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

MINUTES

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

DATE 1/5/2016

***Pledge of Allegiance**

I. ROLL CALL

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

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

DIGNITARIES IN ATTENDANCE: Mayor Grim recognized Ex-Councilman Harold L. Hendershot and Washington County Commissioner and Ex-Delegate LeRoy Meyers, who were both in attendance.

II. CERTIFICATES, AWARDS AND PRESENTATIONS

(A) Candidates for the vacated Council seat will each share their vision for the City of Cumberland and what has drawn them to public service

Mayor Grim recognized the five candidates for the vacant City Council seat who were in attendance: Eugene T. Frazier, Tamar N. Clarke, Richard J. "Rock" Cioni, Jr., Bernard C. Wolters, and Marc Nelson, Jr. Mayor Grim advised that George V. McKinley and Christopher Logsdon had both withdrawn their names from consideration. Grim advised that the new appointee would be appointed within 60 days of the effective date of David Kauffman's resignation, which was January 1, 2016. The new appointee would serve the remaining three years of that term.

Mayor Grim provided background on each candidate and each was then provided five minutes to speak individually regarding their vision for Cumberland and what had drawn each to consider public service.

III. DIRECTOR'S REPORT

(A) Police

1. Police Department monthly report for November, 2015

Motion to approve the report was made by Councilwoman Alt-Myers, seconded by Councilman Bernard, and was passed on a vote of 4-0.

(B) Public Works

1. Utilities Division & Central Services monthly reports for November, 2015

Motion to approve the report was made by Councilwoman Alt-Myers, seconded by Councilman Bernard, and was passed on a vote of 4-0.

2. Engineering Division monthly report for December, 2015

Motion to approve the report was made by Councilwoman Alt-Myers, seconded by Councilman Bernard, and was passed on a vote of 4-0.

IV. APPROVAL OF MINUTES

(A) Administrative / Executive

1. Approval of the Administrative Session Minutes of November 10 and 17, 2015

Motion to approve the minutes was made by Councilwoman Alt-Myers, seconded by Councilman Caporale, and was passed on a vote of 4-0.

Closed Session Minutes - November 10, 2015, 6:00 P.M., City Hall Second Floor Conference Room

PRESENT: Brian K. Grim, President; Council Members Seth Bernard, Councilman Caporale; Council Member Nicole Alt-Myers and David Kauffman participated via conference phone; Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Marjorie Woodring, City Clerk

MOTION to enter into closed session to discuss union negotiations and issues regarding AFSCME Local #553 pursuant to Section 10-508 (a) (9) of the State Government Article of the Annotated Code of Maryland was made by Councilman Bernard, seconded by Councilman Caporale and was passed on a vote of 5-0.

TOPICS: Union negotiations with AFSCME Local #553

Closed Session Minutes - November 17, 2015, 5:00 P.M., City Hall second floor conference room

PRESENT: Brian K. Grim, President; Council Members Nicole Alt-Myers, Seth Bernard, David Caporale, David Kauffman; Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Shawn Hershberger, Executive Director, Cumberland Economic Development Corporation; Marjorie Woodring, City Clerk

MOTION to enter into closed session to discuss real estate issues and to consult with counsel regarding a legal matter pursuant to Sections 10-508 (a) (3) and (7) of the State Government Article of the Annotated Code of Maryland was made by Councilman Kauffman, seconded by Councilman Caporale, and was passed on a vote of 5-0.

TOPICS: Real estate issues, legal matter

V. UNFINISHED BUSINESS

(A) Resolutions

1. Resolution (2nd and 3rd readings) - to adopt the July 13, 2015 amendment of Chapter VIII of the Cumberland 2013 Comprehensive Plan, entitled "Economic Development and Revitalization"

Mr. Rhodes provided background on the Resolution which would approve an update to the 2013 Comprehensive Plan that would incorporate new elements of the 2014 Economic Development Strategic Plan.

SECOND READING: The Resolution was presented in Title only for its second reading. Motion to accept the

second reading and move to the third after comment was made by Councilwoman Alt-Myers, seconded by Councilman Caporale, and was passed on a vote of 4-0.

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

THIRD READING: The Resolution was presented in Title only for its third reading and was approved on a vote of 4-0.

RESOLUTION NO. R2016-01

(B) Orders

1. Order authorizing the execution of a First Amendment to Parking Lease with S&N Realty LLC to provide terms for the lease of 100 parking spaces in the Frederick St. Garage for an additional ten (10) years through December 31, 2025, with provisions for four (4) additional five (5) year terms

Mr. Rhodes provided background on the Order and Mayor Grim called for questions or comments. Motion to approve the Order was made by Councilman Caporale, seconded by Councilwoman Alt-Myers, and was passed on a vote of 4-0.

ORDER NO. 25,914

VI. NEW BUSINESS

(A) Orders (Consent Agenda)

Mr. Rhodes provided background on each item on the Consent Agenda and Mayor Grim called for questions or comments. Motion to approve Consent Agenda Items 1-6 was made by Councilwoman Alt-Myers, seconded by Councilman Bernard, and was passed on a vote of 4-0.

1. Order accepting the proposal of Enviro-Organic Technologies, Inc. for the City's project entitled"Water Filtration Plant Residuals Management Transportation, Storage, Beneficial Use and/or Disposal (17-15-WFP)" in the estimated yearly service amount of $38,310.00

ORDER NO. 25,915

2. Order authorizing the appointment of Suzanne Wright and Suzanne Trussell to the Historic Preservation Commission for 3-year terms to be effective 12/31/15 - 12/31/18

ORDER NO. 25,916

3. Order authorizing the execution of an Employee Assistance Program Service Agreement with the Western MD Health System Corporation to provide assistance services to City of Cumberland employees and employees' spouses and dependents for a one (1) year term retroactive to July 1, 2015, at a cost of $7,020 per year

ORDER NO. 25,917

4. Order authorizing the execution of a Memorandum of Understanding with the MD State Highway Administration (SHA) outlining terms under which SHA will provide financial assistance in the estimated amount of $423,030 to restore the surface condition of Greene, South Lee, and South Allegany Streets to the condition that existed prior to deterioration that may be caused by traffic detoured from certain SHA projects along I68

ORDER NO. 25,918

5. Order approving the allocation of $43,800 in Community Legacy Neighborhood Restoration Program funding to assist with the acquisition of 519 Shriver Avenue

ORDER NO. 25,919

6. Order declaring a 2000 Ford Pickup Truck (VIN #1FDAF57F4YED41857) to be surplus property and authorizing it for sale or trade-in

ORDER NO. 25,920

VII. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

No public comments were offered at this time.

VIII. ADJOURNMENT

With no further business at hand, the meeting adjourned at 6:47 p.m.

Minutes approved on Feburary 2, 2016

Mayor Brian K. Grim

ATTEST: Marjorie A. Woodring, City Clerk

Regular Council Agenda
January 5, 2016

Description
Candidates for the vacated Council seat will each share their vision for the City of Cumberland and what has drawn them to public service

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

November 2015

City of Cumberland Department of Police

Monthly Report

November 2015

Part 1 Crimes for the Month

	2014	2015		2014	2015		2014	2015		2014	2015
Aggravated Assaults	4	2	B & E (All)	33	24	Murder	0	0	Rape	2	0
Robbery	4	7	Theft - Felony	2	3	Theft - Vehicle	1	1			

Selected Criminal Complaints for the Month

	2014	2015		2014	2015		2014	2015		2014	2015
Theft - Misdemeanor	28	36	Theft - Petty	51	55	Domestic Assaults	23	15	CDS	30	51
Disturbances	186	183	DOP/Vandalism	36	24	Indecent Exposure	2	3	Sex Off - Other	1	2
Suicide	0	0	Suicide - Attmpt.	0	0	Tampering M/V	0	0	Abuse - Child	5	3
Trespassing	17	13	Assault on Police	3	3	Assault Other	55	45			

Selected Miscellenous Incidents for the Month

	2014	2015		2014	2015		2014	2015		2014	2015
Alcohol Volations	5	1	Juvenile Compl.	17	23	Missing Persons	11	10	School Resource	57	108
School Threat	2	2	Sex Off. Regist.	18	17	Truancy	1	5	Death Investigation	7	1

Selected Traffic Incidents for the Month

	2014	2015		2014	2015		2014	2015		2014	2015
DWI	14	9	Hit & Run	23	25	M/V Crash	64	75	Traffic Stop	274	206

Selected Service Calls for the Month

	2014	2015		2014	2015		2014	2015		2014	2015
Alarms	64	44	Assist Motorist	48	26	Check Well-Being	56	82	Foot Patrol	3	34
Assist Other Agency	53	66	Bike Patrol	0	0	Special Events	14	19	Suspicious Activity	75	84

Arrests Totals for the Month

	2014	2015		2014	2015		2014	2015		2014	2015
M/V Citations	56	55	M/V Warnings	218	145	Adult Crim.	113	144	Juvenile Crim.	34	31

	2014	2015
Total Incidents Reported :	**1,832**	**1,966**

Charles Hinnant - Chief of Police

CUMBERLAND POLICE DEPARTMENT

Warrant Fugitive Initiative

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

CPD	1 arrest	1 warrant served
ACSO	1 arrest	1 warrant served
MSP	0 arrests	0 warrants served
FPD	0 arrests	0 warrants served
C3I	5 arrests	10 warrants served
C3IN	0 arrests	0 warrants served
OTHER	0 arrests	0 warrants served
TOTALS	**7 arrests**	**12 warrants served**

Detective David Broadwater arrested 7 people and served 12 warrants.

He opened 11 "Fugitive" investigations and made arrests in 4 existing cases, for a total of 15 cases generated for the month.

SIGNIFICANT CASES:

1.) On 11/02/2015 Kevin Detrick, Sex Offender Registrar for Allegany County, requested assistance in locating and apprehending a suspect who was wanted for a Sex Offender Violation. The request was forwarded to Detective Broadwater. Even though he was on vacation, Detective Broadwater responded to C3I. He was able to locate the suspect, who agreed to surrender himself, and the warrant was served at that time without incident.

2.) During the week of 11/09/2015, Detective Broadwater was contacted by the Maryland State Police Apprehension Unit about a suspect who was wanted in the State of Pennsylvania for CDS violations. Detective Broadwater developed information on a possible location where the suspect may be staying. On 11/16/2015, after surveillance confirmed that the suspect was there, Detective Broadwater, with the assistance of the Allegany County Sheriff's Office, was able to place the suspect under arrest without incident.

