



**MAYOR**

Brian K. Grim

**CITY ADMINISTRATOR**

Jeff Rhodes

**CITY SOLICITOR**

Michael Scott Cohen

**COUNCIL**

Nicole Alt-Myers

Seth D. Bernard

David Caporale

Richard J. "Rock" Cioni

**CITY CLERK**

Marjorie A. Woodring

## AGENDA

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

DATE 9/20/2016

**\*Pledge of Allegiance**

**I. ROLL CALL**

**II. DIRECTOR'S REPORT**

(A) Police

1. Police Department monthly report for August, 2016.

(B) Fire

1. Fire Department monthly report for August, 2016.

(C) Public Works

1. Maintenance Division monthly report for August, 2016.

**III. APPROVAL OF MINUTES**

(A) Routine

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

**IV. PUBLIC HEARINGS**

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

**V. UNFINISHED BUSINESS**

(A) Ordinances

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

## **VI. NEW BUSINESS**

### **(A) Orders (Consent Agenda)**

1. Order lifting the provisions of Section 11-113 of the City Code, entitled "Open Containers of Alcohol," on Saturday, September 24, 2016 from 1:00 - 6:00 P.M. at the Frederick Street Garage to accommodate the Rowdy on the Roof event; notwithstanding that open glass containers shall not be permitted
2. Order abating utilities associated with City-owned property at 532 Maryland Avenue (Acct. 29-0158003 / \$1,452.01)
3. Order abating 2016 taxes on City-owned properties with cell tower revenue located at Bishop Walsh Road (Acct. No. 06-050301 / Tax Amount \$8,860.44) and Eleanor Terrace (Acct. No. 06-011853 / Tax Amount \$1,458.40)
4. Order accepting bids for the purchase of certain surplus vehicles and equipment that were offered through a public bidding process
5. Order declaring a Self-Propelled Anti-Tank Vehicle and Anti-Aircraft Gun now located in Constitution Park to be surplus units and authorizing that they be donated to the VFW Clifford B. Sisler Post 9451 for public display at the Veterans' Memorial in Oldtown, MD
6. Order providing the City Administrator the authority to execute all FY17 Employment Agreements for part-time employees for a one (1) year term retroactive from July 1, 2016 through June 30, 2017
7. Order declaring City-owned property at 423 Ascension Street to be surplus and approving its transfer to adjoining property owner Daniel Kohn, M.D. for the amount of \$5,000

### **(B) Letters, Petitions**

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

## **VII. PUBLIC COMMENTS**

All public comments are limited to 5 minutes per person

## **VIII. ADJOURNMENT**



Regular Council Agenda  
September 20, 2016

---

**Description**

Police Department monthly report for August, 2016.

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



# City of Cumberland Department of Police

Monthly Report  
**August 2016**



# City of Cumberland Department of Police

## Monthly Report

### August 2016

#### Part 1 Crimes for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
Aggravated Assault	1	3	B & E (All)	24	26	Murder	0	0	Rape	3	4
Robbery	0	3	Theft - Felony	5	6	Theft - Vehicle	4	4			

#### Selected Criminal Complaints for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
Theft - Mis	38	38	Theft - Petty	49	54	Domestic Assaults	37	29	CDS	56	104
Disturbances	224	204	DOP/Vandalism	39	47	Indecent Exposure	4	1	Sex Off - Other	4	5
Suicide	0	0	Suicide - Atmpt.	2	0	Tampering M/V	0	0	Abuse - Child	1	1
Trespassing	26	20	Assault on Police	4	2	Assault Other	56	53			

#### Selected Miscellaneous Incidents for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
Alcohol Violations	2	6	Juvenile Compl.	24	23	Missing Persons	26	9	School Resource	31	39
School Threat	0	0	Sex Off. Regist.	23	22	Truancy	3	5	Death Investigation	4	5

#### Selected Traffic Incidents for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
DWI	5	3	Hit & Run	23	27	M/V Crash	61	59	Traffic Stop	305	461

#### Selected Service Calls for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
Alarms	67	50	Assist Motorist	39	44	Check Well-Being	123	135	Foot Patrol	54	32
Assist Other Agency	84	63	Bike Patrol	2	0	Special Events	7	7	Suspicious Activity	85	96

#### Arrests Totals for the Month

	2015	2016		2015	2016		2015	2016		2015	2016
M/V Citations	50	83	M/V Warnings	243	346	Adult Crim	125	163	Juvenile Crim	21	17

**Total Incidents Reported:**                      2015              2016  
    2,230              2,375

Charles Hinnant - Chief of Police

# CUMBERLAND POLICE DEPARTMENT

## MONTHLY REPORT

AUGUST 2016

### SWORN PERSONNEL: 50 SWORN OFFICERS

Administration	6 officers
Squad 1A	8 officers
Squad 1B	8 officers
Squad 2A	8 officers
Squad 2B	9 officers
C3I/C3IN	5 officers
School Resource	2 officers
Academy	4 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: 639 HOURS  
 COMP TIME USED: 250 HOURS  
 SICK TIME USED: 115 HOURS

YEAR TO DATE (beginning 7/1/16): 2189 HOURS  
 YEAR TO DATE (beginning 7/1/16): 497 HOURS  
 YEAR TO DATE (beginning 7/1/16): 153 HOURS

### OVERTIME REPORT

OVERTIME WORKED: 259 HOURS  
 HOSPITAL SECURITY: 96 HOURS  
 COURT TIME WORKED: 109 HOURS

YEAR TO DATE (beginning 7/1/16): 689 HOURS  
 YEAR TO DATE (beginning 7/1/16): 208 HOURS  
 YEAR TO DATE (beginning 7/1/16): 238 HOURS

### TRAINING REPORT

42 OFFICERS TRAINED FOR 634 HOURS

YEAR TO DATE (beginning 7/1/15) 764 HOURS

Item # 1

**CPD ACTIVITY**  
**OUTSIDE CPD JURISDICTION**  
**AUGUST 2016**

On August 31, 2016, a CPD SRO Officer responded to Eckhart Alternative School to assist Sheriff Office Deputies with the identification of recovered suspected CDS. Disposition not reported.

