, without limitation, the Internal Revenue Code of 1986, as amended, and the regulations issued thereunder), the City may apply to the payment of the principal of or interest on any series of the Obligations any funds received by it from the State of Maryland or the United States of America, or any governmental agency or instrumentality, or from any other source, if the funds are granted or paid to the City for the purpose of assisting the City in accomplishing the type of project or projects which such series of the Obligations are issued to finance or refinance or are otherwise available for such purpose, and to the extent of any such funds received or receivable in any fiscal year, the taxes hereby required to be levied may be reduced proportionately.

(d) Any source of revenues referred to in this Section 14 may be identified as a dedicated source of revenue contemplated by the MWQFA Act in any Loan Agreement entered into by the City with the Administration in connection with a series of the Obligations. Any applicable Loan Agreement exhibits may describe such dedicated revenues by references that are similar but not identical to any references contained in this Ordinance, the Resolution or any resolution relating to Refunding Bonds.

SECTION 15. In addition to the refunding authority provided for in Section 12 of this Ordinance, subsequent to the sale, issuance and delivery of any series of the Bonds or the Refunding Bonds to the Administration, the Mayor and City Council by resolution may specify, prescribe, determine or provide for the determination of, or approve or provide for the approval

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of, any amendments or modifications to such series of the Bonds or the Refunding Bonds and/or the related Loan Agreement or Loan Agreements and any other documents, agreements or instruments executed and delivered in connection with the sale, issuance and delivery of such series of the Bonds or the Refunding Bonds, and/or provide for the execution and delivery of additional documents, agreements, certificates or instruments relating to such amendments or modifications (including, without limitation, any bond or bonds to be issued and exchanged for one or more of such series of the Bonds or the Refunding Bonds originally issued and delivered and any new or restated Loan Agreement), whether or not such amendments or modifications constitute a refunding or reissuance for purposes of federal and/or Maryland law.

SECTION 16. The Mayor and City Council by resolution may determine that any series of the Obligations authorized hereby may be consolidated with any bond anticipation notes, bonds and/or refunding bonds authorized by the Mayor and City Council, as applicable, and issued as a single series of obligations.

SECTION 17. The following City officials: the Mayor, the City Administrator, the Comptroller, the Treasurer, the City Clerk, and all other appropriate officials and employees of the City, are hereby authorized and directed to take any and all action necessary to complete and close the sale, issuance and delivery of any series of the Obligations, including, without limitation, to negotiate, approve, execute and deliver all documents, certificates and instruments necessary or appropriate in connection therewith, and to consummate and carry out the transactions contemplated by this Ordinance.

SECTION 18. The title of this Ordinance shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

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SECTION 19. The provisions of this Ordinance shall be liberally construed in order to effectuate the transactions authorized or contemplated by this Ordinance.

SECTION 20. This Ordinance shall become effective thirty (30) days after its passage pursuant to the provisions of Section 82A of the Charter, subject to the petition-to-referendum provisions of Section 82A(c) of the Charter.

MAYOR AND CITY COUNCIL OF  
CUMBERLAND

(SEAL)

\_\_\_\_\_  
Brian K. Grim  
Mayor

ATTEST:

\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

Introduced: \_\_\_\_\_, 2016

Passed: \_\_\_\_\_, 2016

Votes for passage: \_\_\_\_\_

Votes against passage: \_\_\_\_\_

Effective: \_\_\_\_\_, 2016

#188317;10002.064

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Regular Council Agenda  
July 19, 2016

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**Description**

Ordinance (*2nd and 3rd readings*) - Authorizing the issuance and sale of 1) General Obligation Bonds and General Bond Anticipation Notes each in an aggregate principal amount not to exceed \$5,388,000 and 2) General Obligation Refunding Bonds which shall not exceed 130% of the aggregate principal amount of the bonds refunded therefrom, by private sale to the MD Water Quality Financing Administration (MWQFA), to finance costs of the Combined Sewer Overflow (CSO) Storage Facility Project and related costs

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED AN ORDINANCE TO AUTHORIZE AND EMPOWER MAYOR AND CITY COUNCIL OF CUMBERLAND (THE "CITY"), FOR THE PUBLIC PURPOSE OF FINANCING, REIMBURSING OR REFINANCING COSTS OF A PROJECT THAT THE CITY GENERALLY REFERS TO AS PHASE III OF THE EVITTS CREEK CSO UPGRADES AND RELATED COSTS AS PROVIDED HEREIN, TO ISSUE AND SELL FROM TIME TO TIME, UPON ITS FULL FAITH AND CREDIT, ONE OR MORE SERIES OF (1)(A) GENERAL OBLIGATION BONDS AND (B) GENERAL OBLIGATION BOND ANTICIPATION NOTES, EACH IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$477,000, AND (2) GENERAL OBLIGATION REFUNDING BONDS, PROVIDED THAT THE AGGREGATE PRINCIPAL AMOUNT OF ANY SERIES OF REFUNDING BONDS SHALL NOT EXCEED ONE HUNDRED THIRTY PERCENT (130%) OF THE AGGREGATE PRINCIPAL AMOUNT OF THE BONDS REFUNDED THEREFROM; DETERMINING THAT ANY SUCH SERIES OF BONDS BE SOLD TO THE MARYLAND WATER QUALITY FINANCING ADMINISTRATION (THE "ADMINISTRATION") BY PRIVATE SALE, WITHOUT PUBLIC BIDDING; AUTHORIZING THE APPROVAL BY RESOLUTION OF ONE OR MORE LOAN AGREEMENTS WITH THE ADMINISTRATION AND, WITH RESPECT TO ANY SUCH LOAN AGREEMENT, ACKNOWLEDGING THE ADMINISTRATION'S RIGHTS THEREUNDER, MAKING A PLEDGE OF CERTAIN REVENUES RECEIVABLE FROM THE STATE OF MARYLAND, AND ACKNOWLEDGING CERTAIN PAYMENT RESPONSIBILITIES OF THE CITY; PROVIDING THAT THE

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MAYOR AND CITY COUNCIL BY RESOLUTION SHALL DETERMINE OR PROVIDE FOR CERTAIN DETAILS OF ANY SUCH SERIES OF GENERAL OBLIGATION BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS (EACH, A “SERIES OF OBLIGATIONS” OR “OBLIGATIONS”), INCLUDING WITH RESPECT TO ANY DEBT SERVICE RESERVE ACCOUNT REQUIRED BY THE ADMINISTRATION; PROVIDING THAT ANY SUCH SERIES OF GENERAL OBLIGATION BOND ANTICIPATION NOTES OR REFUNDING BONDS WILL BE SOLD BY PRIVATE SALE UNLESS THE MAYOR AND CITY COUNCIL BY RESOLUTION DETERMINES OTHERWISE; IDENTIFYING OR PROVIDING FOR THE DETERMINATION OF THE SOURCES FROM WHICH DEBT SERVICE ON ANY SUCH SERIES OF OBLIGATIONS WILL BE PAYABLE IN THE FIRST INSTANCE; PLEDGING THE CITY’S FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER TO PAYMENT OF ANY SUCH OBLIGATIONS AND PROVIDING FOR THE LEVY OF AD VALOREM TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY SUBJECT TO ASSESSMENT FOR UNLIMITED MUNICIPAL TAXATION TO PAY ANY SUCH OBLIGATIONS; AUTHORIZING THE MAYOR AND CITY COUNCIL BY RESOLUTION TO PROVIDE FOR POST-CLOSING MODIFICATIONS AFFECTING ANY SERIES OF BONDS OR REFUNDING BONDS; PROVIDING THAT ANY SUCH OBLIGATIONS MAY BE CONSOLIDATED WITH OTHER OBLIGATIONS OF THE CITY; AUTHORIZING AND DIRECTING OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ANY AND ALL ACTION NECESSARY TO COMPLETE AND CLOSE THE SALE, ISSUANCE AND DELIVERY OF ANY SUCH SERIES OF OBLIGATIONS

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AND TO CONSUMMATE THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING THAT THIS TITLE CONSTITUTES A FAIR SUMMARY OF THIS ORDINANCE; AND OTHERWISE GENERALLY RELATING TO THE SALE, ISSUANCE, DELIVERY AND PAYMENT OF AND FOR ANY SUCH SERIES OF OBLIGATIONS.

RECITALS

1. Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland and a municipality within the meaning of the Enabling Act identified below (the “City”), is authorized and empowered by Sections 19-301 to 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the “Enabling Act”), and Sections 81 and 82A of the Charter of the City of Cumberland, as replaced, supplemented or amended (the “Charter”), to borrow money for any proper public purpose in connection with the wastewater system serving the City and surrounding areas and to evidence such borrowing by the issuance and sale of its general obligation bonds.

2. The City has determined to undertake activities relating to Phase III of a project that the City generally refers to as the Evitts Creek CSO Upgrades, which activities include planning, design, engineering, evaluation, investigation, surveying, permitting and bid work relating to making a determination to rehabilitate or replace a combined sewer overflow line that passes under the CSX rail yard and, in connection therewith, to borrow money to finance, reimburse or refinance costs incurred in connection with the planning, design, investigatory and pre-construction phase of such undertaking, including, without limitation, costs of permits, training, insurance, flagging required by CSX and review fees, and related administrative,

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financial and legal expenses and costs of issuance (collectively, the “Project”), and to evidence this borrowing by the issuance and sale of one or more series of its general obligation bonds.

3. Title VI of the Federal Water Pollution Control Act (commonly known as the “Clean Water Act”), as amended by the Water Quality Act of 1987 (“Title VI”), authorizes the U.S. Environmental Protection Agency (the “EPA”) to award grants to qualifying states to establish and capitalize state water pollution control revolving funds (“SRFs”) for the purpose of providing loans and other forms of financial assistance to finance, among other things, the construction of publicly-owned wastewater treatment facilities, and the implementation of estuary conservation management plans and nonpoint source management programs.

4. As contemplated by Title VI, the General Assembly of Maryland at its 1988 session enacted the Maryland Water Quality Financing Administration Act, codified at Sections 9-1601 through 9-1622, inclusive, of the Environment Article of the Annotated Code of Maryland (as replaced, supplemented or amended, the “MWQFA Act”), establishing the Maryland Water Quality Financing Administration (the “Administration”) and establishing an SRF designated the Maryland Water Quality Revolving Loan Fund (the “SRF Fund”) to be maintained and administered by the Administration.

5. The MWQFA Act authorizes the Administration, among other things, to make a loan from the SRF Fund to a “local government” (as defined in the MWQFA Act) for the purpose of financing or refinancing all or a portion of the cost of a “wastewater facility” project (as defined in the MWQFA Act).

6. The City is a “local government” within the meaning of the MWQFA Act, and the Project is a “wastewater facility” project within the meaning of the MWQFA Act.

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7. The MWQFA Act authorizes a local government to issue one or more bonds, notes or other evidences of obligation (each, a “loan obligation” as defined in the MWQFA Act) to evidence its indebtedness under a loan agreement with respect to a loan from the Administration, to sell any such bond, note or other evidence of obligation to the Administration at private sale, without public bidding, and to establish a dedicated source of revenues for repayment of such loan.

8. Pursuant to the authority of the MWQFA Act, the Enabling Act and the Charter, the City has determined to borrow money from the Administration for the public purpose of financing, reimbursing or refinancing costs of the Project or such components of the Project as the Administration shall approve.