3.) During November Detective Broadwater opened a fugitive investigation into a suspect who was wanted in Allegany County on six different warrants on numerous charges, including Theft, Credit Card Fraud, Obstruction of Justice, and Harassment. Detective Broadwater learned where

CUMBERLAND POLICE DEPARTMENT

MONTHLY REPORT

NOVEMBER 2015

SWORN PERSONNEL: 50 SWORN OFFICERS

Administration	6 officers
Squad 1A	9 officers
Squad 1B	8 officers
Squad 2A	8 officers
Squad 2B	8 officers
C3I/C3IN	6 officers
School Resource	2 officers
Academy / FTO	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: 866 HOURS — YEAR TO DATE (beginning 7/1/15): 4230 HOURS

COMP TIME USED: 106 HOURS — YEAR TO DATE (beginning 7/1/15): 837 HOURS

SICK TIME USED: 40 HOURS — YEAR TO DATE (beginning 7/1/15): 1104 HOURS

OVERTIME REPORT

OVERTIME WORKED: 433 HOURS — YEAR TO DATE (beginning 7/1/15): 2649 HOURS

HOSPITAL SECURITY: 152 HOURS — YEAR TO DATE (beginning 7/1/15): 507 HOURS

COURT TIME WORKED: 30 HOURS — YEAR TO DATE (beginning 7/1/15): 552 HOURS

TRAINING REPORT

34 OFFICERS TRAINED FOR 410 HOURS — YEAR TO DATE (beginning 7/1/15) 1888 HOURS

CPD ACTIVITY
OUTSIDE CPD JURISDICTION

NOVEMBER 2015

On 11/10/15 the CPD CERT assisted C3I Narcotics with the execution of a search warrant in the Rawlings area.

On 11/11/15 CPD officers on patrol observed smoke coming from the Artmor Plastics building which is outside CPD jurisdiction and reported it as a fire. CPD units responded to the scene, discovered a well-involved structure fire, and requested fire units. While at the scene, CPD patrol units began interviewing witnesses who reported that they had seen some suspicious people in the area fleeing the scene of the fire. CPD units began to search and were able to locate five suspects in the area. After investigation, the suspects made statements implicating themselves in the arson of the building. CPD Officers detained the suspects and transported them to CPD where they were turned over to the State Fire Marshal's Office. As a result, the five suspects were arrested and charged with arson and related crimes.

On 11/26/15 a CPD canine team assisted the Allegany County Sheriff's Office with a drug scan of a vehicle on Winchester Road, LaVale, MD. As a result, a quantity of illegal drugs was seized and several arrests made.

Regular Council Agenda
January 5, 2016

Description
Police Department monthly report for November, 2015

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)

Regular Council Agenda
January 5, 2016

Description
Utilities Division & Central Services monthly reports for November, 2015

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)

City of Cumberland, Maryland
Engineering Division - Monthly Report

Capital Projects						December 31, 2015	
2009	12-09-T	Circulation, TAC Signing and Traffic Signal Studies	Three traffic related planning studies	Study	**No Real Change** - Allegany County Tourism has take the lead role in this project. A review meeting is anticipated for early 2016. Sign locations and mounting types were reviewed in October 2015.	JDF	12/30/2015
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	**UPDATE -** The design work on this project will be finalized this Winter, with an estimated Spring bid, and Summer construction schedule.	JRD	12/30/2015
2010	01-10-WWTP	CSO Storage Facility At WWTP	CSO storage and handling facility in accordance with LTCP	Design	MDE visited the site on October 1 and indicated that the basketball court could be included in the funding for this project. It appears possible that this project will be funded next FY. This project is now eligible for BRF Funding in FY'2017.	JDF	10/5/2015
2011	24-11-W	Water Line Extension From MD 144 to Ali Ghan Shrine Club	Add water line supply as part of a proposed Love's Country Store Development.		**UPDATE** - This project is now complete, but will remain in our report until Love's is complete and we receive as-built drawings.	JDF	10/5/2015
2011	25-11-SWM	25-11-SWM Love's Country Store and Travel Stop	SWM review for a proposed development	Construction	**NO CHANGE** - Construction continues in the Sleep Inn area of the site. The majority of the facility has been given the occupancy permit, though, and is open for business. Awaiting SWM as-built documentation.	PJD	12/30/2015
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	Some minor work remaining, and SHA closeout paperwork to process. The State also inspected the project for ADA compliance and found some issues that will need to be addressed.	JDF	11/5/2015
2012	10-12-M	Bike Improvements on Mechanic and Centre St	Bike Lane Markings and Signs on Centre and Mechanic Sts from Henderson Ave to Harrison St	Design	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. CDBG Funding and NEPA review has to be completed. CDBG Funds won't be approved until November, so this project will have to be put until spring of 2016.	JDF	10/5/2015
2012	19-12-M	Demolition of Memorial Hospital	Demolish the site and restore to grade contours, except for portions of structures that are going to be turned over to other entities for their use.	Construction	Complete. Request for retainage submitted, approved, and sent to Finance for processing.	PJD	12/30/2015
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 80% complete. Will be addressed in 14 January 2015 meeting.	PJD	12/30/2015
2013	4-13-SWM	Avirett Development at 12313 Messick Road	Development at Messick Road, north of the proposed Chessie Federal Credit Union site.	Design	**NO CHANGE** - Final SWM submittal and O & M agreement approved.	PJD	12/30/2015
2013	5-13-WFP	Sodium Hypochlorite Conversion	Investigate feasibility of converting from usage of chlorine gas to sodium hypochlorite.	Construction	System running with water. Some problems with plastic fittings failure, corrective course of action being explored.	PJD	12/30/2015

City of Cumberland, Maryland
Engineering Division - Monthly Report

Capital Projects							December 31, 2015
2013	11-13-M	Frederick & Bedford Sts. Bike Lane Improvements	Proposed bicycle safety improvements; including, bike lanes along Frederick Street and Bedford Street from the Mechanic Street to the City Limits, where possible, and traffic calming	Design	State has requested some revisions, but in general the plans are approved and we need to bid the project. Paving repairs have been made on Frederick Street, which will allow for better lane markings near Decatur Street. Several pavement marking products are currently being reviewed, but the actual installation can not occur until warmer weather in 2016.	JRD	12/30/2015
2013	21-13-BR	West Side Planning Study related to CSX Bridges	A planning study to determine the best alternative to handle traffic over and under CSX track in the West Side and also provide modern clearance over CSX tracks.	Planning	**UPDATE** - A brief presentation of the study was done at a Mayor and City Council Meeting. The Project is now Complete.	JDF	12/30/2015
2014	04-14-WWTP	Sludge Screening Study	Study to select the best alternative to keep rags out of the recently cleaned and modified digester because the modifications will make it impossible to	Study	**UPDATE-** Price proposal has been requested form the selected equipment supplier. Formal bidding for the installation should take place in the Spring of 2016.	JDF	12/30/2015
2014	05-14-M	Mill Grind, patch and Resurface Pavements in accordance with MD SHA Contract	Belt Contract to mill and pave	Construction	Piedmont Avenue and Ashland Avenue were paved in 2015. See suplimental sheet for contract paving in 2015.	JDF	12/30/2015
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	The contract documents are being revised, to be resubmitted to SHA for permission to bid the project.	JRD	7/14/2015
2014	10-14-M	Canal Street Rehabilitation Improvements	This project will make bicycle safety improvements to Canal Street.	Construction	Work is complete, however the contract is not yet complete. The City Bike Improvement was combined with a Canal Place Contract.	JDF	12/30/2015
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	Progress meeting held 23 Dec 2015.	PJD	12/30/2015
2014	17-14-M	Demolition of East Side School		Construction	**NO CHANGE** - Work complete. Awaiting MDE review and permission to remove S&EC devices	PJD	12/30/2015
2014	18-14-SWM	New HS at site of SHH - SWM	SWM for new Allegany High School	Construction	**NO CHANGE** - Final SWM submittal and O & M agreement approved.	PJD	12/30/2015

City of Cumberland, Maryland
Engineering Division - Monthly Report

Capital Projects							December 31, 2015
2014	19-14-M	Greene Street Complete Street Plan	Planning Study for Greene Street	Planning	The Design Report from Alta Planning + Design is expected to be submitted in draft form in July. 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. A brief presentation on this project will be made at a Mayor and City Council Meeting in the Future. That presentation has not yet been scheduled.	JDF	11/5/2015
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	**NEW UPDATE** The two lighting projects were chosen as energy reduction projects are estimated too low for the entire grant when re quoted. More projects in addition to City Hall lighting retrofit and Municipal Service Center lighting retrofit are being proposed (lighting retrofit to remaining WWTP lights & HVAC Upgrades at WWTP). These two projects have been further submitted to MEA for approval before going out for procurement. The City has until June 2016 to complete the projects and expend the MEA grant funds.	RJK	12/30/2015
2015	6-15-SWM	Lee Street Parking Lot	New parking lot for a business located at 300 Washington Street	Construction	Complete. This will be the last status report for this project.	PJD	11/30/2015
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	Allegany County has approved the project and they will manage the MDOT funds for the work. The RFP for the Study was read to go out, but it appears that Canal Place is working on a similar project so it is hoped that the two projects can be merged into one project that will be done by Canal Place with input from the City, County, Chamber, and Corps of Engineers. This project will remain on our list until we know how it will be done.	JDF	10/5/2015
2015	13-15-SWM	Sheetz Improvement at Greene Street - SWM	Complete revamp of the facility at Greene Street	Planning	**NO CHANGE** -SWM Site Development approved	PJD	12/30/2015
2015	14-15-SWM	Hampton Inn - Welton Drive	New Hampton Inn off Welton Drive	Planning	**NO CHANGE** - Awaiting Site Development Plan submittal	PJD	12/30/2015

John:

Here is my planning staff activities report contribution for the month of December 2015. Please be advised that I was on vacation from December 24 through the end of the month. If you should have any questions, please let me know. Thanks.

2013 Comprehensive Plan Implementation – Conferred with the Natural Resources Specialist regarding the Forest Management Plan for the Evitts Creek Watershed. Reviewed and updated status of plan implementation initiatives.

Cumberland Bicycle Advisory Committee – No work was conducted on this task during the month of December.

Subdivision/Site Plan Reviews - Reviewed and approved a minor subdivision plat for the Riverside Industrial Park. Coordinated with the Code Enforcement Administrator regarding a minor site plan for a commercial project on Willowbrook Road. Advised the City Administrator of the need for a new conceptual stormwater management plan for the Willowbrook Road project prior to variance and site plan submission.

Zoning Amendment Petitions – Presented the draft ZTA 15-01 Boardinghouses to the Planning Commission at the December 14 meeting. Provided follow-up background information to the Planning Commission members in response to questions raised at the December 14 meeting. Met with the City Administrator on December 15 to discuss the December 14 Planning Commission requests regarding ZTA 15-01.

Planning Commission Administration – Prepared and finalized the agenda and meeting packet for the December 14 Planning Commission meeting. Attended the December 14 Planning Commission meeting. Canceled the January 11 Planning Commission meeting due to the lack of a quorum and posted a cancelation notice on the Community Development bulletin board and the City's web site. Prepared a draft agenda for the February 8 Planning Commission meeting. Began work on the 2015 Planning Commission Annual Report. Provided a draft Annual Report infrastructure narrative to Engineering staff for review and comment. Requested 2015 building permit data for the Annual Report from the Community Development office.

Board of Appeals Administration – Conducted an administrative variance review for the new Roy Rogers (ZA 129) and prepared a legal ad for publication in the Times-News and posting on the property. Reviewed a hotel variance petition (ZA 130) and prepared a staff report. Prepared a public hearing legal ad for the ZA 130 – Sleep Inn Hotel variance petition and submitted it for publication in the Times-News. Posted copies of the legal ad on the Community Development Bulletin Board and City Web site, and made arrangements for posting of the ad on the property. Ensured a quorum of members for the January 6 BOZA meeting. Finalized and prepared the agenda and meeting packet for the January 6 BOA meeting. Canceled the January 20 BOZA meeting due to a lack of agenda items.

MDP/MML Coordination – Inquired to MML about the schedule for the December Planner's meeting.

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

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

Economic Development – Attended the December 1 Heritage Association meeting. Made a presentation at the December 15 Mayor and Council public hearing on the draft Economic Development Chapter amendment to the 2013 Comprehensive Plan.

General Transportation Issues/Projects – Discussed U.S. Highway 220 upgrade study issues and comments for the December 10 SHA Open House with the Director of Engineering. Met with Community Development staff on December 23 to discuss a future public transit concept.

Greene Street Complete Street Plan (19-14-M) – No work was conducted on this task during the month of December.

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

Zoning Administration – Conferred with the Economic Development Director regarding the zoning implications to Patrick's Pub from the proposed nearby location of a church. Responded to an inquiry from an Oldtown Road property owner regarding the nature and approval process for conditional uses in the B-L Zone. Responded to questions regarding zoning requirements for an LED sign from an Industrial Blvd. business owner. Responded to an inquiry from the Mountain Maryland Trails regarding the Zoning Approval process for a public mural on the Valley Street Bridge. Responded to an inquiry from a realtor regarding zoning comformity of an existing office use in the R-O Zone on Washington Street. Provided a determination regarding criteria for a single family dwelling as defined by the Zoning Ordinance.

Western Maryland Local Government Exchange Board of Directors – Participated in a December 1 initial agenda teleconference for the 2016 Western MD LGE workshop.

West Side CSX Bridge Study (21-13-BR) – The final report for this project was presented to the Mayor and City Council in November. Work on this project is now completed and it will be removed from future staff reports.

Miscellaneous Other Activities – Prepared and submitted a Planning Staff activities report for the month of November. Attended the December 15 Mayor and Council meeting. Completed a mid-year evaluation of the FY 16 Planning Budget and reported the status to the City Administrator. Requested information from Community Development staff on new street addresses issued during the previous three months for a quarterly report to Allegany staff. Responded to a Kalamazoo College student inquiry regarding planning in Cumberland. Closed out 2015 project files.

Regular Council Agenda
January 5, 2016

Description
Engineering Division monthly report for December, 2015

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)

Mayor and City Council of Cumberland

Administrative Session Minutes

City Hall, 57 N. Liberty Street, Cumberland, MD 21502
Second Floor Conference Room
Tuesday, November 10, 2015
6:00 p.m.

PRESENT: Brian K. Grim, President; Council Members Seth Bernard, and David Caporale

PRESENT VIA CONFERENCE CALL: Council Members Nicole Alt-Myers and David Kauffman

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

MOTION: Motion to enter into closed Administrative Session to discuss union negotiation issues regarding AFSCME Local #553 was made by Councilman Bernard, seconded by Councilman Caporale and was approved on a vote of 5-0.

AUTHORITY TO CLOSE SESSION:
Annotated Code of Maryland, State Government

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

TOPICS: Union negotiations with AFSCME Local #553

Minutes approved on: _____

Brian K. Grim, Mayor _____

ATTEST:
Marjorie A. Woodring, City Clerk _____

Mayor and City Council of Cumberland

Administrative Session Minutes

City Hall, 57 N. Liberty Street, Cumberland, MD 21502
Second Floor Conference Room
Tuesday, November 17, 2015
5:00 p.m.

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

ALSO PRESENT: Jeffrey D. Rhodes, City Administrator; Michael S. Cohen, City Solicitor; Shawn Hershberger, President, Cumberland Economic Development Corporation; Marjorie Woodring, City Clerk

MOTION: Motion to enter into closed Administrative Session to discuss real estate issues and to consult with counsel regarding a legal matter was made by Councilman Kauffman, seconded by Councilman Caporale and was approved on a vote of 5-0.

AUTHORITY TO CLOSE SESSION:
Annotated Code of Maryland, State Government

- Section 10-508 (a) (3): to consider the acquisition of real property for a public purpose and matters directly related thereto;
- Section 10-508 (a) (7): to consult with counsel to obtain legal advice on a legal matter

TOPICS: Real estate issues, legal matter

Minutes approved on: _____

Brian K. Grim, Mayor _____

ATTEST: Marjorie A. Woodring, City Clerk _____

Regular Council Agenda
January 5, 2016

Description
Approval of the Administrative Session Minutes of November 10 and 17, 2015

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)

City of Cumberland

- Maryland -

RESOLUTION

NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND TO ADOPT THE JULY 13, 2015 AMENDMENT OF CHAPTER VIII (TITLED "ECONOMIC DEVELOPMENT AND REVITALIZATION") OF THE CITY-WIDE ELEMENT OF THE CITY OF CUMBERLAND'S 2013 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE PROVISIONS OF THE LAND USE ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

WHEREAS, the Land Use Article of the Annotated Code of Maryland authorizes and empowers municipalities to make, adopt and amend comprehensive plans for the general purpose of guiding and accomplishing coordinated, adjusted and harmonious development; and

WHEREAS, the Comprehensive Plan for the City of Cumberland, Maryland is a policy guide to govern future physical development within the City of Cumberland; and

WHEREAS, the Land Use Article of the Annotated Code of Maryland authorizes and empowers municipalities to adopt and amend comprehensive plans as wholes or in successive parts; and

WHEREAS, on December 17, 2013, the Mayor and City Council of Cumberland adopted the July 2013 City-Wide Element as the second and final of two volumes that collectively comprise the 2013 Comprehensive Plan; and

WHEREAS, City staff has prepared and recommended an amended and updated Chapter VIII (titled "Economic Development and Revitalization") as a replacement to the chapter of the same title in the document entitled "2013 Comprehensive Plan: Forging Our Heritage Into Prosperity: City-Wide Element Volume 2 of 2", a copy of the amended and updated Chapter VIII being attached hereto and incorporated by reference herein as Exhibit 1; and

WHEREAS, the said amended Chapter VIII was submitted to the Maryland Department of Planning, all adjoining jurisdictions and all affected State agencies for formal review and comment at least 60 days prior to the formal public hearing before the City of Cumberland Planning and Zoning Commission (the "Planning Commission"), said submission having been effected through the State Clearinghouse Procedures of the Department of Planning in compliance with

the Land Use Article of the Annotated Code of Maryland and the applicable provisions of COMAR 34.02.01; and

WHEREAS, the purpose of the said amendment is to update the City's 2013 Comprehensive Plan to reflect the policy changes regarding the future growth and development of the City of Cumberland effected by the City's adoption of its 2014 Strategic Economic Development Plan; and

WHEREAS, the Planning Commission held a public hearing on October 19, 2015 regarding the proposed amendment to the aforesaid Chapter VIII; and

WHEREAS, the Planning Commission carefully considered the proposed amendment of Chapter VIII and found that it constitutes a suitable component of the Comprehensive Plan of the City of Cumberland and that it will promote, in accordance with present and future needs: the health, safety, morals, order, convenience, prosperity and general welfare of the City of Cumberland as well as efficiency and economy in the development process; and

WHEREAS, consistent with its findings, the Planning Commission passed a Resolution dated October 19, 2015, recommending that the Mayor and City Council adopt the proposed amendment of Chapter VIII, subject to certain text changes which are set forth in the Exhibit 2 identified hereinafter; and

WHEREAS, the Mayor and City Council carefully considered the proposed amendment of Chapter VIII and make the same findings made by the Planning Commission in its Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Cumberland as follows:

1. The amendment of Chapter VIII of the City-Wide Element of the City's 2013 Comprehensive Plan titled "Economic Development and Revitalization, together with all text, maps, and descriptive matter contained therein, annexed thereto and/or made a part thereof, subject to the text changes documented in the Draft 2013 Comprehensive Plan Economic Development Chapter Amendment Public Comment Matrix attached hereto as Exhibit 2, shall replace the presently existing Chapter VIII and is hereby adopted as a part of the 2013 Comprehensive Plan for the City of Cumberland; and

2. That this Resolution shall be certified to the Maryland State Agencies (including, the Department of Planning and the Clerk of the Circuit Court for Allegany County, Maryland) as required by law; and

3. This Resolution shall take effect on the date of its passage.

GIVEN UNDER OUR HANDS AND SEALS THIS _____ DAY OF _____,
IN THE YEAR 2015, WITH THE CORPORATE SEAL OF THE CITY OF CUMBERLAND HERETO ATTACHED, DULY ATTESTED BY THE CITY CLERK.

ATTEST:

_____	_____
Marjorie A. Woodring	Brian K. Grim
City Clerk	Mayor

Introduction: _____

Public Hearing: _____

Enactment: _____

Effective Date: _____

EXHIBIT 1

Economic Development Chapter Amendment to the 2013 Comprehensive Plan City-Wide Element

July 13, 2015

I. Economic Development & Revitalization

The purpose of this chapter is to highlight the City's economic development initiatives. The chapter provides background on Cumberland's current economic conditions and its focus for economic development including targeted industries. The goals, policies and action items provided are in keeping with Cumberland's Strategic Economic Development Plan and the City's mission to be a supportive place to build a profitable business.

GOALS

1. **Promote and implement the City of Cumberland Strategic Economic Development Plan (as amended).**
2. **Strengthen and expand the City's tax base.**
3. **Diversify the City's economic base and attract new employers that will provide career and income growth opportunities for City residents.**
4. **Support continued growth of existing employers and businesses.**
5. **Support continued growth of the City's arts and tourism businesses.**
6. **Promote and facilitate development/revitalization of the targeted economic development opportunity areas specified in the Strategic Economic Development Plan.**

A. Overview

A diverse, healthy, and vibrant local economy is essential to sustain growth and development in any community. Those communities that have strong economies enjoy the greatest levels of growth, vitality, and prosperity. Cumberland's overall setting suggests that the city should serve as a national model of smart growth and sustainability. The city possesses a strong, compact urban development pattern with far less sprawl than most other cities its size. Cumberland's intense urban design, narrow streets, extensive sidewalks, and attractive, natural streetscapes make it a very walkable and pedestrian-friendly environment. The city's residential neighborhoods have strong, distinct characters and cultural heritages, historic architecture, and social cohesiveness that (even in their relatively diminished states today) would be the envy of many larger communities. Cumberland possesses a well-

developed, urban infrastructure and broad array of supporting public facilities and services (including one of the largest paid, professional fire department staffs in Maryland). Unlike many growing communities in Maryland, the city's water and sewer systems have substantial available capacity to serve additional growth. Cumberland also has the most affordable housing stock in the State of Maryland. Finally, the city is surrounded by an attractive, largely undeveloped, natural setting that abounds in recreational opportunities. Cumberland and Allegany County have made great strides to stabilize the area's population losses and economic decline that marked the past 70 years. However, for the city's smart growth development pattern and resources to be truly sustainable over the long term, Cumberland must restore vitality to its economy, strengthen its tax base, and reverse the long-standing pattern of decline. Achieving that economic objective is a primary focus of this plan.