9. In connection with the issuance and sale of any series of the general obligation bonds contemplated hereby, and pursuant to the MWQFA Act, the City will enter into one or more loan agreements with the Administration.

10. In connection with the issuance of any series of bonds contemplated by this Ordinance (and any series of refunding bonds contemplated hereby that are issued to the Administration), the Administration may require the City to establish, fund and maintain for a period of time acceptable to the Administration a debt service reserve account in a manner that satisfies the Administration’s debt service coverage requirements.

11. Prior to issuing any such series of bonds to the Administration, the City may need to obtain interim financing in order to finance Project costs on a timely basis through the issuance of one or more series of its general obligation bond anticipation notes pursuant to the authority of Sections 19-211 to 19-223, inclusive, of the Local Government Article of the Annotated Code of

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Maryland, as replaced, supplemented or amended (the “Bond Anticipation Note Act”), and the Charter.

12. Subsequent to the issuance to the Administration of any series of bonds provided for herein, the City may desire to currently refund or advance refund all or a portion of such series of bonds pursuant to the authority of Section 19-207 of the Local Government Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the “Refunding Act”).

13. The City has determined to pledge its full faith and credit and unlimited taxing power to the prompt payment of debt service on any such series of bonds, bond anticipation notes or refunding bonds contemplated hereby.

14. The City expects to pay the principal of, and interest on, as applicable, any such bonds, bond anticipation notes or refunding bonds in the first instance from revenues received by the City in connection with the operation of the wastewater system serving the City, including fees for use of or connection to such system and, to the extent required by the purchaser of any such series of obligations, from revenues received by the City in connection with the operation of the water system serving the City (referred to herein as the “water supply system”), including fees for use of or connection to such system, all to the extent lawfully available for such purpose.

15. The City, as authorized by the MWQFA Act, may pledge any moneys that the City is entitled to receive from the State of Maryland, including the City’s share of the State income tax, to secure its obligations under any loan agreement with the Administration contemplated hereby.

16. Pursuant to the authority of the Charter, the City shall issue any series of bonds, bond anticipation notes or refunding bonds authorized hereby in accordance with the terms and conditions provided for in a resolution or resolutions to be adopted by the Mayor and City Council pursuant to the Charter and this Ordinance.

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BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND:

SECTION 1. (a) The Recitals to this Ordinance are deemed a substantive part of this Ordinance and incorporated by reference herein. Capitalized terms used in this Ordinance and not otherwise defined in the Sections of this Ordinance shall have the meanings given to such terms in the Recitals.

(b) References in this Ordinance to any official by title shall be deemed to refer (i) to any official authorized under the Charter or other applicable law to act in such titled official's stead during the absence or disability of such titled official, (ii) to any person who has been elected, appointed or designated to fill such position in an acting capacity under the Charter or other applicable law, (iii) to any person who serves in a "Deputy", "Associate" or "Assistant" capacity as such an official, provided that the applicable responsibilities, rights or duties referred to herein have been delegated to such deputy, associate or assistant in accordance with applicable law or authority, and/or (iv) to the extent an identified official commonly uses another title not provided for in the Charter or the code of City ordinances (the "City Code"), the official, however known, who is charged under the Charter, the City Code or other applicable law or authority with the applicable responsibilities, rights or duties referred to herein.

SECTION 2. Pursuant to the authority of the MWQFA Act, the Enabling Act and the Charter, the City hereby determines to borrow money and incur indebtedness for the public purpose of financing, reimbursing or refinancing costs of any one or more components of the Project, all to the extent permitted by the Administration. The total cost of the Project not otherwise payable from other sources is not expected to exceed Four Hundred Seventy-seven Thousand Dollars (\$477,000).

SECTION 3. To evidence the borrowing and indebtedness authorized in Section 2 of this Ordinance, the City, acting pursuant to the authority of the MWQFA Act, the Enabling Act and the

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Charter, hereby determines to issue and sell from time to time, upon its full faith and credit, one or more series of its general obligation bonds in an aggregate principal amount not to exceed Four Hundred Seventy-seven Thousand Dollars (\$477,000) (individually, a “Bond” and, collectively, the “Bonds”). Each such series may consist of one or more bonds and any Bond may be issued in installment form and/or draw-down form.

SECTION 4. Pursuant to the authority of the MWQFA Act, the Enabling Act and the Charter, the City hereby determines to sell each series of the Bonds to the Administration by private sale, without public bidding, due, in part, to the ability to issue any series of the Bonds as draw-down obligations and the beneficial interest rates offered by the Administration.

SECTION 5. The proceeds of each series of the Bonds shall be used and applied by the City exclusively and solely for the public purposes described in Section 2 of this Ordinance, unless, with the approval of the Administration, a supplemental ordinance is enacted by the Mayor and City Council to provide for the use and application of such proceeds for some other proper public purpose authorized by the MWQFA Act.

SECTION 6. (a) As required by the MWQFA Act, the City is hereby authorized to enter into one or more loan agreements with the Administration (each, a “Loan Agreement” and collectively, the “Loan Agreements”) in connection with any series of the Bonds. The final or substantially final form of each Loan Agreement shall be approved by the Mayor and City Council pursuant to the Resolution (as defined in Section 8 hereof) and the execution and delivery of each Loan Agreement shall be authorized by the Mayor and City Council pursuant to the Resolution.

(b) The City hereby acknowledges that the provisions of each Loan Agreement may allow for, among other remedies, all payments on any series of the Bonds subject to such Loan

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Agreement to be declared immediately due and payable upon the occurrence of any event of default provided for in such Loan Agreement.

SECTION 7. As authorized by Section 9-1606(d) of the MWQFA Act, the City hereby pledges any moneys that the City is entitled to receive from the State of Maryland, including the City's share of the State income tax, to secure its obligations under the Loan Agreements. Such pledge shall be evidenced and detailed in each Loan Agreement.

SECTION 8. Pursuant to the authority of the Enabling Act and this Ordinance, the Mayor and City Council, prior to the issuance, sale and delivery of any series of the Bonds, shall adopt a resolution or resolutions (in each such case, the "Resolution") specifying, prescribing, determining or providing for the determination of, providing for, or approving or providing for the approval of, such matters, details, forms (including, without limitation, the complete form of the Bonds of such series), documents or procedures as may be required by the MWQFA Act, the Enabling Act, the Charter or this Ordinance or as the Mayor and City Council may deem appropriate for the authorization, sale, security, issuance, delivery, payment or redemption of or for such series of the Bonds. The Resolution shall or may set forth, determine or provide for the determination of, provide for, or approve or provide for the approval of, among other things, as applicable, the aggregate principal amount of such series of the Bonds; the principal installment or installments of, or the method of determining the principal installment or installments of, such series of the Bonds; the rate or rates of interest, or the method of determining the rate or rates of interest, which may be fixed or variable, payable on such series of the Bonds; provisions relating to the payment of any late fees or penalties with respect to such series of the Bonds; the components of the Project on which proceeds of such series will be expended, if limited in any way; provisions for the appropriation and disposal of such proceeds; provisions relating to the prepayment of such series of the Bonds, if

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applicable; provisions for the application of unexpended proceeds of such series of the Bonds; the procedures for the sale of such series of the Bonds by private sale, without public bidding; provisions relating to the principal forgiveness of such series of the Bonds, if applicable; certifications, representations, determinations, designations or elections relating to the tax-exempt status of interest payable on such series of the Bonds, if applicable; and all other terms and conditions pursuant to which such series of the Bonds will be issued, sold and delivered. Any Resolution may specify, prescribe, determine or provide for the determination of, or approve or provide for the approval of, the details required or authorized by this Section 8 for more than one series of the Bonds.

(b) In the event the Administration requires the City establish a debt service reserve account to be funded from non-Bond proceeds in order to provide security for any series of the Bonds as a condition to the issuance of such series of the Bonds, provisions relating to the establishment, funding and maintenance of such debt service reserve account and the investment and application of moneys held in such debt service reserve account shall be determined, approved or provided for in the Resolution, and any such debt service reserve account may be identified in the applicable Loan Agreement as a dedicated source of revenues contemplated by the MWQFA Act.

SECTION 9. The City is hereby authorized and directed to pay any fees or costs provided for in any Loan Agreement which are not payable from Bond proceeds, including, without limitation, any administrative fees and any ongoing fees or costs. The obligation of the City to pay such amounts shall be absolute and unconditional as further provided in any Loan Agreement.

SECTION 10. Notwithstanding anything to the contrary contained in this Ordinance, the City shall use and apply proceeds of each series of the Bonds only as permitted by the related Loan

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Agreement, the Clean Water Act (as defined in such Loan Agreement) and the MWQFA Act (which may be referred to in each Loan Agreement as the “Act”).

SECTION 11. (a) Pursuant to the authority of the Bond Anticipation Note Act and the Charter, the City may issue and sell from time to time, upon its full faith and credit, one or more series of its general obligation bond anticipation notes in an aggregate principal amount not to exceed Four Hundred Seventy-seven Thousand Dollars (\$477,000) (each, a “series of the BANs” and, collectively, the “BANs”) prior to and in anticipation of the sale of any series of the Bonds in order to finance or reimburse costs of the Project on an interim basis, including paying costs of issuance and capitalized interest on such series of the BANs within the limitations of the Bond Anticipation Note Act. Any such series of the BANs may consist of one or more notes and any note may be issued in installment form and/or draw-down form. Prior to the issuance, sale and delivery of any series of the BANs, the Mayor and City Council shall adopt a resolution or resolutions pursuant to the authority of the Bond Anticipation Note Act, the Charter and this Ordinance authorizing such series of the BANs and specifying, prescribing, determining or providing for the determination of, or approving or providing for the approval of , the same types of matters, details, forms, documents, procedures or determinations detailed in Section 8 hereof that may be made or addressed with respect to any series of the Bonds, to the extent applicable with respect to such series of the BANs, and as otherwise may be authorized or required by applicable law. Unless the Mayor and City Council determines otherwise in a resolution providing for any series of the BANs, pursuant to the authority of the Bond Anticipation Note Act, each series of the BANs shall be sold by private negotiation. Any such sale by private negotiation is hereby determined to be in the public interest due to the ability to time the market, negotiate with potential purchasers and thereby achieve

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a beneficial interest rate or rates and other beneficial terms by undertaking a private (negotiated) sale, and the lower costs of issuance typically incurred with a negotiated sale.

(b) As authorized by the Bond Anticipation Note Act, by resolution the Mayor and City Council may provide for the renewal of any series of the BANs at maturity with or without resale, as well as any amendments of or modifications to such series of the BANs and any related documentation.