B. Historic Economic Trends & Evolution

As noted earlier in this plan (please see Chapters I and II for additional detail), the City of Cumberland has evolved significantly throughout its history. The city's earliest years were marked by tremendous growth and industrial development driven by strategic transportation infrastructure investments. The city reached its population peak around 1940, and began a long, protracted decline that continued through the latest Census in 2010. The decline was precipitated by a significant contraction in the area's industrial employment base that began with (and even in the years leading into) the Great Depression. After World War II, the nation's transportation system transformed with the rise of commercial air transportation and the construction of the Interstate Highway System. Cumberland was largely bypassed during the early development of these modern transportation modes and suffered gradual erosion in its own transportation infrastructure with the closure of the Chesapeake and Ohio Canal in the 1920s and the protracted decline in railroad passenger and freight transportation during that era. Ground freight transportation shifted over time from rail to trucks, and the trucking industry utilized the high-speed Interstate Highway System to reduce delivery time and increase shipping efficiency. The Interstate Highway System was not fully extended to Cumberland until after 1990, and even with that extension (I-68), the city was not located along a major travel corridor.

Reversing the erosion that occurred over the latter half of the twentieth century is a significant challenge for a small city. Cumberland's recent trends are reflective of other small Appalachian and Midwestern rust belt cities, which lost their predominant industrial employers and many of the workers who relied upon them. As the industries closed down or moved away and their employees sought work outside the area, the city's commercial base contracted accordingly. To recover these lost economic resources the city must attract new employment opportunities and/or people with disposable incomes that can breathe new life into the local economy. This effort requires greater creativity, flexibility, and resource investment than may be typical for larger urban cities which lost most of their business and population resources to their surrounding suburbs. Although the nation's big cities also suffered population losses in the latter half of the twentieth century, growth in their surrounding metropolitan areas offset most if not all of those losses. To reverse its losses, Cumberland must compete with those growing larger metropolitan areas as well as the other smaller Appalachian and rust belt cities that were

left behind by their industries, workers, and youth populations that relocated elsewhere for better opportunities.

Despite the economic development challenges and hurdles that Cumberland and the surrounding metropolitan area face, the city and county have taken bold strides to improve the local situation—some of which have begun to show success. The city recently established the Cumberland Wi-Fi wireless network as part of the Johnson Controls efficiency study. City officials and civic leaders have worked hard and with determination to transform the city's economic base by developing a growing arts, entertainment, and tourist/retirement industry, based largely on Cumberland's cultural heritage and small-town, Victorian-era charm as well as the natural resource amenities (mountains, rivers, and lakes) that abound in the surrounding area. Many of the city's historic buildings have been lovingly restored, preserved and reused, and a large downtown historic district has been created. Through significant state investments and local donations, Canal Place and the Western Maryland Scenic Railroad have been redeveloped into major tourist attractions. A local Arts Council has been established that supports and promotes a growing artist community in the area. The heart of Cumberland's main street (Baltimore Street) has been converted into an open air pedestrian mall and entertainment district that has helped bring new businesses into the city and revitalize formerly vacant upper floors into new residential units. The former Chesapeake and Ohio Canal Towpath and a former railroad line have been transformed into the C & O Canal Towpath and Great Allegheny Passage Trails that provide a dedicated bicycle and pedestrian recreational trail link to downtown Washington and Pittsburgh. The city's extensive cultural heritage has been further promoted by the development and expansion of local heritage museums.

These recent changes have provided a new source of optimism and improved the city's public image while breathing new life into historic buildings. They have improved the overall quality of life and provide a critical lifestyle amenity that can support and attract new outside growth and investment and provided a new source of employment.

Recent Census figures (discussed in Chapter II) indicate that the long-standing decline in the city's population has slowed significantly. This trend, combined with some positive economic trends, may indicate that the city is reaching or has reached a turning point in its evolution. The data seems to indicate that Cumberland and Allegany County may have achieved a point of stability or equilibrium between the economy and the local population base.

C. Current Economy

1. Economic Base

Over the past few decades, the area's economic base transformed from a predominantly industrial economy to the more diversified retail and service based economy of 2010. Former firms included Kelly Tires, Celanese Corporation, the N & G Taylor tin plate mill, and Pittsburgh Plate and Glass have all since closed or left the area. At their twentieth century production peaks, Kelly Tires employed between 3,500 and 4,000 employees and Celanese Corporation employed more than 10,000 local workers.

According to data from the 1940 U.S. Census, Allegany County had a total of 72 manufacturing business employing 11,157 wage earners. The most recent employment data from the 2005-2009 American Community Survey reports an estimated total of only 2,765 manufacturing workers in all of Allegany County. These data illustrate the magnitude of contraction and restructuring that occurred in the area's former employment base during the final two-thirds of the twentieth century.

While several large industrial employers remain within the Cumberland Metropolitan Area they have greatly reduced employment levels. As a result, most of the former manufacturing jobs within the local economy have been replaced with a mix of professional and high-medium wage health service and educational industry jobs to medium-minimum wage service and retail sector jobs. A listing of the largest employers in the Cumberland Metropolitan Area in 2012, as compiled by Allegany County Economic Development staff and expanded by Cumberland Planning Staff, is provided below in Table 20.

Table 20 - Major Employers in the Cumberland Area:

NAME OF BUSINESS	2012 EMPLOYMENT	LOCATION	NATURE OF OPERATION
1. Western Maryland Health Systems	2,290	Cumberland	Health Care
2. ATK Tactical Systems	1,396	Mineral County	Rocket Propellants
3. Allegany County Public Schools	1,324	Cumberland	Education
4. Frostburg State University	922	Frostburg	Education
5. CSX Transportation	900	Cumberland	Rail Transportation
6. NewPage Corporation	870	Luke, MD	Paper Products
7. Hunter Douglas	580	Allegany County	Window Blinds
8. Allegany College of Maryland	559	Cumberland	Education
9. North Branch Correctional Institution	557	Allegany County	Prison
10. Western Correctional Institution	552	Allegany County	Prison
11. The Active Network	550	Frostburg	Telecommunications
12. Allegany County Government	385	Cumberland	Public Administration
13. American Woodmark	365	Allegany County	Wood Products
14. ACS	350	Frostburg	Telecommunications
15. Federal Correctional institution	292	Allegany County	Prison
16. City of Cumberland	282	Cumberland	Public Administration
17. Friends Aware	227	Cumberland	Commercial Cleaning
18. Rocky Gap Lodge, Casino, & Resort	206	Allegany County	State Park

SOURCES: Allegany County Economic Development and City of Cumberland, 2012.

Based on the analysis conducted for this plan (illustrated in the above table), the Cumberland Metropolitan Area has a total of 18 employers with 200 or more workers. The largest current employer in the city and county is the new Western Maryland Health Systems facility on Willowbrook Road, which was established in 2010 by the consolidation of the former Memorial and Sacred Heart Hospitals. According to hospital officials, annual wages and salaries paid by WMHS to its 2,290 workers total over $100 million. WMHS also reports that it purchases roughly $32 million annually in local materials and services. Data from the American Hospital Association suggests that each hospital job created in the local economy supports about two more jobs and every dollar spent by a hospital induces roughly $2.30 of additional business activity. The combination of high wages and high level of spending for support services and materials makes WMHS a major basic industry within the area economy. The area's growing elderly population and expanding retirement base creates an opportunity for future expansion of the health care industry in Cumberland, which is why it has been identified as a primary economic development goal by the city's Strategic Economic Development Plan.

Four of the area's ten largest employers (including the largest) and seven of the top eighteen employers are located within the city of Cumberland. Only one of the area's largest employers (the region's second largest) is located outside of Allegany County in adjoining Mineral County, West Virginia. The two major industries that remain from the area's historic population peak period (CSX Railroad, successor to the Baltimore and Ohio and Chessie Railroads, and NewPage Corporation, formerly Westvaco) have become the area's fifth and sixth largest employers, respectively. Additionally, recent State legislation has allowed casino gambling at Rocky Gap State Park, roughly seven miles east of downtown Cumberland. This legislation is creating new employment opportunities in Allegany County and provides an additional attraction for the area's developing tourist industry.

2. Employment/Wage Characteristics & Trends

Several trends and findings analyzed in the demographic trends of Chapter II represent important improvements in the city's employment base. These trends and findings include:

- Educational achievement levels within the city's labor force are improving with increasing speed over time, relative to national levels. The greatest increases occurred in the number of persons over the age of 25 who have attended some college and who have obtained a Bachelor's degree or higher.

- Median household incomes earned by Cumberland residents have increased consistently over the past three decades (1990-2010). Although incomes in the city remain below state and national levels and declined slightly over the recent decade when adjusted for inflation, the city's median household income has improved slightly relative to the national figure.

- The overall cost of living in the Cumberland area is significantly lower than in the rest of Maryland, which helps offset a significant amount of the disparity in incomes. To illustrate this point, data from the 2005-2009 American Community Survey shows that median household

incomes in Cumberland were only about 43% of the corresponding income for the State of Maryland. However, the median value of an owner-occupied house in Cumberland was only 31% of the state's median, and both the median monthly housing cost for owner occupied units and the median gross rent in the city was only about half of the corresponding costs for the state. Furthermore, the percentage of Cumberland residents who own their homes without a mortgage is nearly twice that of the state as a whole. These factors illustrate how the lower cost of living in Cumberland helps to compensate for a large portion of the income disparity with the rest of the state and may result in a similar or slightly higher percentage of disposable household income despite the relative income disparity.

- Despite a persistently high unemployment rate and a nation-wide contraction in the labor force the number of employed residents in Cumberland increased slightly from 2000-2009.

D. Economic Initiatives

Overall low incomes and high levels of poverty, especially among senior citizens, remain significant hurdles for the city to overcome. Achieving improvement in those areas will likely require some combination of entrepreneurial support to promote successful home-grown businesses, attracting higher wage employers from outside the area in business sectors that generate significant support and spin-off business/employment opportunities (generate high employment multiplier benefits in the local economy), and strategic investments in higher education/employee training opportunities. To help achieve these general objectives, the city's Economic Development Commission recently refined and expanded the city's Economic Development goals through a community-wide strategic planning effort in 2013 and 2014.

The resulting 2014 Strategic Economic Development Plan replaced all previous economic development plans. The 2014 plan engaged a broad and diverse citizen and stakeholder base in the community and conducted a more detailed assessment of the city's market potential for new business and job growth. The resulting plan identified a number of new strategies and expanded on past initiatives, including the city's potential to capitalize on the growing "rural sourcing" trend by targeting entrepreneurial back office and remote businesses in internet-based information technology companies that are prevalent in the nearby major metropolitan areas. The new plan recommends targeting smaller growth industries and businesses that are footloose (capable of relocating), offer high wages, and would benefit from the city's proximity to larger urban markets and abundant recreational amenities as a strategy to stimulate employment growth and expand the city's tax base.

When evaluating the merits of new business or industrial opportunities in the city, it is important to consider the overall multiplier effect of the business on the area's economy. Businesses that retain more of the company's profits in the community, offer above-average wages and salaries and future growth potential, rely most heavily on other local businesses for their supplies or raw material needs, and establish firm ties to the local community will have the greatest and most long-term impact on the

city's economy. The city should aggressively seek and promote businesses that satisfy these essential criteria.

1. Incentive/Support Programs & Resources

The City of Cumberland routinely partners with Allegany County and the State of Maryland to offer/access a wide array of local, state, and Federal economic development incentive grant, loan, and tax credit/deferral programs to support local economic development initiatives. As of the writing of this plan, at least 18 different support programs were being offered to eligible economic development projects and applicants. These support programs help promote local business development and investment by reducing the cost of business start-up and development. Several of the programs can be combined to support projects that satisfy the basic eligibility requirements. The future availability of these incentives, grants, and loans depends upon continued funding and program reauthorization. The following list provides a brief overview of the current economic development incentive and support programs that the city offers.

- **Enterprise Zone Tax Credits** - Businesses locating in Cumberland and Allegany County's designated Enterprise Zones may be eligible for income tax credits and real property tax credits in return for job creation and investments made in the zone.
- **Federal Historically Underutilized Business (HUB) Zone Contracting Program** - The HUB Zone Empowerment Contracting program was enacted into law as part of the Small Business Reauthorization Act of 1997. The program encourages economic development in designated HUB zones through the establishment of preferences. SBA's HUB Zone program is an effort to promote economic development and employment growth in distressed areas by providing access to more Federal contracting opportunities.
- **Lenders Loan Pool** - This program was created to encourage development of the Cumberland Downtown area by financing the start-up costs and renovations of businesses relocating and/or expanding within the Central Business District. Loans ranging from $10,000 - $100,000 are provided at competitive interest rate for a maximum of 60 months and can be used for expenses such as inventory, leasehold improvements, equipment, and receivables.
- **Job Creation Tax Credit** - This program offers state income tax credits to businesses that create a minimum number of new full-time positions of $1,000 to $1,500 per job created in a designated "revitalization area."
- **Maryland Neighborhood Business Works Program** - Is the State's premiere small business loan program providing competitively-priced, flexible financing for the costs associated with business startup and expansion.
- **One Maryland Tax Credit** - Businesses that invest in an economic development project in Cumberland may qualify for project tax credits and start-up tax credits.

- **Workforce Training** - Allegany College of Maryland provides customized short-term and long-term employee training programs for local and regional companies for employees at all levels of experience.
- **City of Cumberland Historic District Tax Incentive Program** - For qualified renovations that have been approved by the city's Historic Preservation Commission.
- **Allegany County Historic District Tax Incentive Program** - Provides a tax assessment freeze equal to that received through the City of Cumberland's program.
- **Maryland Sustainable Communities Rehabilitation Tax Credit Program** - Provides Maryland income tax credits based on a percentage of the qualified capital costs expended in the rehabilitation of a "certified historic structure.
- **Maryland Historical Trust Historic Preservation Loan Program** - The Maryland Historical Trust administers loan programs that assist both bricks and mortar activities such as the acquisition and rehabilitation of historic properties and the development of heritage tourism-related businesses.
- **Maryland Historical Trust Grant Programs** - The Maryland Historical Trust administers six separate grant programs that assist in a wide variety of historic preservation-related activities.
- **Federal Tax Incentive Program** - This program enables the owners or long-term leaseholders of income-producing certified historic structures (listed in the National Register of Historic Places, or a contributing element within the boundaries of an historic district), to receive a federal tax credit.
- **Arts & Entertainment District Rehabilitation Tax Credit Program** - A tax credit will be provided on city real property taxes for properties wholly or partially constructed or renovated to be capable for use by a qualifying artist or arts enterprise located within the Arts & Entertainment District.
- **Arts & Entertainment District Admissions & Amusement Tax Exemption Program** - Enterprises dedicated to visual or performing arts located within the Arts & Entertainment District are exempt from the collection of the State of Maryland's Admissions and Amusement Tax.
- **Arts & Entertainment District Income Tax Subtraction Modification Program** Qualifying artists who own or rent residential real property in the Arts & Entertainment District, may be eligible for a Maryland personal income tax subtraction modification to eliminate state and local income tax on their income from the sale, publication, or production within the District of their artistic work that is written, composed, or executed within the District.
- **Virginia Avenue Targeted Area Revitalization (VAATR) Tax Incentive** - This program provides flexibility to the owner to make improvements to his property and be eligible to receive property tax credits outside the structure of the Historic District guidelines.
- **Virginia Avenue Enterprise Zone for Revitalization Area (VAEZRA) Program** - The local standards of the Gateway Enterprise Zone are amended by the city and county to include

mercantile, retail or service activity, eligible for Enterprise Zone benefits in the Virginia Avenue area.

2. Revitalization & Redevelopment Projects

During the past decade, the city has undertaken two significant neighborhood revitalization and redevelopment projects in the Rolling Mill and Virginia Avenue/Chapel Hill neighborhoods. These projects were built around major street improvement initiatives for Maryland Avenue and Virginia Avenue.

The impetus for the Rolling Mill neighborhood revitalization initiative was the designation of the former B & O Railroad Rolling Mill plant as a "Brownfield" by the State of Maryland. Fears of potential contamination at the site frustrated redevelopment efforts for years. However, in 1997, the Maryland Department of the Environment approved a restoration and redevelopment plan for the site as the state's first Brownfield Redevelopment Project. Utilities to the property were upgraded and roughly half of the former plant site was redeveloped to create the new Queen City Centre shopping plaza. The plaza not only serves the essential shopping of neighborhood residents; it also draws residents from all parts of the city into the neighborhood.

The resulting growth in traffic spurred the city to undertake a major street improvement project for Maryland Avenue (eventually including portions of Cecelia, Williams, and Park Streets) to enhance vehicular and pedestrian access to the new plaza. Major funding for the project was contributed by the City of Cumberland, the Maryland Department of Transportation, the Appalachian Regional Commission, Community Development Block Grant funds and eventually embraced ARRA economic stimulus funding that emerged out of the 2007 Recession. Construction work on the project, which was divided into two phases, began in 2003 and was completed in 2008. The project included utility line replacement, sidewalk restoration and handicapped access improvements, street resurfacing, restriping and crosswalk improvements, and extensive streetscaping and signage improvements. The project also attracted significant private investment as new commercial uses were built, dilapidated buildings were removed and replaced, and deteriorating buildings were given significant facade facelifts.

Buoyed by the success of the Rolling Mill/Maryland Avenue project, the city moved on to Virginia Avenue to implement the revitalization recommendations outlined in the 2006 Virginia Avenue Corridor Redevelopment Plan. The project effectively extends the Maryland Avenue corridor improvements down Virginia Avenue to Industrial Boulevard. Like the Maryland Avenue project, the highway reconstruction project involved utility line replacement, sidewalk restoration and handicapped access improvements, street resurfacing, restriping and crosswalk improvements, and extensive streetscaping improvements. Project construction began in late 2009 and was completed in late 2011.

The Virginia Avenue project also included significant neighborhood revitalization elements from the 2006 Redevelopment Plan, including significant improvements to restore the Springdale Street Park. Some elements of the plan proved too costly or infeasible, including the design and construction of a

bus transit pavilion and gathering place. Several of the projects were either more costly or required contributions of private land that simply were not able to be realized. By and large, the public realm improvements were designed and completed as consistently with the spirit and intent of the plan as was feasible. In 2008, the city was successful in obtaining a "Maple Street" designation for Virginia Avenue under the Maryland Main Street Program. The primary objective for this program is to foster residential revitalization within the context of historic preservation. It complements and expands upon the "Main Street" program that has helped revitalize the city's downtown core by emphasizing a similar incremental, long-term, community-wide effort for neighborhood revitalization.

The new HRDC Building on Virginia Avenue

The overall project was supported by numerous additional public and private investments in the deteriorating buildings along Virginia Avenue and in the surrounding neighborhood. One of the biggest investments was the construction of the new Human Resources Development Commission (HRDC) complex on the site of the former Virginia Avenue School building that had been previously removed. The $5.3 million, two-story building became the city's first major construction project to utilize "green building" design concepts to conserve energy and treat stormwater. The building boasts a green roof with vegetation designed to absorb significant portions of the stormwater runoff that would be created by the building. In addition, the building's design helped restore the Virginia Avenue streetscape by filling in a glaring gap in the commercial street façade and it incorporated design elements that reflected the outstanding historic architectural elements of the previous neighborhood school building. Finally, the new building brought a large pool of workers to Virginia Avenue, which provided a much-needed source of consumers for the remaining businesses on the Avenue.

Numerous private property investments emerged out of the project as well. Sheetz expanded its existing operation at the corner of Virginia Avenue and Industrial Boulevard and additional new businesses and offices were built around that intersection, including the Allegany Radio Corporation office, and Rite Aid. Some of the older commercial/residential buildings on adjoining streets have been revitalized and reused, including the ongoing restoration of 313 Springdale Street that will contain a ground floor commercial neighborhood laundry and upper floor apartments. The City of Cumberland also established a Virginia Avenue satellite office for use by the city's Economic Development staff during the revitalization effort and extended its economic development grant and loan assistance programs (outlined in the previous section of this Chapter) to support both residential and commercial

building revitalization. A total of $20,000 in CDBG Micro Enterprise Grants was awarded to 5 businesses in the neighborhood, and an additional $4,000 in commercial façade improvement grants was awarded to 2 businesses. On the residential side, 17 homeowners received a combined total of $68,468.56 in residential façade grant assistance.

Virginia Ave. Building before rehab work

Virginia Ave. Building after rehab work

In 2011, the city, in cooperation with the Canal Place Preservation and Development Authority, the National Park Service, and the Downtown Development Commission, initiated a Heritage Area Management Plan effort to update and expand upon the 1998 Downtown Design and Development plan. Originally intended (as noted in the Neighborhood Element of this plan) as a new Downtown plan, the scope of the initiative was greatly expanded to engage the governing bodies of the Baltimore Street and Canal Place commercial districts to promote and ensure a more unified downtown commercial district. The scope of the planning effort expanded further when the boundaries of the Heritage Area were extended beyond Canal Place following the Western MD Scenic Railroad and Great Allegheny Passage trail to Frostburg. Ultimately, the draft plan proposes to extend the heritage area east along the Canal to the Washington County line and west and south from Frostburg to Mount Savage and Lonaconing. In pursuing this partnership, the joint effort was able to tap into a larger pool of funds to manage and finance the cost of the project. This plan, once completed, will include specific recommendations for future improvements to and revitalization of the city's central business district and will serve as a technical supplement to this Comprehensive Plan.

As recommended in the Neighborhood Element of the 2013 Comprehensive Plan, the city's next revitalization and redevelopment effort was to focus on the Baltimore Avenue/Goethe Street corridor. Baltimore Avenue is destined to become a more important gateway into the city as growth and

development along the Willowbrook Road corridor progresses. The two corridors meet at Exit 44 of I-68. In addition, Baltimore Avenue itself is rapidly deteriorating from heavy traffic demand and has a curve with a dangerously tight curb radius that needs to be improved to promote traffic safety. The Neighborhood Element envisioned that the city would expand upon the street improvement project, as was successfully done on Maryland Avenue and Virginia Avenue, to provide additional streetscaping improvements, sidewalk repairs, and similar building façade improvement funding.