SECTION 12. (a) Pursuant to the authority of the Refunding Act, the Enabling Act and the Charter, the City is hereby authorized and empowered to issue and sell from time to time, upon its full faith and credit, one or more series of general obligation bonds (each, a “series of the Refunding Bonds” and, collectively, the “Refunding Bonds”) for the purpose of currently refunding or advance refunding any of the Bonds issued pursuant to the authority of this Ordinance then outstanding, including paying all or any portion of outstanding principal, prepayment premium and/or interest accrued or to accrue to the date of prepayment, purchase or maturity of the Bonds to be refunded, and paying costs and expenses in connection with the issuance, sale and delivery of such series of the Refunding Bonds, and, to the extent determined by the Mayor and City Council by resolution, interest on such series of the Refunding Bonds, for the public purpose of realizing savings to the City in the aggregate cost of debt service on either a direct comparison or present value basis or in order to accomplish any debt restructuring that is permitted by applicable law; provided that, the aggregate principal amount of any such series of the Refunding Bonds may not exceed one hundred thirty percent (130%) of the aggregate principal amount of the Bonds refunded therefrom. Any such series of the Refunding Bonds may consist of one or more bonds and any bond may be issued in installment form and/or draw-down form. Prior to the issuance, sale and delivery of any series of the Refunding Bonds, the

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Mayor and City Council shall adopt a resolution or resolutions authorizing such series of the Refunding Bonds and specifying, prescribing, determining or providing for the determination of, or approving or providing for the approval of, such matters, details, forms, documents, procedures or determinations detailed in Section 8 hereof that may be made or addressed with respect to each series of the Bonds, to the extent applicable with respect to such series of the Refunding Bonds, and as otherwise may be authorized or required by applicable law. Unless the Mayor and City Council determines otherwise in a resolution providing for any series of the Refunding Bonds, pursuant to the authority of the Refunding Act, each series of the Refunding Bonds shall be sold at a private sale, without soliciting bids. Any such sale on a private basis is hereby determined to be in the public interest due to the ability to time the market, negotiate with potential purchasers and thereby achieve a beneficial interest rate or rates and other beneficial terms (including restructuring terms, if applicable) by undertaking a private (negotiated) sale, and the lower costs of issuance typically incurred with a negotiated sale.

(b) To the extent any series of the Refunding Bonds is sold to the Administration, the Mayor and City Council by resolution may specify, prescribe, determine or provide for the determination of, approve or provide for the approval of any determinations contemplated by in this Ordinance that may be made with respect to any series of the Bonds, including, without limitation, entry into a new loan agreement or any modification to an existing Loan Agreement, as applicable, provisions for the potential forgiveness of any such series of the Refunding Bonds, a pledge of the City's right to receive revenues from the State in the nature referred to in Section 7 above, the obligation of the City to pay any administrative fees or ongoing fees and expenses in the nature of those referred to in Section 9 above, the identification

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of any source of dedicated revenues and provisions for any debt service reserve account with respect to such series of the Refunding Bonds required by the Administration.

SECTION 13. The Mayor and City Council is hereby authorized, by resolution, to make any further determinations or approvals or provide for any matters or actions deemed necessary or desirable in connection with the issuance of any series of the BANs or the Refunding Bonds, including, without limitation, (i) any determination authorized by the Bond Anticipation Note Act or the Refunding Act, as applicable, (ii) to commit or provide for the commitment of the City to pay to the purchaser or purchasers of any series of the BANs or the Refunding Bonds (A) any commitment fee or similar fee and any legal costs in connection with such purchaser's or purchasers' agreement to purchase such series of the BANs or the Refunding Bonds and/or (B) any breakage compensation or other amount that may be determined to be due to such purchaser or purchasers in the event the City fails to deliver such series of the BANs or the Refunding Bonds and, in connection therewith, to approve or provide for the approval of, and the execution and delivery of, any agreement relating to such payment or payments (which such agreement may, but shall not be required to be, contained within any purchase or similar agreement for such series of the BANs or the Refunding Bonds), and (iii) to approve or provide for any offering documents, credit enhancement, liquidity enhancement, ratings, or continuing disclosure undertakings relating to such series of the BANs or the Refunding Bonds.

SECTION 14. (a) The principal of and interest on each series of the Bonds, the BANs and the Refunding Bonds (each, a series of the "Obligations") will be payable in the first instance from revenues received by the City in connection with the operation of the wastewater system serving the City and surrounding areas, including charges for the use of or connection to such wastewater system and, to the extent required by the purchaser of such series of the Obligations,

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from revenues received by the City from the operation of the water supply system serving the City, including charges for the use of or connection to such water supply system, all to the extent such revenues are lawfully available for such purpose. (Any such identification of water supply system revenues as a source of payment for the applicable series of the Obligations shall be provided for in the Resolution, any resolution relating to a series of the BANs or the Refunding Bonds or a Loan Agreement, as applicable.) In the event such moneys are insufficient in any fiscal year to provide for the payment of the principal of and interest on such series of the Obligations, the City shall levy or cause to be levied, for each and every fiscal year during which such series of the Obligations may be outstanding, ad valorem taxes on all real and tangible personal property within the City that is subject to assessment for unlimited municipal taxation in rate and amount sufficient to pay the principal of and interest on such series of the Obligations in each fiscal year in which any of the Obligations are outstanding and, in the event the proceeds from the collection of the taxes so levied may prove inadequate for such purposes in any fiscal year, additional taxes shall be levied in the subsequent fiscal year to make up any deficiency.

(b) The full faith and credit and unlimited taxing power of the City are hereby irrevocably pledged to the prompt payment of the principal of and interest on each series of the Obligations as and when the same are payable and to the levy and collection of the taxes hereinabove described as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of such series of the Obligations. The City hereby covenants with the registered owner of each Obligation to take any action that may be lawfully appropriate from time to time during the period that such Obligation remains outstanding and unpaid to provide the funds necessary to pay promptly the principal and interest due thereon.

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(c) The foregoing provisions shall not be construed so as to prohibit the City from paying the principal of and interest on any series of the Obligations from the proceeds of the sale of any other obligations of the City (including, without limitation, with respect to the Bonds, from the proceeds of the Refunding Bonds authorized hereby) or from any other funds legally available for that purpose. Within any applicable limitations of Maryland or federal law (including, without limitation, the Internal Revenue Code of 1986, as amended, and the regulations issued thereunder), the City may apply to the payment of the principal of or interest on any series of the Obligations any funds received by it from the State of Maryland or the United States of America, or any governmental agency or instrumentality, or from any other source, if the funds are granted or paid to the City for the purpose of assisting the City in accomplishing the type of project or projects which such series of the Obligations are issued to finance or refinance or are otherwise available for such purpose, and to the extent of any such funds received or receivable in any fiscal year, the taxes hereby required to be levied may be reduced proportionately.

(d) Any source of revenues referred to in this Section 14 may be identified as a dedicated source of revenue contemplated by the MWQFA Act in any Loan Agreement entered into by the City with the Administration in connection with a series of the Obligations. Any applicable Loan Agreement exhibits may describe such dedicated revenues by references that are similar but not identical to any references contained in this Ordinance, the Resolution or any resolution relating to Refunding Bonds.

SECTION 15. In addition to the refunding authority provided for in Section 12 of this Ordinance, subsequent to the sale, issuance and delivery of any series of the Bonds or the Refunding Bonds to the Administration, the Mayor and City Council by resolution may specify, prescribe, determine or provide for the determination of, or approve or provide for the approval

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of, any amendments or modifications to such series of the Bonds or the Refunding Bonds and/or the related Loan Agreement or Loan Agreements and any other documents, agreements or instruments executed and delivered in connection with the sale, issuance and delivery of such series of the Bonds or the Refunding Bonds, and/or provide for the execution and delivery of additional documents, agreements, certificates or instruments relating to such amendments or modifications (including, without limitation, any bond or bonds to be issued and exchanged for one or more of such series of the Bonds or the Refunding Bonds originally issued and delivered and any new or restated Loan Agreement), whether or not such amendments or modifications constitute a refunding or reissuance for purposes of federal and/or Maryland law.

SECTION 16. The Mayor and City Council by resolution may determine that any series of the Obligations authorized hereby may be consolidated with any bond anticipation notes, bonds and/or refunding bonds authorized by the Mayor and City Council, as applicable, and issued as a single series of obligations.

SECTION 17. The following City officials: the Mayor, the City Administrator, the Comptroller, the Treasurer, the City Clerk, and all other appropriate officials and employees of the City, are hereby authorized and directed to take any and all action necessary to complete and close the sale, issuance and delivery of any series of the Obligations, including, without limitation, to negotiate, approve, execute and deliver all documents, certificates and instruments necessary or appropriate in connection therewith, and to consummate and carry out the transactions contemplated by this Ordinance.

SECTION 18. The title of this Ordinance shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

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SECTION 19. The provisions of this Ordinance shall be liberally construed in order to effectuate the transactions authorized or contemplated by this Ordinance.

SECTION 20. This Ordinance shall become effective thirty (30) days after its passage pursuant to the provisions of Section 82A of the Charter, subject to the petition-to-referendum provisions of Section 82A(c) of the Charter.

MAYOR AND CITY COUNCIL OF  
CUMBERLAND

(SEAL)

\_\_\_\_\_  
Brian K. Grim  
Mayor

ATTEST:

\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

Introduced: \_\_\_\_\_, 2016

Passed: \_\_\_\_\_, 2016

Votes for passage: \_\_\_\_\_

Votes against passage: \_\_\_\_\_

Effective: \_\_\_\_\_, 2016

#188317;10002.063

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Underlining : Indicates material added to this Ordinance after introduction  
~~Strike through~~ : Indicates material deleted from this Ordinance after introduction



Regular Council Agenda  
July 19, 2016

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**Description**

Ordinance (*2nd and 3rd readings*) - authorizing the issuance and sale of 1) General Obligation Bonds and General Bond Anticipation Notes, each in an aggregate principal amount not to exceed \$477,000 and 2) General Obligation Refunding Bonds which shall not exceed 130% of the aggregate principal amount of the bonds refunded therefrom, by private sale to the MD Water Quality Financing Administration (MWQFA) to finance costs of Phase III of the Evitts Creek CSO Upgrade Project and related costs

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

**City of Cumberland**  
- Maryland -

**RESOLUTION**

RESOLUTION NO. \_\_\_\_\_

**A Resolution of the Mayor and City Council of Cumberland, Maryland, granting the Carver Community Center, Inc. property tax credits for the tax years 2015-2016 and 2016-2017 and pursuant to Section 9-302 of the Tax-Property Article of the Annotated Code of Maryland.**

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

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

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

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

**WHEREAS,** the Mayor and City Council of Cumberland desires to grant to the Carver Community Center, Inc. a property tax credit against the municipal corporation property tax imposed on the Carver Community Center, Inc., for the tax years 2015-2016 and 2016-2017.

**NOW, THEREFORE, BE IT RESOLVED THAT,** the Carver Community Center, Inc., be and is hereby granted a property tax credit against any and all municipal corporation property tax imposed upon it by the City of Cumberland for tax years 2015-2016 and 2016-2017.

*Given under our Hands and Seals this 19<sup>th</sup> day of July, 2016 with the  
Corporate Seal of the City of Cumberland hereto attached,  
duly attested by the City Clerk.*

Attest:

Mayor and City Council  
Of Cumberland

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Marjorie A. Woodring  
City Clerk

---

Brian K. Grim  
Mayor

*Carver Community Center Inc.*  
*P.O. BOX 241/340 Frederick Street*  
*Cumberland, Maryland 21502*  
*Phone: 240-362-2582*

June 22, 2016

Cumberland City Council

57 N. Liberty Street

Cumberland, Maryland 21502

Dear Cumberland City Council,

The Carver Community Center Inc. wishes to again request the tax fee waiver for account numbers: 23003422, 23001233 & D05149406001202 within the city of Cumberland. The Carver Community Center Inc. will also be requesting this same waiver from the Allegany County Government.