Unfortunately, contraction in local, state, and federal funding support for neighborhood investment projects of this nature resulted in a highly constrained and limited design scope for the proposed Baltimore Avenue street project. The overall scope was reduced to a mill and overlay project (asphalt resurfacing) with the associated sidewalk and curbing improvements limited to essential ADA handicapped accessibility upgrades only. Insufficient funds were available to pursue other sidewalk improvements or streetscaping. While improvements to the unsafe street curve will be made, the level of improvement that can be accomplished under the project was reduced because the cost of acquiring the necessary right-of-way to significantly widen the curve exceeded the initial project funding. Consequently, many of the additional neighborhood revitalization elements envisioned to be undertaken in association with the project will have to be postponed until additional program funding can be secured.

Additional future priorities for cooperative street/neighborhood revitalization projects around the city have been identified. Priority areas include the Greene Street corridor and the Mechanic/Centre Street corridor. A complete street plan for the Greene Street corridor was initiated in 2014 with funding assistance by the Cumberland Area MPO. The proposed "Riverwalk" pedestrian trail from Riverside Park to the YMCA complex on Kelly Road, as discussed in the Parks and Recreation Section of the Municipal Growth & Land Use Chapter of this plan, is envisioned to serve as a complementary recreational improvement for the Greene Street corridor project. Initial conceptual design work on the Riverwalk trail project was also initiated in 2014.

E. Economic Development Goals/Strategies

The City of Cumberland has an established record of providing extensive technical and financial assistance to encourage economic revitalization and has undertaken significant neighborhood revitalization projects to help spur economic revitalization. Further efforts are contemplated, should the financial resources needed to undertake them become available. In addition to these projects and programs, the city's Economic Development Commission worked to prepare a new Economic Development Plan in 2014. The resulting 2014 Strategic Economic Development Plan (prepared by RKG Associates), and all future amendments, is hereby referenced as a stand-alone component of the 2013 Comprehensive Plan. Based on detailed socio-economic and real estate market analyses, which are described in detail in the plan, the plan identifies three primary growth industries or target markets that the city should aggressively pursue to expand its economic and employment base. They include:

1. **Back Office and Remote Business Services** – focused primarily on internet-based administrative, professional and technical research/modeling businesses that represent a growing presence in the Pittsburgh, Philadelphia, Baltimore, and Washington metropolitan areas.

2. **Health Care and Social Services businesses** – which build upon the strength of the existing health care industries in the City (predominantly within the Willowbrook Road Corridor).

3. **Arts, Culture, Tourism, and Recreation businesses** – which build up the growing arts and entertainment district theme in downtown Cumberland and Canal Place.

To focus the city's efforts in implementing the plan's recommendations, the plan outlines and identifies a number of "opportunity areas" where the City's economic revitalization efforts should be targeted. These areas include sites in the downtown central business district, the Willowbrook Corridor, and South Cumberland. Several of these areas have been identified as infill and adaptive redevelopment areas in other chapters of this plan. The overarching principles guiding the plan's overall economic development strategies are:

- Promote a "unity of vision" for Cumberland's economic development efforts,
- Take advantage of local, regional, and state-wide initiatives, and
- Look beyond the "traditional" economic development efforts.

ACTION ITEMS

1. Implement the strategies outlined in the Strategic Economic Development Plan, as may be amended. The Cumberland Economic Development Corporation's Board of Directors should monitor progress in implementing the Strategic Plan and recommend revisions where needed to ensure continued expansion and revitalization of the city's economic base.

2. Work cooperatively with the Canal Place Preservation and Development Authority and the Downtown Development Commission to implement the strategies outlined in the 2012 Heritage Area Management Plan.

3. Continue and improve the current working relationship between the city of Frostburg and Allegany County Economic Development Departments to provide seamless support for economic development initiatives throughout Allegany County.

EXHIBIT 2

DRAFT 2013 COMPREHENSIVE PLAN ECONOMIC DEVELOMENT CHAPTER AMENDMENT PUBLIC COMMENT MATRIX

Last Update – October 20, 2015

This document presents a list of the comments received by the City regarding the Draft 2013 Comprehensive Plan Economic Development Chapter Amendment. The document is divided into four columns, which are described from left to right. The first column lists each comment individually and the source of that comment. If a specific comment was submitted by more than one source, all of the sources are identified acknowledged individually under the common comment. Citizen comments are identified as such rather than identifying the name of the individual followed by a number in parentheses indicating the number of citizens who made that or similar comments. The second column indicates the staff response to each public comment. The remaining two columns are reserved for the Planning Commission's (PC) recommendation to the Mayor and Council regarding each comment and the final disposition of each comment as decided by the Mayor and Council (M & C) at the end of the process.

Public Comment	Staff Response	PC Recommendation	M & C Decision
1. The draft Economic Development Chapter is well written and concise, and acknowledges the many assets that Cumberland can build upon to continue to grow its economy. *Maryland Department of Planning*	Staff appreciates MDP's overall assessment of the chapter amendment. **Since this is an advisory comment, no specific changes to the draft amendment narrative are warranted.**	**Recommend Adoption by Mayor & Council with staff recommended changes (where so noted).**	
2. It may be helpful if the Chapter would include a map showing the "opportunity areas" targeted for revitalization by the City. *Maryland Department of Planning*	The draft chapter references the opportunities areas map in the Strategic Economic Development Plan because including that map and more precise goals and objectives in the Comprehensive Plan would require an amendment to BOTH plans when the need for future adjustments to the Strategic Economic Development Plan arise. Even in the most favorable amendment process environments (where no controversy arises) the city's past experience with Comprehensive Plan amendments indicates that it can take between 7 and 11 months to complete. This would make any future amendment adoption process potentially lengthy, thereby increasing the city's	**Recommend Adoption by Mayor & Council with staff recommended changes (where so noted).**	

Public Comment	Staff Response	PC Recommendation	M & C Decision
	response time to economic changes. Therefore, the city decided that the 2013 Comprehensive Plan should reference the Strategic Economic Development Plan as a stand-alone supplement to the Comprehensive Plan to allow changes to be made solely to the Economic Development plan itself. Staff feels that retaining this arms-length relationship between the two documents would be best and most expedient way to respond to changes in the city's economic development policies and strategies. **Therefore, staff recommends no additional specific changes to the draft amendment in response to this comment.**		
3. The City of Cumberland is a designated Sustainable Community. The Chapter should reference/discuss the designation, the state incentives provided by the Sustainable Communities Program, and how the Program would benefit City's economic development strategies and actions. For more information on the Program, please check out these links: DHCD's - http://www.mdhousing.org/website/programs/dn/ and MDP's - http://www.mdp.state.md.us/YourPart/SustainableCommunities.shtml *Maryland Department of Planning*	Staff appreciates MDP's suggestion and **proposes the following recommended wording changes to the proposed Economic Development Chapter Amendment.** **Add the following language at the end of Section D, 1:** ***"Portions of the City of Cumberland have been designated as a Sustainable Community by the Maryland Department of Housing and Community Development (DHCD). The City is working with DHCD to expand these boundaries to encompass the Bedford/Frederick Street area as part of its petition to renew its Sustainable Community designation in 2017. This boundary expansion is strongly recommended to ensure that the Commerce Business Center, an important business park and designated mixed commercial development site in the Conceptual Future Land Use Plan (Map 9) of this***	**Recommend Adoption by Mayor & Council with staff recommended changes (where so noted).**	

Public Comment	Staff Response	PC Recommendation	M & C Decision
	plan, is made eligible for the various development financing and tax credit programs and incentives offered through the Sustainable Communities program. A comprehensive listing of the various financing, tax credit, and incentive programs offered through the Sustainable Communities program to eligible properties can be obtained through DHCD, MDP, the City's Economic Development office, or the DHCD web site at the following URL: http://www.mdhousing.org/website/programs/dn/Documents/Benefits.pdf."		
4. In addition to the incentives listed on Page 8 of the Chapter, there are more community revitalization/redevelopment incentives including transportation programs that the State provides. For instance, the Sustainable Communities Program provides these financing programs: http://www.mdhousing.org/website/programs/dn/Documents/Benefits.pdf *Maryland Department of Planning*	Staff appreciates MDP's suggestion and believes that the recommended wording changes for Comment 3 above will address this comment. **Therefore, staff recommends no additional specific changes to the draft amendment in response to this comment.**	**Recommend Adoption by Mayor & Council with staff recommended changes (where so noted).**	
5. Pedestrian and bicycle facility improvements are often part of a revitalization project. The Federal Transportation Alternatives Program (TAP) administrated by the Maryland State Highway Administration provides grants for pedestrian and bicycle facility improvements on not only Maryland state highways, but also local roadway and streets: http://roads.maryland.gov/Index.aspx?PageId=144 . For instance, perhaps, the City may consider the	Pedestrian and bicycle facilities are addressed in a different chapter of the Comprehensive Plan City-Wide Element (Chapter VI, Transportation), and the proposed Riverwalk Trail is further discussed as a recreational trail improvement in Section D of Chapter V, Community Facilities & Services. These sections are not a part of the proposed Plan Amendment. However, the city is aware of the TAP program, which has had numerous alternative names in prior Federal Transportation Bills. The City has	**Recommend Adoption by Mayor & Council with staff recommended changes (where so noted).**	

Public Comment	Staff Response	PC Recommendation	M & C Decision
TAP as a potential funding source for the proposed "Riverwalk" pedestrian trail. *Maryland Department of Planning*	used this program in the past and has identified TAP financing as one of several funding sources that may be used to finance the proposed Riverwalk. Pursuing development of this project is a stated action item of the Community Facilities and Services Chapter. All potential funding sources for this project will be evaluated as part of the pending Riverwalk Concept Plan, which is being undertaken through a cooperative effort by the City, the Allegany County Chamber of Commerce, the Canal Place Preservation and Development Authority, and the Cumberland Area MPO. Since the name, scope, and nature of this Federal program has changed and can change with the adoption of each new Federal Transportation Bill—and a new Transportation Bill is currently pending before Congress—staff sees no immediate need to reference it specifically in this Plan Amendment, which addresses different topical aspects of the Comprehensive Plan. **Therefore, staff recommends no additional specific changes to the draft amendment in response to this comment.**		
6. US DOT also provides "TIGER" grants (http://www.transportation.gov/tiger) directly to local jurisdictions for transportation projects that generate economic recovery. *Maryland Department of Planning*	Staff appreciates this advisory reminder and is aware of the USDOT TIGER Grant program. From our research efforts, it is our understanding that eligible competitive projects must address a wide range of transportation improvements and involve multiple funding partners. The city is currently considering this program as a potential funding option for implementation of three ongoing and inter-related transportation improvement planning projects—the Greene Street Complete Street Plan, the West Side Railroad Study, and the Riverwalk Concept Plan. We	**Recommend Adoption by Mayor & Council with staff recommended changes (where so noted).**	

Public Comment	Staff Response	PC Recommendation	M & C Decision
	also recognize that the planned revitalization of the Wills Creek Bridge on Baltimore Street may be considered as part of this larger transportation revitalization effort. The eligibility of these projects for TIGER Grant funding is being considered and evaluated as part of these ongoing planning studies. However, as far as the specific focus of this Comprehensive Plan Amendment is concerned, **staff recommends no additional specific changes to the draft amendment in response to this comment.**		
7. Below are MDE's comments for the above referenced project. Our response code is R1. a. Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land Management Administration in accordance with COMAR 26.10. Contact the Oil Control Program at (410) 537-3442 for additional information. b. If the proposed project involves demolition – Any above ground or underground petroleum storage tanks that may be on site must have contents and tanks along with any contamination removed. Please contact the Oil Control Program at (410) 537-3442 for additional information.	According to Maryland Department of Planning staff, the MDE response code "R1" indicates that the proposed project (the draft Economic Development Chapter amendment) has been determined to be "consistent with MDE's programs and objectives." The comment is also subject to a series of 6 standard conditions that specifically relate to a development project application, not a technical plan amendment. Since the nature of this comment is advisory and does not request specific amendments to the draft text, **staff recommends no additional specific changes to the draft amendment in response to this comment.**	**Recommend Adoption by Mayor & Council with staff recommended changes (where so noted).**	

Public Comment	Staff Response	PC Recommendation	M & C Decision
c. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3315 for additional information regarding solid waste activities and contact the Waste Diversion and Utilization Program at (410) 537-3314 for additional information regarding recycling activities. d. The Waste Diversion and Utilization Program should be contacted directly at (410) 537-3314 by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations. e. Any contract specifying "lead paint abatement" must comply with Code of Maryland Regulations (COMAR) 26.16.01 - Accreditation and Training for Lead Paint Abatement Services. If a property was built before 1950 and will be used as rental housing, then compliance with COMAR 26.16.02 - Reduction of Lead Risk in Housing; and Environment Article Title 6, Subtitle 8, is required. Additional guidance			

Public Comment	Staff Response	PC Recommendation	M & C Decision
regarding projects where lead paint may be encountered can be obtained by contacting the Environmental Lead Division at (410) 537-3825. f. The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. Accordingly, MDE's Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for property transfer. For specific information about these programs and eligibility, please contact the Land Restoration Program at (410) 537-3437. *Maryland Department of Environment*			

Regular Council Agenda
January 5, 2016

Description

Resolution (2nd and 3rd readings) - to adopt the July 13, 2015 amendment of Chapter VIII of the Cumberland 2013 Comprehensive Plan, entitled "Economic Development and Revitalization"

Approval, Acceptance / Recommendation

November 17, 2015 - 1st reading of this Resolution was approved

December 15, 2015 - Public Hearing held

☐ 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:** __January 5, 2015__

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

THAT, the Mayor be and is hereby authorized to execute a First Amendment to Parking Lease with S&N Realty, LLC, providing terms for the lease of 100 parking spaces in the Frederick Street Garage for an additional ten (10) years through December 31, 2025, with provisions for four (4) additional five (5) year terms.

_____

Brian K. Grim, Mayor

Tabled _____

Passed _____

- Order -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. _____ **DATE:** __January 5, 2015__

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

THAT, the Mayor be and is hereby authorized to execute a First Amendment to Parking Lease with S&N Realty, LLC, providing terms for the lease of 100 parking spaces in the Frederick Street Garage for an additional ten (10) years through December 31, 2025, with provisions for four (4) additional five (5) year terms.

_____

Brian K. Grim, Mayor

Tabled _____

Passed _____

Regular Council Agenda
January 5, 2016

Description

Order authorizing the execution of a First Amendment to Parking Lease with S&N Realty LLC to provide terms for the lease of 100 parking spaces in the Frederick St. Garage for an additional ten (10) years through December 31, 2025, with provisions for four (4) additional five (5) year terms

Approval, Acceptance / Recommendation

This item was tabled on December 1, 2015 to allow for additional changes to the lease.

☐ 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:** __January 5, 2016 _

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

THAT the proposal of Enviro Organic Technologies, 2323 Marston Road, P.O. Box 600, New Windsor, Maryland, 21776 be and is hereby accepted for City Project "Water Filtration Plant Residuals Management Transportation, Storage, Beneficial Use and/or Disposal (17-15-WFP)," in the unit cost of Five Hundred Twenty-five Dollars and no Cents ($525.00) per load for transportation, and the unit cost of Fifteen Dollars and No Cents ($15.00) per ton for storage and land application, resulting in an estimated one year's service of Thirty-eight Thousand, Three Hundred Ten Dollars and No Cents ($38,310.00); and

BE IT FURTHER ORDERED, that the Contract shall be for three (3) years beginning February 1, 2016 and ending January 31, 2019, and may be renewed for two (2) additional one-year periods upon mutual consent of both parties; and

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

_____

Mayor Brian K. Grim

Contractor	**Amount per Load for Transportation**	**Amount per Ton-Storage & Land Application**	**Amount per Ton to Landfill**	**Approximate Total for One Year**
Enviro Organic Technologies	$525	$15	N/A	$38,310.00
Burgmeier's Hauling	$225	N/A	$44.00	$43,996.00

Source of Funding: 002.230.201

Water Filtration Plant Residuals Management

City Project No. 17-15-WFP

Bid Opening: December 16, 2015 - 2:30 p.m., City Hall Council Chambers

Company	Per Load Transportation	Per Ton Storage & Land Applications	Per ton to landfill	Landfill	Fuel Surcharge	Affadavit	Local Prefer	Bid Bond	RFI #1
Burgmeier Hauling, Inc.									
305 N. Lee St.	**$ 225.00**	**N/A**	$ 44.00	Mt. View Landfill	No	Yes	City	Not	Yes
Cumberland, MD 21502								submitted	
Enviro Organic Technologies									
2323 Marston Road	**$ 525.00**	**$ 15.00**			No	Yes	N/A	Yes	Yes
PO Box 600									
New Windsor, MD 21776									

Departments will review all proposals and provide a recommendation to the Mayor and City Council for award the project based on the lowest and most responsive bid received.

Regular Council Agenda
January 5, 2016

Description

Order accepting the proposal of Enviro-Organic Technologies, Inc. for the City's project entitled"Water Filtration Plant Residuals Management Transportation, Storage, Beneficial Use and/or Disposal (17-15-WFP)" in the estimated yearly service amount of $38,310.00

Approval, Acceptance / Recommendation

It is the Engineering Department's recommendation to accept the bid from Enviro-Organic Technologies, Inc. for $525 per load transportation of WFP process residuals (sludge from the treatment process), and for beneficial re-use at $15 per ton for storage and land application. The project was competitively bid with two bids received on December 16, 2015. The additional bid was from Burgmeier's Hauling with an estimated yearly service amount of $43,996.00

☑ Budgeted

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

Value of Award (if applicable)

Approximately $38,302 per year for three years, with an opportunity to renew years 4 and 5 of the contract.

Source of Funding (if applicable)

002.230.201

- ORDER -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. _____ **DATE:** __January 5, 2016 _

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

THAT the following appointments to the Historic Preservation Commission be and are hereby approved:

Name	Seat	Term
Suzanne Wright	Seat 2	12/31/15 – 12/31/18
Suzanne Trussell	Seat 6	12/31/15 – 12/31/18

_____

Mayor Brian K. Grim

Regular Council Agenda
January 5, 2016

Description

Order authorizing the appointment of Suzanne Wright and Suzanne Trussell to the Historic Preservation Commission for 3-year terms to be effective 12/31/15 - 12/31/18

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:** __January 5, 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, 2015; 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, 2015, by and between **Western Maryland Health System Corporation** a Maryland not-for-profit corporation (hereafter referred to as WMHS), and the City of Cumberland.

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 of Cumberland that requires 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 the City of Cumberland to provide EAP to City of Cumberland 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 of Cumberland 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 the City of Cumberland

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 of Cumberland. 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 of Cumberland 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 of Cumberland employees, spouses and dependents in need of services with up to 6 face to face counseling sessions with a licensed mental health profession 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 of Cumberland 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 of Cumberland increases the number of employees by 10%. City of Cumberland 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 of Cumberland 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 of Cumberland shall pay invoices within 30 days of receipt. This Per Employee Per Year rate is guaranteed for a period of 1 (one)year as stipulated under the terms of item 2.1.

3. TERM AND TERMINATION

3.1 **Term** The term of this Agreement shall be for 1 (one) year, commencing as of the Effective Date. Beginning with the first (1st) day of July 2015. 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 the City of Cumberland to ensure a smooth transition to a new vendor and prevent disruption of services to the City of Cumberland 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 of Cumberland

City of Cumberland
57 N Liberty Street
Cumberland, MD 21502
Attn: Jeffrey Rhodes, City Administrator

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.

WMHS

_____ _____

Date

_____

_____ _____

Date

Regular Council Agenda
January 5, 2016

Description

Order authorizing the execution of an Employee Assistance Program Service Agreement with the Western MD Health System Corporation to provide assistance services to City of Cumberland employees and employees' spouses and dependents for a one (1) year term retroactive to July 1, 2015, at a cost of $7,020 per year

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:** __January 5, 2016 _

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

THAT, the Mayor be and is hereby authorized to execute a Memorandum of Understanding by and between the Mayor and City Council of Cumberland the MD State Highway Administration (SHA) outlining terms under which SHA will provide financial assistance in the estimated amount of Four Hundred Twenty-three Thousand Thirty Dollars ($423,030.00) to restore the surface condition of Greene St., South Lee St., and South Allegany St. to the condition that existed prior to deterioration that may be caused by detoured traffic from certain SHA projects along I-68.

_____

Mayor Brian K. Grim

WHEREAS, SHA, after conducting a patching survey has determined that in order to restored the STREETS to the condition that existed prior to start of the SHA PROJECT the surface condition of the STREETS would require up to a two inch (2") mill and overlay asphalt resurfacing treatment (**"RESTORATION"**).

WHEREAS, the cost estimate to achieve the RESTORATION of the STREETS is estimated to be Four Hundred Twenty Three Thousand Thirty Dollars ($423,030) (**"CONTRIBUTION"**) as shown on **EXHIBIT "A"** which is attached hereto and incorporated herein; and

WHEREAS, the CITY has agreed to accept the CONTRIBUTION as full and complete compensation to rectify the deteriorated surface condition along the STREETS and other CITY roadways that may have been caused by the additional detour traffic volumes as a result of the I-68 SHA PROJECT; and

WHEREAS, SHA and the CITY have agreed that this MOU will benefit both parties and will promote the safety, health and general welfare of the citizens of the State of Maryland and the CITY.

NOW, THEREFORE, THIS MOU WITNESSETH, that for and in consideration of the mutual promises and valuable considerations, it be understood that SHA and the CITY do hereby agree as follows:

I. RESTORATION DESCRIPTION

The RESTORATION shall consist of the CITY designing, advertising, selecting a contractor, and coordinating construction activities to mill and overlay, up to two inches (2") of the asphalt surface of the STREETS that suffered surface deterioration as a result of the additional traffic volumes placed on STREETS because of the detours and lane closures along I-68 as part of deck replacement and structure rehabilitation SHA PROJECT for Bridge No. 01103 over Patterson Avenue in conjunction with SHA Project Number AL4215180.

II. SHA RESPONSIBILITIES

A. SHA shall provide funds to the CITY, up to a maximum amount of the CONTRIBUTION to the CITY's RESTORATION efforts, and subject to all provisions contained herein.