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

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

Sincerely,



Bonita Austin

Carver Community Center Inc. Board of Directors



Regular Council Agenda  
July 19, 2016

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**Description**

Resolution granting the Carver Community Center, Inc. property tax credits for the tax years 2015-2016 and 2016-2017

**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: July 19, 2016

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

THAT the Chief of Police be and is hereby authorized to accept a GOCCP Grant for FY17 entitled "Safe Streets" in the amount of Two Hundred Twenty Thousand Dollars and No Cents (\$220,000.00) for the period 07/01/16 through 06/30/17 to provide salary support, overtime pay, and contractual services.

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**Brian K. Grim, Mayor**

Grant: MDSS-2017-1505



100 Community Place, 1st Floor  
Crownsville, MD 21032  
410-697-9338  
Fax: 443-782-0205  
dinfo\_goccp@maryland.gov  
goccp.maryland.gov

Larry Hogan  
*Governor*

Boyd K. Rutherford  
*Lt. Governor*

V. Glenn Fueston, Jr.  
*Executive Director*

July 14, 2016

Chief Charles H Hinnant  
Chief of Police  
Cumberland Police Department  
20 Bedford Street  
Cumberland, MD 21502

RE: MDSS-2017-1505

Dear Chief Hinnant:

I am pleased to inform you that your grant application submitted by **Cumberland Police Department**, entitled "**Safe Streets**", in the amount of \$220,000.00 has received approval under the Maryland Safe Streets program. Enclosed is the Grant Award packet containing information and forms necessary to initiate the project.

The grant will fund the program described below:

The Cumberland Safe Streets program addresses high incidents of crime, within the City and surrounding areas contained in Allegany County. Strategies rely heavily on the cooperation of coalition partners for intelligence gathering, streamlined information sharing, targeted enforcement, and effective prosecution. Resources are leveraged to identify, track and apprehend violent offenders, and address dangerous substance incidents. Grant funds will provide overtime and contractual services.

Please pay particular attention to the instructions included on the Grant Award. It is important that you **carefully review all Special Conditions** attached to this award. Additionally, the General Conditions for all grant awards issued by GOCCP are located online, at <http://www.goccp.maryland.gov/grants/general-conditions.php>. The Chief Elected Official, or another legally authorized official of the jurisdiction, state agency, or 501(c)(3) receiving the Grant Award, must sign the original Grant Award Acceptance form and return it to the Governor's Office of Crime Control and Prevention within **Twenty-One (21) Calendar days**. Should the acceptance form not be received, requests for reimbursement will not be honored.

A copy of the Grant Award, Notification of Project Commencement, and Individual Project Reports has also been sent to the Project Director. The Project Director is responsible for completing these and other required forms now and at the end of each reporting period. If the Project Director changes, GOCCP must be notified immediately to avoid potential reporting problems.

Projects may commence as soon as the Grant Award is signed and you have reviewed and accepted all of the General and Special Conditions. No funds may be encumbered or expended prior to this time without the specific written approval of the Governor's Office of Crime Control and Prevention.

If you have any questions or need any clarification regarding this Grant Award, please contact **Ellen Blonder**, your Regional Monitor, or **Andrew Galarza**, Fiscal Specialist, at (410) 821-2828. We look forward to working with you on this project and anticipate its success in helping to address criminal justice problems in our State.

Sincerely,

A handwritten signature in black ink, appearing to read "V. Glenn Fueston, Jr.", written in a cursive style.

V. Glenn Fueston, Jr.  
Executive Director

cc: Mr. David A Goad



7/7/2016

Governor's Office of Crime Control & Prevention



Control Number:

32052

GOCCP Regional Monitor:

Blonder, Ellen

GOCCP Fiscal Specialist:

Galarza, Andrew

# Grant Award & Acceptance Form

|                             |                                |
|-----------------------------|--------------------------------|
| <b>Grant Award Number:</b>  | <b>MDSS-2017-1505</b>          |
| <b>Sub-recipient:</b>       | Cumberland Police Department   |
| <b>Project Title:</b>       | Safe Streets                   |
| <b>Implementing Agency:</b> | Cumberland Police Department   |
| <b>Award Period:</b>        | <b>07/01/2016 - 06/30/2017</b> |
|                             | CFDA: State                    |

|                 |                            |         |                     |                   |
|-----------------|----------------------------|---------|---------------------|-------------------|
| Funding Summary | Grant Funds                | 100.0 % | <b>\$220,000.00</b> |                   |
|                 | Cash Match                 | 0.0 %   | <b>\$0.00</b>       |                   |
|                 | In-Kind Match              | 0.0 %   | <b>\$0.00</b>       |                   |
|                 | <b>Total Project Funds</b> |         | <b>\$220,000.00</b> | Budget Version: 0 |

This Grant Award is hereby made for financial assistance by the Governor's Office of Crime Control & Prevention in accordance with the

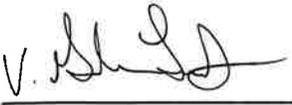
**Maryland Safe Streets**

This Grant Award is subject to the General Conditions and any Special Conditions attached to this award, as well as all statutes and requirements of the State of Maryland.

This Grant Award incorporates all the information, conditions, representations and Certified Assurances contained in the grantee's application.

The Grant Award shall become effective as of the start date of the award, unless otherwise specified, and upon return, within twenty-one (21) calendar days, of a fully executed original of this document signed by the duly authorized official of the sub-recipient unit of government or sub-recipient agency receiving this Grant Award. Copies and faxes are not acceptable.

**FOR THE STATE OF MARYLAND:**




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**Executive Director**  
Governor's Office of Crime Control & Prevention

**SUB-RECIPIENT ACCEPTANCE:**

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Signature of Authorized Official

---

Typed Name And Title

---

Date

Return original form signed in blue ink to:  
 GOCCP  
 300 E. Joppa Road, Suite 1105  
 Baltimore, MD 21286-3016  
 Attention: Control Desk



### Budget Notice

|                             |                                |             |
|-----------------------------|--------------------------------|-------------|
| <b>Grant Award Number:</b>  | <b>MDSS-2017-1505</b>          |             |
| <b>Sub-recipient:</b>       | Cumberland Police Department   |             |
| <b>Project Title:</b>       | Safe Streets                   |             |
| <b>Implementing Agency:</b> | Cumberland Police Department   |             |
| <b>Award Period:</b>        | <b>07/01/2016 - 06/30/2017</b> | CFDA: State |

|                 |                            |         |                     |
|-----------------|----------------------------|---------|---------------------|
| Funding Summary | Grant Funds                | 100.0 % | <b>\$220,000.00</b> |
|                 | Cash Match                 | 0.0 %   | <b>\$0.00</b>       |
|                 | In-Kind Match              | 0.0 %   | <b>\$0.00</b>       |
|                 | <b>Total Project Funds</b> |         | <b>\$220,000.00</b> |

#### Personnel

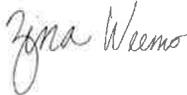
| Description of Position  | Salary Type | Funding     | Total Budget |
|--------------------------|-------------|-------------|--------------|
| Law Enforcement Officers | Overtime    | Grant Funds | \$62,350.00  |

Personnel Total: \$62,350.00

#### Contractual Services

| Description                           | Funding     | Quantity | Unit Cost  | Total Budget |
|---------------------------------------|-------------|----------|------------|--------------|
| Crime Analyst                         | Grant Funds | 1        | \$24.04    | \$50,000.00  |
| Crime Analyst - Fringe                | Grant Funds | 1        | \$3,825.00 | \$3,825.00   |
| Project Director/Coordinator          | Grant Funds | 1        | \$24.04    | \$50,000.00  |
| Project Director/Coordinator - Fringe | Grant Funds | 1        | \$3,825.00 | \$3,825.00   |
| State's Attorney/Investigator         | Grant Funds | 1        | \$24.04    | \$50,000.00  |

Contractual Services Total: \$157,650.00

Approved:   
 \_\_\_\_\_  
 GOCCP Authorized Representative

Effective Date: 7/1/2016



Regular Council Agenda  
July 19, 2016

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**Description**

Order authorizing the Chief of Police to accept a GOCCP Safe Streets Grant for FY17 in the amount of \$220,000.00 for personnel, equipment and overtime costs associated with the Safe Streets initiative

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

\$220,000.00

**Source of Funding (if applicable)**

Grant: MDSS-2017-1505

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

ORDER NO. \_\_\_\_\_

DATE: July 19, 2016

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

THAT, the proposal from Local Government Insurance Trust (LGIT) to provide insurance services be and is hereby extended for one (1) year, effective July 1, 2016 – June 30, 2017, as follows:

|   |              |
|---|--------------|
| City Property coverage.....               | \$137,397.00 |
| General Liability/Elevators coverage..... | 332.00       |
| Boilers and Machinery coverage.....       | ...15,066.00 |
| Total.....                                | \$152,785.00 |

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**Mayor Brian K. Grim**



7225 Parkway Drive, Hanover, MD 21076 • www.lgit.org  
 TEL 443.561.1700 • MD 800.673.8231 • FAX 443.561.1701

**BILL TO:** City of Cumberland  
 Ms. Marjorie Woodring  
 City Clerk  
 57 North Liberty St.  
 Cumberland, MD 21501

**REMIT TO:** Local Govt. Insurance Trust  
 7225 Parkway Drive  
 Hanover MD 21076

**INVOICE DATE:** 7/1/2016  
**INVOICE #:** 114018

**DUE DATE:** 7/31/2016  
**CUSTOMER #:** 232500

**ISSUE DATE OF COVERAGE:** 7/1/2016

**EXP. DATE OF COVERAGE:** 7/1/2017

**\*\*\*FY2017 INVOICE\*\*\***

| <b>DESCRIPTION</b>        | <b>CHARGES</b>      |
|---------------------------|---------------------|
| Property                  | 137,397.00          |
| General Liability         | 332.00              |
| Boiler and Machinery      | 15,066.00           |
| <b>Subtotal:</b>          | <b>\$152,795.00</b> |
| <b>Less FY17 Credits:</b> |                     |
| Rate Stabilization Credit | (10.00)             |
| <b>Total:</b>             | <b>\$152,785.00</b> |

**The following discounts have already been applied to this invoice:**

|   |                 |
|---|-----------------|
| Longevity discount amount applied to primary liability products         | 17              |
| Membership discount amount applied to primary liability products        | 16              |
| CALEA discount amount applied to Police Legal Liability product         | \$0.00          |
| Boiler and Machinery discount amount applied with a \$10,000 deductible | 15,067          |
| Excess Liability discount amount applied for free 1st \$1 million layer | 0               |
| <b>Total:</b>   | <b>\$15,101</b> |

**AN ELECTRONIC VERSION OF THIS INVOICE INCLUDING SUPPORTING DOCUMENTS  
 IS AVAILABLE FROM DOCUMENTS IN THE MEMBER PORTAL**



Regular Council Agenda  
July 19, 2016

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**Description**

Order authorizing a one (1) year extension to the proposal from Local Government Insurance Trust (LGIT) to provide insurance services for City properties, boilers and machinery, and elevator general liability in the total amount of \$152,785.00

**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: July 19, 2016

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

THAT the Chief of Police be and is hereby authorized to accept a GOCCP Grant for FY17 entitled "Heroin Coordinator" in the amount of Eighty-four Thousand, One Hundred Eighty Dollars and No Cents (\$84,180.00) for the period 07/01/16 through 06/30/17 for personnel and equipment to assist in developing and implementing strategies intended to reduce heroin related crime.