B. SHA reviewing offices concerning the RESTORATION shall include, but not be limited to, Office of Environmental Design, Office of Traffic and Safety, Office of Highway Development, District Office, and Office of Materials Technology: If you have any questions, please contact:

Stephen Bucy
Maryland State Highway Administration

Assistant District Engineer – Construction, District 6
1251 Vocke Road
La Vale, MD 21502
Phone #: 301-729-8411
Fax#: 301-729-6968
Email: sbucy@sha.state.md.us

III. CITY RESPONSIBILITIES

A. The CITY shall be responsible for all costs for the design, advertisement, contractor selection, and construction of the RESTORATION in excess of the CONTRIBUTION.

B. If the RESTORATION cannot be completed by the CITY as described by the end of State Fiscal Year **("SFY")** 2016 (June 30, 2017), then any remaining portion of the CONTRIBUTION will cease to be available from SHA to the CITY.

IV. PROJECT FUNDING

A. SHA Responsibility

1. SHA has agreed to provide funding to the CITY by reimbursing the CITY for the undisputed costs and expenses of the CITY that are incurred for the design and/or construction of the RESTORATION up to the amount of the CONTRIBUTION or Four Hundred Twenty Three Thousand Thirty Dollars ($423,030).

2. SHA's CONTRIBUTION is for the CITY's direct salaries, payroll burden and overhead, and for its consultant and contractor services that are directly related to the design and construction of the RESTORATION by the CITY.

3. The total maximum amount for SHA's CONTRIBUTION for the CITY's RESTORATION is based on tasks and costs outlined on **EXHIBIT "A"**.

4. After the CITY has provided SHA with invoices and any required supporting documents that is sufficient in SHA's determination to adequately support design and construction costs for the RESTORATION, including consultant and contractor costs, SHA will pay each acceptable invoice within thirty (30) days following receipt. However, if SHA does not agree with an invoice the parties will meet to resolve the disputed items.

5. The period during which SHA would paid undisputed CITY invoices, up to the maximum amount of the CONTRIBUTION, will be for a period of about three (3) years, unless earlier terminated or completed, [i.e., from the start of SFY 15 (July 1, 2014) through the end of SFY 17 (June 30, 2017)].

B. CITY Responsibility

1. To receive the SHA's CONTRIBUTION for the RESTORATION, the CITY shall provide invoices to the SHA as follows:

    a. Within thirty (30) days of execution of this MOU, the CITY may submit invoices related to the design and/or construction of the RESTORATION starting in SFY 15.

    b. The CITY may submit invoices related to design and/ or construction of the RESTORATION through the end of SFY 17 or June 30, 2017, unless this MOU is earlier terminated or the CONTRIBUTION limit has been reached.

2. The invoices submitted by the CITY to SHA may include CITY's employee direct salaries, payroll burden and overhead and other direct costs such as consultant services, contractor services and materials.

3. To receive the SHA CONTRIBUTION, the CITY may invoice SHA quarterly for tasks that have been performed, starting with SFY 15 which began on July 1, 2014.

4. The CITY may prepare an invoice summary for all CITY costs incurred in designing and constructing the RESTORATION, including CITY's direct salaries, payroll burden and overhead and shall submit such an invoice to SHA on a quarterly basis, as needed. The CITY will provide SHA with evidence that is sufficient in SHA's determination to adequately support costs incurred. The CITY's invoices and summaries may also include consultant and contractor costs incurred.

5. Provided SHA agrees with each invoice and there are no disputed items, SHA will pay each acceptable invoice within thirty (30) days following receipt. However, if SHA does not agree with an invoice the parties will meet to resolve the disputed items.

6. The period during which the CITY may seek reimbursement from the SHA's CONTRIBUTION of the RESOTRATION will be for a period of about three (3) years, unless earlier terminated or completed, [i.e., from the start of SFY 15 (July 1, 2014) through the end of SFY 17 (June 30, 2017)].

V. GENERAL

A. SHA shall not be liable for any obligation, act, or omission that is the responsibility of the CITY, its employees, or its agents hereunder.

B. The parties hereto agree to cooperate with each other to accomplish the terms and conditions of this MOU.

C. This MOU shall inure to and be binding upon the parties hereto, their agents, successors, and assigns.

D. This MOU and the rights and liabilities of the parties hereto shall be determined in accordance with Maryland law and in Maryland courts.

E. This MOU may be amended only by a written agreement signed by both parties.

F. The recitals (WHEREAS clauses) at the beginning of this MOU are incorporated herein as part of this MOU.

G. Both SHA and the CITY shall comply with the requirements of Section 7A of Article 78A of the Annotated Code of Maryland, any Amendments thereto, and any Executive Order barring discrimination; further, in accordance with these requirements, it shall not discriminate in any manner against any employee because of political or religious opinion or affiliation, sex, race, creed, color or national origin.

H. Neither this MOU nor any of the permits issued by SHA pursuant to this MOU grant or create for the CITY any interest in the real property of SHA.

I. The parties hereby warrant and affirm that the persons executing this MOU on their respective behalf are authorized and empowered to act on behalf of the respective parties.

J. No review, correction or approval of any documents by SHA shall relieve the CITY and its consultants/contractors from the entire responsibility for errors or omissions in such documents or for the adequacy thereof. SHA assumes no responsibility for and makes no representations or warranties, express or implied, as to the design, condition, workmanship, or adequacy of the documents or of the RESTORATION.

All notices and/or invoices shall be addressed to:

If to the CITY:

John J. DiFonzo, P.E.
City Engineer
City of Cumberland
57 N. Liberty Street
Cumberland, MD 21502
Phone: 301-759-6601
E-mail: john.difonzo@cumberlandmd.gov

If to SHA:

Stephen Bucy
Maryland State Highway Administration
Assistant District Engineer – Construction, District 6
1251 Vocke Road
La Vale, MD 21502
Phone #: 301-729-8411
Fax #: 301-729-6968
Email: sbucy@sha.state.md.us

with a copy to:

SHA's Agreement Team
Assistant Agreements Coordinator
Regional and Intermodal Planning Division
State Highway Administration
Mail Stop C-502
707 N. Calvert Street
Baltimore MD 21202
Phone: 410-545-5675
Fax: 410-209-5025
E-mail: SHAAgreementsTeam@sha.state.md.us

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IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed by their proper and duly authorized officers, on the day and year first above written.

STATE HIGHWAY ADMINISTRATION

_____
WITNESS

By:_____ (SEAL)
Douglas H. Simmons Date
Acting Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
Assistant Attorney General

RECOMMENDED FOR APPROVAL:

_____
David J. Coyne
Deputy Administrator/Chief Engineer
for Operations

_____
Cheryl R. B. Hill
Deputy Administrator
for Administration

_____
Lisa B. Conners
Director
Office of Finance

EXHIBIT A				
STREET NAME	**LENGTH, LF**	**WIDTH, LF**	**AREA, SF**	**AREA, SY**
Greene St.				
Area 1	272.00	35.25	9588.00	1065.33
Area 2	386.50	22.25	8599.63	955.51
Area 3	62.00	33.00	2046.00	227.33
Area 4	231.00	37.50	8662.50	962.50
Area 5	785.50	36.00	28278.00	3142.00
Area 6	282.00	35.00	9870.00	1096.67
Area 7	536.00	30.50	16348.00	1816.44
Area 8	325.00	30.75	9993.75	1110.42
Area 9	283.00	31.00	8773.00	974.78
Area 10	617.00	28.50	17584.50	1953.83
Area 11	305.00	28.25	8616.25	957.36
Area 12	287.00	28.75	8251.25	916.81
Area 13	945.50	29.50	27892.25	3099.14
		TOTAL	**164503.13**	**18278.13**
S. Allegany St.				
Area 1	807.00	22.25	17955.75	1995.08
		TOTAL	**17955.75**	**1995.08**
S. Lee St.				
Area 1	675.00	21.75	14681.25	1631.25
Area 2	117.00	29.50	3451.50	383.50
Area 3	64.00	16.00	1024.00	113.78
		TOTAL	**19156.75**	**2128.53**
Beall St.				
Area 1	427.00	41.50	17720.50	1968.94
Area 2	424.00	29.00	12296.00	1366.22
		TOTAL	**30016.50**	**3335.17**
	OVEALL TOTAL		**231632.13**	**25736.90**
TOTALS				
Milling	25736.90	SY	$38,605.35	
HMA Tons - 2"	2856.80	TN	$228,543.70	
HMA Patching	1110.00	TN	$138,750.00	
Arrows	11.00	EA	$3,025.00	
5" Yellow	13000.00	LF	$1,950.00	
5" White	800.00	LF	$120.00	
24" White	110.00	LF	$2,035.00	
MOT	1.00	LS	$10,000.00	
		TOTAL	**$423,029.05**	

Regular Council Agenda
January 5, 2016

Description

Order authorizing the execution of a Memorandum of Understanding with the MD State Highway Administration (SHA) outlining terms under which SHA will provide financial assistance in the estimated amount of $423,030 to restore the surface condition of Greene, South Lee, and South Allegany Streets to the condition that existed prior to deterioration that may be caused by traffic detoured from certain SHA projects along I68

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:** __January 5, 2016 _

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

THAT, the allocation of Forty-three Thousand, Eight Hundred Dollars ($43,800.00) in Community Legacy Neighborhood Restoration Program funding to assist with the acquisition of 519 Shriver Avenue be and is hereby approved.

_____

Mayor Brian K. Grim

Funding:
Community Legacy Project #1422.05
Neighborhood Restoration Program (114 199AF 201)

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: MAYOR AND CITY COUNCIL

JEFF RHODES, MARGIE WOODRING

FROM: KATHY MCKENNEY

SUBJECT: NEIGHBORHOOD RESTORATION RECOMMENDATION

DATE: 12/29/2015

CC: JAY OLIVER

A total of $85,000 was awarded to the City of Cumberland by the Maryland Department of Housing and Community Development's Community Legacy program to fund the Neighborhoods Restoration program, a program in partnership with Cumberland Neighborhood Housing Services. The program is designed to assist in the acquisition and/or demolition of properties with the overall goal of reducing blight and restoring pride in Cumberland's neighborhoods. The Cumberland Economic Development Corporation staff has worked with City staff to target the acquisition of 519 Shriver Avenue. Staff recommends the allocation of $43,800.00 to assist with the acquisition of this structure. The Community Legacy fund that should be used for this project is 114 199AF 201. Please let me know if I can answer any questions.

Regular Council Agenda
January 5, 2016

Description

Order approving the allocation of $43,800 in Community Legacy Neighborhood Restoration Program funding to assist with the acquisition of 519 Shriver Avenue

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)

- Order -

of the

Mayor and City Council of Cumberland

MARYLAND

ORDER NO. _____ **DATE: _____August 18, 2015__**

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

THAT the Mayor and City Council of Cumberland is the record owner of a 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 Ford Truck VIN# 1FDAF57F4YED41857

_____

Brian K. Grim, Mayor

Regular Council Agenda
January 5, 2016

Description

Order declaring a 2000 Ford Pickup Truck (VIN #1FDAF57F4YED41857) to be surplus property and authorizing it for sale or trade-in

Approval, Acceptance / Recommendation

☐ Budgeted

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

Value of Award (if applicable)

Source of Funding (if applicable)