---

**Brian K. Grim, Mayor**

Grant: MDSS-2017-0017



100 Community Place, 1st Floor  
Crownsville, MD 21032  
410-697-9338  
Fax: 443-782-0205  
dlinfo\_goccp@maryland.gov  
goccp.maryland.gov

Larry Hogan  
*Governor*  
Boyd K. Rutherford  
*Lt. Governor*  
V. Glenn Fueston, Jr.  
*Executive Director*

July 21, 2016

Chief Charles H Hinnant  
Chief of Police  
Cumberland Police Department  
20 Bedford Street  
Cumberland, MD 21502

RE: MDSS-2017-0017

Dear Chief Hinnant:

I am pleased to inform you that your grant application submitted by **Cumberland Police Department**, entitled "**Heroin Coordinator**", in the amount of \$84,180.00 has received approval under the Maryland Safe Streets program. Enclosed is the Grant Award packet containing information and forms necessary to initiate the project.

The grant will fund the program described below:

The Cumberland Police Department's Heroin Coordinator program assists in developing and implementing strategies intended to reduce heroin related crime in the State of Maryland. The program provides salary for a dedicated Heroin Coordinator who will be responsible for the collection and analysis of drug intelligence in accordance with the Maryland Heroin and Opioid Emergency Task Forces' report. Grant funds provide salary support and equipment.

Please pay particular attention to the instructions included on the Grant Award. It is important that you **carefully review all Special Conditions** attached to this award. Additionally, the General Conditions for all grant awards issued by GOCCP are located online, at <http://www.goccp.maryland.gov/grants/general-conditions.php>. The Chief Elected Official, or another legally authorized official of the jurisdiction, state agency, or 501(c)(3) receiving the Grant Award, must sign the original Grant Award Acceptance form and return it to the Governor's Office of Crime Control and Prevention within **Twenty-One (21) Calendar days**. Should the acceptance form not be received, requests for reimbursement will not be honored.

A copy of the Grant Award, Notification of Project Commencement, and Individual Project Reports has also been sent to the Project Director. The Project Director is responsible for completing these and other required forms now and at the end of each reporting period. If the Project Director changes, GOCCP must be notified immediately to avoid potential reporting problems.

Projects may commence as soon as the Grant Award is signed and you have reviewed and accepted all of the General and Special Conditions. No funds may be encumbered or expended prior to this time without the specific written approval of the Governor's Office of Crime Control and Prevention.

If you have any questions or need any clarification regarding this Grant Award, please contact **Ellen Blonder**, your Regional Monitor, or **Andrew Galarza**, Fiscal Specialist, at (410) 821-2828. We look forward to working with you on this project and anticipate its success in helping to address criminal justice problems in our State.

Sincerely,

A handwritten signature in black ink, appearing to read "V. Glenn Fueston, Jr.", written in a cursive style.

V. Glenn Fueston, Jr.  
Executive Director

cc: Lieutenant Chuck Ternent



7/14/2016



Control Number:

32180

GOCCP Regional Monitor:

Blonder, Ellen

GOCCP Fiscal Specialist:

Galarza, Andrew

Governor's Office of Crime Control & Prevention

# Grant Award & Acceptance Form

**Grant Award Number:** MDSS-2017-0017

**Sub-recipient:** Cumberland Police Department

**Project Title:** Heroin Coordinator

**Implementing Agency:** Cumberland Police Department

**Award Period:** 07/01/2016 - 06/30/2017

CFDA: State

|                 |                            |         |                    |                   |
|-----------------|----------------------------|---------|--------------------|-------------------|
| Funding Summary | Grant Funds                | 100.0 % | <b>\$84,180.00</b> |                   |
|                 | Cash Match                 | 0.0 %   | <b>\$0.00</b>      |                   |
|                 | In-Kind Match              | 0.0 %   | <b>\$0.00</b>      |                   |
|                 | <b>Total Project Funds</b> |         | <b>\$84,180.00</b> | Budget Version: 0 |

This Grant Award is hereby made for financial assistance by the Governor's Office of Crime Control & Prevention in accordance with the

### Maryland Safe Streets

This Grant Award is subject to the General Conditions and any Special Conditions attached to this award, as well as all statutes and requirements of the State of Maryland.

This Grant Award incorporates all the information, conditions, representations and Certified Assurances contained in the grantee's application.

The Grant Award shall become effective as of the start date of the award, unless otherwise specified, and upon return, within twenty-one (21) calendar days, of a fully executed original of this document signed by the duly authorized official of the sub-recipient unit of government or sub-recipient agency receiving this Grant Award. Copies and faxes are not acceptable.

### FOR THE STATE OF MARYLAND:

Executive Director  
Governor's Office of Crime Control & Prevention

### SUB-RECIPIENT ACCEPTANCE:

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Typed Name And Title

\_\_\_\_\_  
Date

Return original form  
signed in blue ink to:

GOCCP  
300 E. Joppa Road, Suite 1105  
Baltimore, MD 21286-3016  
Attention: Control Desk



# Budget Notice

|                             |                                |
|-----------------------------|--------------------------------|
| <b>Grant Award Number:</b>  | <b>MDSS-2017-0017</b>          |
| <b>Sub-recipient:</b>       | Cumberland Police Department   |
| <b>Project Title:</b>       | Heroin Coordinator             |
| <b>Implementing Agency:</b> | Cumberland Police Department   |
| <b>Award Period:</b>        | <b>07/01/2016 - 06/30/2017</b> |
|                             | CFDA: State                    |

|                 |                            |         |                    |
|-----------------|----------------------------|---------|--------------------|
| Funding Summary | Grant Funds                | 100.0 % | <b>\$84,180.00</b> |
|                 | Cash Match                 | 0.0 %   | <b>\$0.00</b>      |
|                 | In-Kind Match              | 0.0 %   | <b>\$0.00</b>      |
|                 | <b>Total Project Funds</b> |         | <b>\$84,180.00</b> |

### Personnel

| Description of Position | Salary Type | Funding     | Total Budget       |
|-------------------------|-------------|-------------|--------------------|
| Heroin Coordinator      | Fringe      | Grant Funds | \$3,910.00         |
| Heroin Coordinator      | Salary      | Grant Funds | \$46,090.00        |
| <b>Personnel Total:</b> |             |             | <b>\$50,000.00</b> |

### Equipment

| Description                     | Funding     | Quantity | Unit Cost   | Total Budget       |
|---------------------------------|-------------|----------|-------------|--------------------|
| JTAG Cell Phone Analysis System | Grant Funds | 1        | \$7,186.00  | \$7,186.00         |
| XRY Cell Phone Analysis System  | Grant Funds | 1        | \$15,945.00 | \$15,945.00        |
| <b>Equipment Total:</b>         |             |          |             | <b>\$23,131.00</b> |

### Other

| Description                        | Funding     | Quantity | Unit Cost  | Total Budget       |
|------------------------------------|-------------|----------|------------|--------------------|
| Ceellbrite Cloud Analyzer Software | Grant Funds | 1        | \$7,950.00 | \$7,950.00         |
| Cellbrite Annual Licensing Fee     | Grant Funds | 1        | \$3,099.00 | \$3,099.00         |
| <b>Other Total:</b>                |             |          |            | <b>\$11,049.00</b> |

**Approved:**   
 \_\_\_\_\_  
 GOCCP Authorized Representative

**Effective Date: 7/12/2016**



Regular Council Agenda  
July 19, 2016

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**Description**

Order authorizing the Chief of Police to accept a GOCCP grant entitled "Heroin Coordinator" for FY17 in the amount of \$84,180.00 for personnel and equipment to assist in developing and implementing strategies intended to reduce heroin related crime

**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: July 19, 2016

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

**THAT** the bid (Base Bid and Add Alternate No. 2) of Excavating Associates, Inc., P.O. Box 434, Ellerslie, Maryland, 21529 for the Maryland Avenue Sidewalk and Wall Repairs Project (No. 22-09-M), be and is hereby accepted in the estimated unit cost of One Hundred Fifty-four Thousand, Three Hundred Seventy-nine Dollars and No Cents (\$154,379.00); and

**BE IT FURTHER ORDERED**, that all other bids received for this project be and are hereby rejected.

---

**Brian K. Grim, Mayor**

| Company                 | Total Bid<br>(Base Bid and<br>Add Alt. No. 2) |
|-------------------------|---|
| Excavating Assoc., Inc. | \$154,379.00                                  |
| Carl Belt, Inc.         | \$241,287.00                                  |

Funding: 111-431-20100 JJ11007: \$108,560.71  
111-432-20100 KK12007: \$45,818.29

**Project Information**

Project Title: MD Ave Sidewalk and Wall Repairs  
 City Project: 22-09-M  
**Bid Opening**  
 Date and Time: July 13, 2016 @2:30PM  
 Location: Council Chambers, City Hall, Cumberland, MD 21502

**Carl Belt, Inc**  
 11521 Milnor Ave  
 Cumberland, MD 21502  
**Excavating Associates, Inc**  
 P.O. Box 434  
 Ellerslie, MD 21529

| ITEM NO.         | DESCRIPTION OF ITEM                              | UNITS | QTY. | Engineers Estimate |           | Carl Belt, Inc<br>11521 Milnor Ave<br>Cumberland, MD 21502 |           | Excavating Associates, Inc<br>P.O. Box 434<br>Ellerslie, MD 21529 |           |
|------------------|--|-------|------|--------------------|-----------|--|-----------|---|-----------|
|                  |  |       |      | UNIT PRICE         | AMOUNT    | UNIT PRICE   | AMOUNT    | UNIT PRICE  | AMOUNT    |
| 1001             | Mobilization                                     | LS    | 1    | 5,000.00           | 5,000.00  | 13,000.00  | 13,000.00 | 6,801.00  | 6,801.00  |
| 1002             | Construction Stakeout                            | LS    | 1    | 5,000.00           | 5,000.00  | 5,700.00   | 5,700.00  | 3,311.00  | 3,311.00  |
| 1003             | Maintenance of Traffic (including signs)         | LS    | 1    | 7,000.00           | 7,000.00  | 20,600.00  | 20,600.00 | 7,809.00  | 7,809.00  |
| 1004             | Clearing & Grubbing (including removal of trees) | LS    | 1    | 20,000.00          | 20,000.00 | 27,800.00  | 27,800.00 | 9,851.00  | 9,851.00  |
| 2001             | Class 1-A Excavation (Contingent)                | CY    | 10   | 200.00             | 2,000.00  | 96.00  | 960.00    | 81.40   | 814.00    |
| 3001             | Silt Fence                                       | LF    | 170  | 15.00              | 2,550.00  | 5.00   | 850.00    | 5.30  | 901.00    |
| 4001             | Modular Block Retaining Wall                     | SF    | 1300 | 44.00              | 57,200.00 | 55.50  | 72,150.00 | 43.63   | 56,719.00 |
| 5001             | Patch Existing Pavement                          | SF    | 185  | 7.00               | 1,295.00  | 13.00  | 2,405.00  | 9.00  | 1,665.00  |
| 6001             | Standard Type A Concrete Curb 8" x 18"           | LF    | 185  | 35.00              | 6,475.00  | 54.00  | 9,990.00  | 34.00   | 6,290.00  |
| 6003             | Standard Type C Concrete Curb 8" x 13"           | LF    | 25   | 35.00              | 875.00    | 74.00  | 1,850.00  | 34.00   | 850.00    |
| 6005             | 5" Reinforced Concrete Sidewalk                  | SF    | 1250 | 15.00              | 18,750.00 | 14.00  | 17,500.00 | 10.40   | 13,000.00 |
| 6006             | 7' Reinforced Concrete Sidewalk (Driveway)       | SF    | 150  | 17.00              | 2,550.00  | 23.50  | 3,525.00  | 11.00   | 1,650.00  |
| 6007             | Mix No. 3 Concrete for Miscellaneous Structures  | CY    | 2    | 400.00             | 800.00    | 520.00   | 1,040.00  | 764.50  | 1,529.00  |
| 6008             | 48" Fence  | LF    | 162  | 30.00              | 4,860.00  | 41.50  | 6,723.00  | 56.00   | 9,072.00  |
| 7001             | Placing Furnished Topsoil 4 Inch Depth           | SY    | 500  | 7.00               | 3,500.00  | 4.50   | 2,250.00  | 7.30  | 3,650.00  |
| 7002             | Turfgrass Establishment                          | SY    | 500  | 7.00               | 3,500.00  | 13.00  | 6,500.00  | 1.10  | 550.00    |
| 7003             | Shredded Hardwood Bark Mulch (Contingent)        | SY    | 20   | 6.00               | 120.00    | 48.00  | 960.00    | 29.00   | 580.00    |
| 8001             | Remove And Reset Existing Sign Post              | EACH  | 2    | 125.00             | 250.00    | 67.50  | 135.00    | 320.00  | 640.00    |
| <b>SUB-TOTAL</b> |  |       |      | <b>141,725.00</b>  |           | <b>193,938.00</b>  |           | <b>125,682.00</b>   |           |

|                    |   |  |
|--------------------|---|--|
| Engineers Estimate | <b>Carl Belt, Inc</b><br>11521 Milnor Ave<br>Cumberland, MD 21502 | <b>Excavating Associates, Inc</b><br>P.O. Box 434<br>Ellerslie, MD 21529 |
|--------------------|---|--|

**Add Alt. Work at 935 Maryland Avenue**

|                 |                                    |    |     |                  |                  |                  |           |          |           |
|-----------------|------------------------------------|----|-----|------------------|------------------|------------------|-----------|----------|-----------|
| 1001.1          | Construction Stakeout              | LS | 1   | 2,000.00         | 2,000.00         | 1,500.00         | 1,500.00  | 1,293.00 | 1,293.00  |
| 1003.1          | Maintenance of traffic             | LS | 1   | 3,000.00         | 3,000.00         | 8,600.00         | 8,600.00  | 7,009.00 | 7,009.00  |
| 1004.1          | Clearing and Preparation Work      | LS | 1   | 10,000.00        | 10,000.00        | 11,500.00        | 11,500.00 | 2,003.00 | 2,003.00  |
| 3001.1          | Silt Fence                         | LF | 25  | 15.00            | 375.00           | 10.00            | 250.00    | 14.80    | 370.00    |
| 4001.1          | Modular Block Wall                 | SF | 160 | 44.00            | 7,040.00         | 76.00            | 12,160.00 | 65.60    | 10,496.00 |
| 4002.1          | Remove, Reset and Repair Ex. Steps | LS | 1   | 1,000.00         | 1,000.00         | 1,020.00         | 1,020.00  | 18.92    | 1,892.00  |
| 5001.1          | Patch Existing Pavement            | SF | 25  | 7.00             | 175.00           | 20.00            | 500.00    | 17.20    | 430.00    |
| 6001.1          | Standard type A Curb               | LF | 22  | 35.00            | 770.00           | 147.00           | 3,234.00  | 42.00    | 924.00    |
| 6005.1          | 5" reinforced Concrete Sidewalk    | SF | 110 | 12.50            | 1,375.00         | 36.50            | 4,015.00  | 11.40    | 1,254.00  |
| 6007.1          | 42" Standard Fence                 | LF | 37  | 21.50            | 795.50           | 40.00            | 1,480.00  | 56.00    | 2,072.00  |
| 7003.1          | Shredded Hardwood Bark Mulch       | SY | 20  | 5.00             | 100.00           | 48.00            | 960.00    | 29.00    | 580.00    |
| <b>ADD ALT.</b> | <b>Sub-Total ADD Alt # 1</b>       |    |     | <b>26,630.50</b> | <b>45,219.00</b> | <b>28,323.00</b> |           |          |           |

|                   |                    |   |  |
|-------------------|--------------------|---|--|
| <b>ADD ALT #2</b> | Engineers Estimate | <b>Carl Belt, Inc</b><br>11521 Milnor Ave<br>Cumberland, MD 21502 | <b>Excavating Associates, Inc</b><br>P.O. Box 434<br>Ellerslie, MD 21529 |
|-------------------|--------------------|---|--|

|                 |  |    |   |                  |                  |                  |          |          |          |
|-----------------|--|----|---|------------------|------------------|------------------|----------|----------|----------|
|                 | Sum of ADD Alt. Items above less Item 4002.1 |    |   | 25,630.50        | 44,199.00        | 26,431.00        |          |          |          |
| 4002.1 alt.     | Replace Steps with New Treated Wood          | LS | 1 | 2,000.00         | 2,000.00         | 3,150.00         | 3,150.00 | 2,266.00 | 2,266.00 |
| <b>ADD ALT.</b> | <b>Sub Total for Add Alt. # 2</b>            |    |   | <b>27,630.50</b> | <b>47,349.00</b> | <b>28,697.00</b> |          |          |          |

|                            |
|----------------------------|
| GRAND TOTAL (Add Alt. # 1) |
| GRAND TOTAL (Add Alt. #2)  |

|               |
|---------------|
| \$ 168,355.50 |
| \$ 169,355.50 |

|               |
|---------------|
| \$ 239,157.00 |
| \$ 241,287.00 |

|               |
|---------------|
| \$ 154,005.00 |
| \$ 154,379.00 |



Regular Council Agenda  
July 19, 2016

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**Description**

Order accepting the proposal for Base Bid and Add Alternate No. 2 from Excavating Associates for the Maryland Avenue Wall and Sidewalk Repairs Project (22-09-M) in the estimated unit price of \$154,379.00

**Approval, Acceptance / Recommendation**

It is the Engineering Department's recommendation to award City project 22-09-M to the low bidder Excavating Associates in the estimated unit price contract cost of \$154,379.00. This award is for Base Bid and Add Alternate 2. This work will include demolition of two (2) existing walls and sidewalks on Maryland Avenue. One other bid was received in the amount of \$241,287.00 from Carl Belt, Inc.

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

\$154,379.00

**Source of Funding (if applicable)**

CDBG

2012 \$73,161.26

2011 \$108,559.25

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

ORDER NO. \_\_\_\_\_

DATE: July 19, 2016

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

THAT, the City Comptroller be and is hereby authorized to make payment to the Allegany County Board of Education in the amount of Fifty-seven Thousand, Two Hundred One Dollars and Forty-six Cents (\$57,201.46) to reimburse costs associated with the expansion of fiber to the Central Business District of Cumberland; and

**BE IT FURTHER ORDERED**, that \$55,000 of said amount shall represent Appalachian Regional Commission (ARC) local matching funds on behalf of the City for this project.

---

**Brian K. Grim, Mayor**

Funding:  
115.99XA.65000 (Allconet Replacement)

**Board of Education of Allegany County**

Federal I.D. # 52-6000868

P.O. Box 1724  
Cumberland, MD 21502-0439

*FY16*  
*V# 20525*  
*115.99XA.65000*  
*(Allconet Replacement)*  
*Due 7-15-16*  
*BRW*

**INVOICE**

From: Nil Grove *Niw* Chief, Information Technology Officer #301-759-2070  
Department Telephone

To: City of Cumberland 57 N. Liberty Street Cumberland, MD 21502 Attn: Ms. Johnna Byers  
Control No. DP 5207  
Date: June 7, 2016

Materials Invoice

| Item No. | Quantity | Description  | Unit Price | Total Amount  |
|----------|----------|--|------------|---|
| 1        | 1        | ARC Grant Partnership Commitment - Fiber to Downtown Cumberland Project<br>Skyline Invoice# 003404 \$31,794<br>Skyline Invoice #003912 \$7,019.25<br>Skyline Invoice #004215 \$12,628.21<br><br>Skyline Invoice #004216 - Fiber to Public Safety<br>\$3,558.54 - Grant Commitment<br>\$2,201.46 - Balance on Invoice |            | \$55,000.00<br><br><br><br><br><br><br><br><br><br>\$2,201.46 |

**\$57,201.46**

Services Invoice

| Item No. | Quantity | Description | Unit Price | Total Amount |
|----------|----------|-------------|------------|--------------|
|          |          |             |            | \$0.00       |

Debit/Charge Account No. \_\_\_\_\_  
Credit Account No. 0480016.9460  
Revenue Account \_\_\_\_\_

Materials Received \_\_\_\_\_

Make checks payable to: Board of Education of Allegany County  
Finance Office  
Mail to: PO Box 1724  
Cumberland, MD 21502

Journal Entry No. \_\_\_\_\_

JUL 5 16 PM 4:37

07-05-16P12:51 RCVD

No longer able to enter FY16 POs. *BRW*

# CITY OF CUMBERLAND

MARYLAND

July 13, 2015

Bill Atkinson  
MD Department of Planning  
113 Baltimore Street  
Cumberland, MD 21502

RE: Appalachian Regional Commission  
Fiber Extension – Downtown Cumberland and Board of  
Education Fiber Route

Dear Mr. Atkinson,

The Allegany County Board of Education is seeking Appalachian Regional Commission (ARC) funds in the amount of \$110,000 for the expansion of fiber to the Central Business District City of Cumberland and the Board of Education's Maintenance and Facilities building. In addition to these two locations being serviced, this project will extend fiber broadband in an accessible loop surrounding the City's Central Business District. This project is a high priority for the City of Cumberland as well as the Allegany County Public Schools.

The City of Cumberland and the Allegany County Public Schools hereby commits \$55,000 each in local matching funds to complement the \$110,000 in ARC funding, providing a project total of \$220,000.

We greatly appreciate your support and the Appalachian Regional Commission's assistance in funding this very important project.

Sincerely,

  
Jeffrey D. Rhodes  
City Administrator

**MAYOR**  
BRIAN K. GRIM

**COUNCIL**  
NICOLE ALT-MYERS  
SETH D. BERNARD  
DAVID J. CAPORALI  
DAVID E. KAUFFMAN

**CITY ADMINISTRATOR**  
JEFFREY D. RHODES

**CITY SOLICITOR**  
MICHAEL SCOTT COHEN

**CITY CLERK**  
MARJORIE A. WOODRING



MEMBER MARYLAND  
MUNICIPAL LEAGUE (MML)

57 N. LIBERTY STREET, CUMBERLAND, MD 21502 [www.cumberlandmd.gov](http://www.cumberlandmd.gov)  
VOICE (301)722-2000 • FAX (301)759-6438 • TDD (800)735-2258



Regular Council Agenda  
July 19, 2016

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**Description**

Order authorizing payment of \$57,201.46 to the Allegany County Board of Education for costs associated with the expansion of fiber to the Cumberland Central Business District, \$55,000 of which shall represent the City's local match to ARC funding for this project

**Approval, Acceptance / Recommendation**

See attached letter from Jeff Rhodes.

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

\$57,201.46

**Source of Funding (if applicable)**

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

ORDER NO. \_\_\_\_\_

DATE: July 19, 2016

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

THAT the Mayor and City Council of Cumberland is the record owner of a certain vehicle which has been determined to be of no further value to the City; and

WHEREAS, the Mayor and City Council desire to dispose of said vehicle;

IT IS THEREFORE ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND THAT the following vehicle is hereby declared to be surplus property and authorized for sale or trade-in:

- 1)        2000 Chevrolet Van                      VIN: 1GCGG25R5Y1171197

\_\_\_\_\_  
**Brian K. Grim, Mayor**



Regular Council Agenda  
July 19, 2016

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**Description**

Order declaring a 2006 Chevrolet Van (VIN: 1GCGG25R5Y1171197) as surplus and authorizing it for sale or trade-in

**Approval, Acceptance / Recommendation**

This vehicle has outlived its usefulness and will be included in an upcoming sale of surplus property.

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: July 19, 2016

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

THAT, the sole source proposal from New World Systems / Tyler Technologies to provide software implementation services for cashiering and Community Development be and is hereby accepted in the amount not to exceed Seventy-seven Thousand, Thirty-eight Dollars and No Cents (\$77,038.00).

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**Brian K. Grim, Mayor**

Budget: Capital Projects / CDA 2014



Margie Woodring <margie.woodring@cumberlandmd.gov>

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## Fwd: Updated pricing

1 message

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**Johnna Byers** <johnna.byers@cumberlandmd.gov>

Wed, Jul 13, 2016 at 3:05 PM

To: Margie Woodring <margie.woodring@cumberlandmd.gov>, Ken Tressler <ken.tressler@cumberlandmd.gov>

Hi Margie!

Could you please put the enclosed quote on the council agenda for next week?

It is for the next step in the New World .NET software implementation, which includes cashiering and Community Development. According to Ken, this was budgeted in Capital Projects, and will be funded by CDA 2014.

Total for this is \$77,038.

Is there any other info you need from Ken or I on this?

Thanks!

Johnna

Johnna Byers  
Director, Management Information Systems  
City of Cumberland  
johnna.byers@cumberlandmd.gov  
301.759.6441  
fax 301.759.6413

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

From: **Wellington, Dudley** <Dudley.Wellington@tylertech.com>

Date: Mon, Jul 11, 2016 at 9:57 AM

Subject: Updated pricing

To: Johnna Byers <johnna.byers@cumberlandmd.gov>

Cc: Ken Tressler <ken.tressler@cumberlandmd.gov>

Good Morning Johnna,

I hope you had a great weekend! Per our conversation here is the updated pricing for Tyler Cashiering and New World Community Development. Please review and let me know if you have any questions.



**Quoted By:** Dudley Wellington  
**Date:** 7/8/2016  
**Quote Expiration:** 11/5/2016  
**Client Name:** City of Cumberland, MD  
**Quote Number:** NW-00119 v2  
**Quote Description:** CD Suite

**Sales Quotation for:**  
**City of Cumberland, MD - #0642**  
 57 North Liberty Street  
 Cumberland, MD 21502  
 301.759.6441

*Tyler price quotations are valid for 120 days*

**Software and Related Services**

| Description                                 | Year 1          |                | Implementation |                 | Data Conversion | Module Total    |
|---|-----------------|----------------|----------------|-----------------|-----------------|-----------------|
|   | License         | Maintenance    | # of Days      | Cost            |                 |                 |
| <b>Financial Management Suite:</b>          |                 |                |                |                 |                 |                 |
| Tyler Cashiering                            | \$11,000        | \$1,980        | 4              | \$4,880         |                 | \$17,860        |
| <b>Financial Management Suite Subtotal:</b> | <b>\$11,000</b> | <b>\$1,980</b> | <b>4</b>       | <b>\$4,880</b>  |                 | <b>\$17,860</b> |
| <b>myCommunity Suite:</b>                   |                 |                |                |                 |                 |                 |
| Licensing (Animal, Business, Contractor)    | \$4,400         | \$792          | 5              | \$6,100         |                 | \$11,292        |
| myCommunity Server                          | \$10,000        | \$1,800        | 4              | \$4,880         |                 | \$16,680        |
| myInspections                               | \$2,200         | \$396          | 4              | \$4,880         |                 | \$7,476         |
| <b>myCommunity Suite Subtotal:</b>          | <b>\$16,600</b> | <b>\$2,988</b> | <b>13</b>      | <b>\$15,860</b> |                 | <b>\$35,448</b> |
| <b>eSuite Applications:</b>                 |                 |                |                |                 |                 |                 |
| ePayments                                   | \$2,200         | \$396          | 2              | \$2,440         | Not Applicable  | \$5,036         |
| ePermits                                    | \$2,200         | \$396          | 1              | \$1,220         | Not Applicable  | \$3,816         |
| eLicense                                    | \$3,100         | \$558          | 1              | \$1,220         | Not Applicable  | \$4,878         |
| <b>eSuite Application Subtotal:</b>         | <b>\$7,500</b>  | <b>\$1,350</b> | <b>4</b>       | <b>\$4,880</b>  |                 | <b>\$13,730</b> |
| <b>Overall Subtotal:</b>                    | <b>\$35,100</b> | <b>\$6,318</b> | <b>21</b>      | <b>\$25,620</b> |                 | <b>\$67,038</b> |
| <b>TOTAL INITIAL COST:</b>                  | <b>\$35,100</b> | <b>\$6,318</b> | <b>21</b>      | <b>\$25,620</b> |                 | <b>\$67,038</b> |

| New World ERP Summary                                       | One Time        |                |
|---|-----------------|----------------|
|   | Fees            | Recurring      |
| Total Software  | \$35,100        | \$6,318        |
| Total Services  | \$25,620        |                |
| <b>Summary Total</b>  | <b>\$60,720</b> | <b>\$6,318</b> |
| <b>Contract Total (Excluding Estimated Travel Expenses)</b> | <b>\$67,038</b> |                |

**Estimated Travel Expenses**

Trips @ \$2,000/each - Includes  
*airfare, car rental, hotel accommodations and per diem*

|          |              |                 |
|----------|--------------|-----------------|
| <b>5</b> | <b>Trips</b> | <b>\$10,000</b> |
|----------|--------------|-----------------|



**Quoted By:** Dudley Wellington  
**Date:** 7/8/2016  
**Quote Expiration:** 11/5/2016  
**Client Name:** City of Cumberland, MD  
**Quote Number:** NW-00119 v2  
**Quote Description:** CD Suite

*Tyler price quotations are valid for 120 days*

**Sales Quotation for:**

**City of Cumberland, MD - #0642**

57 North Liberty Street  
Cumberland, MD 21502  
301.759.6441

**Footnotes**

Assumes purchase of the proposed solution directly through Tyler Technologies and not through an RFP procurement procedure.

This proposal is budgetary and is being provided solely for planning purposes and does not constitute a firm offer. An extended review may determine that additional software or service components are necessary.

The costs provided in this proposal are based on all of the proposed products and services being obtained from Tyler Technologies. Should significant portions of the products or services be deleted, Tyler reserves the right to adjust its prices accordingly.

Personal Computers must meet the minimum hardware requirements for the New World ERP product. Microsoft Windows 7 or greater with Internet Explorer (IE) 8 or greater is the required operating system and browser for all client machines.

Servers must meet the minimum hardware requirements for the New World ERP product. Windows Server 2008 (R2) or greater is required for the Application Server(s), Web Server(s) and Database Server. Microsoft SQL Server 2008 (R2) or greater is required for the Database Server. Customers must also license the appropriate number of Microsoft Client Access Licenses (CALs) for license compliance.

Suggested minimum: 100MB Ethernet Network. 10MB CAT5 Ethernet Network may have less than adequate response time. Further consultation would be required to assess your network.

Travel and expenses are not included under *Total Services* as they are billed at actual cost. A separate line item above "*Estimated Travel Expenses*", shows Tyler's estimate for travel and living expenses for the scope of this project. That estimate is based upon \$2,000 per trip, which may include airfare, hotel, per diem, car rental, and gas). All travel and living expenses will be billed on a weekly basis, but only as incurred.

Tyler supports SQL Server Reporting Services (SSRS) for server-based report generation and ad hoc reporting. SSRS utilizes a web services interface to support the development of custom reporting applications. SSRS is included in the Express, Workgroup, Standard, and Enterprise editions of Microsoft SQL Server. Customers may elect to use other third-party report generation tools including Crystal Reports however Tyler does not provide support for these tools and cannot guarantee compatibility.

Prices assumes that all software proposed is licensed.

Licensed Software, and third party software embedded therein, if any, will be delivered in a machine-readable form to Customer via an agreed upon network connection. Any taxes or fees imposed are the responsibility of the purchaser and will be remitted when imposed.



Regular Council Agenda  
July 19, 2016

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**Description**

Order authorizing the sole source purchase of software implementation services for cashiering and the Community Development Department from New World Systems in the amount not to exceed \$77,038.00

**Approval, Acceptance / Recommendation**

See attached recommendation from the Department of MIS.

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

\$77,038

**Source of Funding (if applicable)**

Capital Projects / CDA 2014

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

ORDER NO. \_\_\_\_\_

DATE: July 19, 2016

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

**THAT**, the Mayor be and is hereby authorized to execute an Employee Assistance Program Service Agreement by and between the Mayor and City Council of Cumberland and the Western MD Health System Corporation to provide assistance services to City of Cumberland employees, and employee's spouses and dependents, for a 1 (one) year term retroactive to July 1, 2016; and

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

---

**Mayor Brian K. Grim**

## Employee Assistance Program Service Agreement

**THIS EMPLOYEE ASSISTANCE PROGRAM SERVICE AGREEMENT** (Agreement) is effective as of July 1, 2016, by and between **Western Maryland Health System Corporation** a Maryland not-for-profit corporation (hereafter referred to as WMHS), and the Mayor and City Council of Cumberland (hereafter referred to as "City").

### RECITALS:

#### WHEREAS:

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

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

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

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

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

1.4 **Web based Work life, Wellness and Educational Component:** WMHS agrees to provide City employees access to 24/7, State of the Art Wellness Work life Website. The website provides educational information on 200+ topics and self-scoring tools, as well as legal, financial and Identity Theft Assistance.

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

## 2. **COMPENSATION, FEES AND BILLING**

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

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

2.2 **Professional Liability Insurance** During the Term of this Agreement, WMHS shall be responsible for obtaining and maintaining professional liability insurance (including any applicable extended reporting endorsement ("tail insurance") upon termination of this Agreement) covering WMHS Counselors and Social Workers for all activities performed as an employee of WMHS in the provision of EAP services under this contract..

2.3 **Billing:** WMHS will invoice City on an annual basis for the appropriate charge of \$27.00 per year per employee, identified initially as 260 employees at the inception of this contract for annual invoice of \$7020.00. City shall pay invoices within 30 days of receipt. This Per Employee Per Year rate is guaranteed for a period of 1 (one) year as stipulated under the terms of item 2.1.

## 3. **TERM AND TERMINATION**

3.1 **Term** The term of this Agreement shall be for 1 (one) year, commencing as of the Effective Date beginning with the first (1<sup>st</sup>) day of July 2016. Pricing and deliverable services identified in this contract will remain unchanged during this duration with exception as stipulated in item 2.1.

- 3.2 **Termination** Either party may terminate this Agreement without cause upon ninety (90) days prior written notice to the other party. In such an event, WMHS agrees to work collaboratively with City to ensure a smooth transition to a new vendor and prevent disruption of services to City employees, spouses and dependents.
- 4.0 **Confidentiality**
- 4.1 **General:** WMHS shall be the sole proprietor of all medical records generated in the course of treatment, and such records are subject to local, state and federal rules, regulations and laws regarding Confidentiality and the limits and exceptions to such. WMHS agrees to maintain full compliance with all local, state, federal and other accrediting organizations.
- 4.2 **Terms of Agreement.** Neither Party shall disclose the contents of this Agreement to any third party, except as may be reasonably required to obtain the services of that Party's professional advisors or as may be required by law. The Parties shall notify the professional advisors of the nondisclosure requirements of this Agreement.
- 5.0 **Legal Fees and Costs** In the event that a breach of this Agreement for which proper notice has given has not been cured, and in the additional event that the non-breaching party initiates legal action with regard thereto, the prevailing party will be entitled to recover such reasonable expenses, including without limitation, reasonable attorney's fees, costs, and necessary disbursements, in addition to any other relief to which such party shall be entitled.
- 6.0 **Notices** All notices and other communications required or permitted to be given hereunder shall be in writing and shall be considered given and delivered when personally delivered to the party or delivered by courier or deposited in the United States mail, postage prepaid, return receipt requested, properly addressed to a party at the address set forth below, or at such other address as such party shall have specified by notice given in accordance herewith:

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

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

- 6.1 **Governing Law** This Agreement shall be construed, and the rights and liabilities of the parties hereto determined, in accordance with the internal laws of the State of Maryland.
- 6.2 **Entire Agreement** This Agreement, along with a separate Business Associate Agreement, constitutes the entire agreement of the parties hereto with respect to the subject matter hereof.
- 6.3 **Severability** In the event any term or provision of this Agreement is rendered invalid or unenforceable, the remaining provisions of this Agreement shall remain in full force and effect.

6.4 **Waiver** No failure by a party to insist upon the strict performance of any covenant, agreement, term or condition of this Agreement, shall constitute a waiver of any such breach of such covenant, agreement, term or condition. No waiver of any breach shall affect or alter this Agreement, but each and every covenant, agreement, term and condition of this Agreement shall continue in full force and effect.

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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



Regular Council Agenda  
July 19, 2016

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**Description**

Order authorizing execution of an Employee Assistance Program Service Agreement with the Western MD Health System Corporation for a one year term retroactive to July 1, 2016, anticipating an employee volume of 260 at \$27/employee

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



# CITY OF CUMBERLAND MARYLAND

July 7, 2016

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

Dear Mayor and Council Members,

The deadline has passed for receiving a petition calling for a referendum on Charter Amendment Resolution No. 144, which was approved to repeal and reenact Charter Section 154 to increase the maximum threshold for local preference allowances to be 10% for city businesses and 7% for county businesses, clarify the manner in which preferences are applied, and reduce the number of days required for solicitation of bids.

With no petition being filed, Charter Amendment Resolution No. 144 became effective July 6, 2016.

Sincerely,

Marjorie A. Woodring  
City Clerk

**MAYOR**

BRIAN K. GRIM

**COUNCIL**

NICOLE ALT-MYERS  
SETH D. BERNARD  
DAVID J. CAPORALE  
RICHARD J. CIONI, JR.

cc: Jeffrey D. Rhodes, City Administrator  
Michael S. Cohen, City Solicitor

**CITY ADMINISTRATOR**

JEFFREY D. RHODES

**CITY SOLICITOR**

MICHAEL SCOTT COHEN

**CITY CLERK**

MARJORIE A. WOODRING



MEMBER MARYLAND  
MUNICIPAL LEAGUE (MML)

57 N. LIBERTY STREET, CUMBERLAND, MD 21502 [www.cumberlandmd.gov](http://www.cumberlandmd.gov)  
VOICE (301)722-2000 • FAX (301)759-6438 • TDD (800)735-2258



Regular Council Agenda  
July 19, 2016

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**Description**

Letter from the City Clerk advising that the period has passed for receiving a petition calling for a referendum on Charter Amendment Resolution No. 144, which was approved to repeal and reenact Charter Section 154 to increase the maximum threshold for local preference allowances to be 10% for city businesses and 7% for county businesses and reduce the number of days required for solicitation of bids, and the Charter Amendment therefore became effective July 6, 2016

**Approval, Acceptance / Recommendation**

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

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



24 Main Street  
Bradford, PA 16701

814.368.8590 PHONE  
814.362.2190 FAX

June 24, 2016

City of Cumberland  
Mayor Brian Grimm  
PO Box 1702 57 N. Liberty St.  
Cumberland MD 21502

RCVD

CLERK'S OFFICE

Dear City of Cumberland,

2016JUL5 PM12:47

Enclosed is a copy of the residential customer notification that is being provided to all subscribers in your community, outlining some enhancements, additions and changes that have taken place over the last year. Included in the notification, is a copy of the new rate structure for our products & services within your community. These adjustments will be going into effect starting July 29, 2016.

We are proud to serve as the leading telecommunications provider within your area and will strive to continue to provide the very best technology and telecommunication products for the future.

Please contact me if you have any questions.

Sincerely,

Curt Kosko  
Senior Vice President & General Manager

enclosures

## ATLANTIC BROADBAND RATES & SERVICES

| CUMBERLAND                         | Current Price | New Price<br>7/29/16 |
|------------------------------------|---------------|----------------------|
| <b>VIDEO SERVICE</b>               |               |                      |
| Limited                            | \$17.27       | \$20.27*             |
| Value                              | \$74.49       | \$74.49              |
| Digital Value                      | \$76.99       | \$76.99              |
| Digital Plus                       | \$100.53      | \$100.53             |
| <b>HIGH-SPEED INTERNET SERVICE</b> |               |                      |
| Starter                            | \$43.99       | \$47.49              |
| Purchased with any Video Service   | \$37.99       | \$40.99              |
| Starter Plus                       | \$47.99       | \$51.49              |
| Purchased with any Video Service   | \$39.99       | \$42.99              |
| Preferred                          | \$60.99       | \$64.49              |
| Purchased with any Video Service   | \$49.99       | \$52.99              |
| Max                                | \$67.95       | \$71.45              |
| Purchased with any Video Service   | \$58.99       | \$61.99              |
| MegaMax                            | \$63.99       | \$66.99              |
| Express                            | \$64.99       | \$67.99              |
| Unleashed                          | \$77.99       | \$80.99              |
| Tenant Max Upgrade                 | \$13.00       | \$16.00              |
| <b>PHONE SERVICE</b>               |               |                      |
| Purchased with any other Service   | \$35.95       | \$36.95              |
| <b>OTHER MONTHLY FEES</b>          |               |                      |
| Broadcast TV Surcharge             | \$ 5.40       | \$ 8.90              |
| Sports Programming Surcharge       | \$ 7.27       | \$ 7.67              |
| HD Receiver                        | \$17.99       | \$18.99              |
| HD Upgrade                         | \$ 8.00       | \$ 9.00              |
| Cable Modem Lease                  | \$ 9.00       | \$10.00              |
| TiVo Mini                          | \$ 9.99       | \$11.99              |
| Wire Maintenance                   | \$ 8.99       | \$9.99               |
| Phone Modem Lease                  | \$ 9.00       | \$10.00              |

Pricing, programming, content and services effective 7/29/16 and are subject to change upon proper notice. Services that are currently covered under a flat rate promotion will not be impacted by these increases except for surcharges and equipment until your promotional period has ended. \*Services are stated for existing customers only. The new Limited Service rate is \$28.20. Existing Limited Service customers will be charged the discounted rate of \$20.27 for a limited period of time. This discounted rate will be gradually increased on an annual basis until it equals the then-current standard Limited Service rate. If an existing Limited Service customer disconnects and then reapplies for the same service, the full rate of \$28.20 will apply. Not all products or services available in all areas. Prices are for residential service only; business and commercial offerings differ. For customers with commercial accounts or bulk rate arrangements, some product, pricing and other information may not apply. Prices exclude taxes, franchise fees, FCC User Fee or other assessments. SA5GF02B

## IMPORTANT RATE INFORMATION FOR ATLANTIC BROADBAND RESIDENTIAL CUSTOMERS

Atlantic Broadband is committed to delivering the optimal entertainment and communications experience. We recognize the customer demand for quality content, the flexibility to watch shows across multiple devices whenever you want and the necessity for network capacity and Internet speeds to enjoy it all in today's connected world. In 2016, we are investing over \$20 million in network enhancements – up 33% from prior year -- to ensure our TV, Internet and Phone services provide the performance levels you need. This investment has enabled us to:

- Launch **EPIX** -- a premium entertainment network delivering the latest movie releases and biggest classic film franchises, plus original programming including series, documentaries, comedies and music specials, plus access to over 2,000 movies anytime through the EPIX app.
- Provide a continually expanding library of great content to watch on any device at any time including AMC, Food Network, HGTV, DIY, Travel channel and the Hallmark channel which have all been added in the past six months.
- Be the only provider in our markets that offers an integrated online video experience so you can enjoy **Netflix, HBO Go, Hulu and YouTube** right on your TV with a few clicks of your remote control!
- **CBS on Demand** programming added in May so you can always watch your favorite CBS show!

We have also continued to enhance your channel lineup with the addition of **WGN America**. Additionally, we moved **Fox Sports 2** from our Digital Plus to Digital Value service.

In 2016 alone, the fees we pay major media companies for the rights to deliver ABC, CBS, FOX, NBC and others are increasing **more than 29%** as these networks leverage their popularity to dramatically increase the fees they receive from us and you. Some of these networks are even expected to double their fees this year. As such, our Local TV Surcharge will increase by \$3.50/month to help us cover a portion of these increased costs. Please note our Limited Service will increase by \$3.00/month and that there will be **no** increase for our Value or Digital TV service fees this year, and our monthly Sports Programming Surcharge will go up by just \$0.40/month.

We have also continued to see explosive growth in our customers' Internet usage – up 85% in the past year. To support the increasing usage of our Internet service, we have made significant network investments this year. The result is an increase of \$3.00-\$3.50 on our monthly Internet service fees. In addition, there will be some increases in our monthly TV, Internet and Phone equipment fees as well as a \$1.00 increase in our monthly Phone service fee.

You will find a complete list of rate changes effective with bills beginning July 29, 2016 on the chart on the following page. Services that are currently covered under a flat rate promotion will not be impacted by these increases except for surcharges and equipment until your promotional period has ended.

Atlantic Broadband wants you to know that we are sensitive to the rising costs of your services and value your business. If you have any questions, please contact us at 855-722-1163 and one of our representatives can assist you.

SA5GF02A

## IMPORTANT RATE INFORMATION FOR ATLANTIC BROADBAND RESIDENTIAL CUSTOMERS

Atlantic Broadband is committed to delivering the optimal entertainment and communications experience. We recognize the customer demand for quality content, the flexibility to watch shows across multiple devices whenever you want and the necessity for network capacity and Internet speeds to enjoy it all in today's connected world. In 2016, we are investing over \$20 million in network enhancements – up 33% from prior year -- to ensure our TV, Internet and Phone services provide the performance levels you need. This investment has enabled us to:

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SA5GF02A



Regular Council Agenda  
July 19, 2016

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**Description**

Letter from Atlantic Broadband notifying customers of changes to certain rates and services to be effective July 29, 2016

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**