On August 14, 2016, a CPD Officers responded to Brashier Hollow Road to assist the Allegany County Sheriff Deputies with a report of an assault with shots fired. Upon arrival officers assisted Deputies with the investigation, which resulted in one arrest.

On August 22, 2016, a CPD canine team responded to the Federal Correction Institute to assist with a drug investigation. Upon arrival, the canine team alerted to a vehicle and a subsequent search revealed a quantity of CDS. Further investigation was handled by C3I Narcotics.

August 27, 2016 a CPD canine team responded to the Federal Correction Institute to assist with a drug investigation which included the search of a vehicle. As a result, no contraband was recovered.

# *CUMBERLAND POLICE DEPARTMENT*

## Warrant Fugitive Initiative

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

CPD	7 arrests	10 warrants served
ACSO	2 arrests	2 warrants served
MSP	0 arrests	0 warrants served
FPD	0 arrests	0 warrants served
C3I	7 arrests	7 warrants served
C3IN	0 arrests	0 warrants served
OTHER	0 arrests	0 warrants served

**TOTALS      16 arrests      19 warrants served**

Of these, Detective David Broadwater arrested 16 people and served 19.

He opened 11 “Fugitive” investigations, 1 Assist Other Agency case, and made arrests in 5 existing cases, for a total of 17 cases generated for the month.

### **SIGNIFICANT CASES:**

1.) On 08/12/2016 Detective Broadwater received information that a suspect was wanted in both Frederick and Washington counties, on a total of four different warrants, for FTA (original charges - 3 counts of theft and 1 count of trespassing). Detective Broadwater located the suspect and took them into custody that day.

2.) On 08/17/2016 Detective Broadwater received a request to locate and apprehend a suspect, who is a registered sex offender, wanted in Baltimore County for VOP on an original charge of 3rd Degree Sex Offense. Detective Broadwater was familiar with the suspect, and responded to their place of employment and was able to take the suspect into custody without incident.



Regular Council Agenda  
September 20, 2016

---

**Description**

Fire Department monthly report for August, 2016.

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

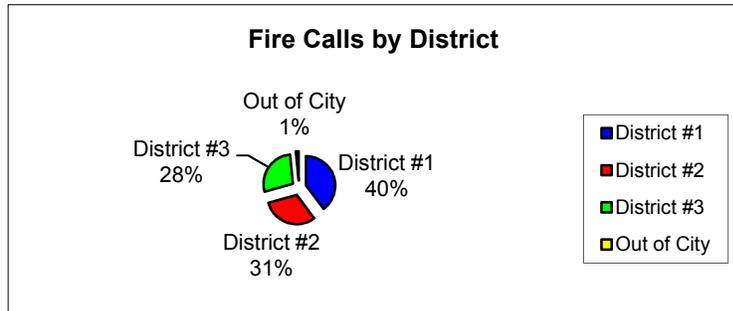
**Value of Award (if applicable)**

**Source of Funding (if applicable)**

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

**Cumberland Fire Department Responded to 126 Fire Alarms:**

Responses by District:	
District #1	50
District #2	39
District #3	35
Out of City	<u>2</u>
	126



Number of Alarms:	
First Alarms Answered	125
Working Alarms Answered	<u>1</u>
	126

Calls Listed Below:

Property Use:	
Public Assembly	2
Educational	4
Institutional	6
Residential	69
Stores and Offices	8
Manufacturing	1
Special Properties	<u>36</u>
	126

Type of Situation:

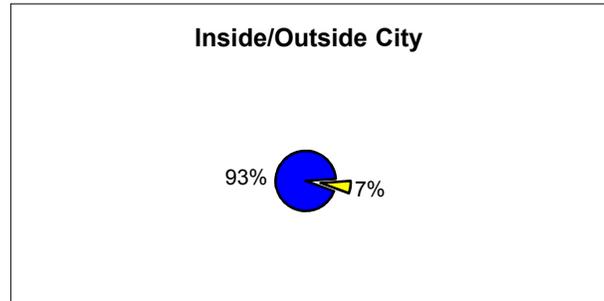
Fire or Explosion	13
Overpressure, Rupture	1
Rescue Calls	66
Hazardous Conditions	8
Service Calls	8
Good Intent Calls	13
False Calls	<u>17</u>
	126

Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid in August:	\$2,970.00
Total Fire Service Fees for Fire Calls Billed by Medical Claim-Aid Fiscal Year to Date:	\$9,090.00
Total Fire Service Fees for Fire Calls Paid in August:	\$480.75
Total Fire Service Fees for Fire Calls Paid Fiscal Year to Date:	\$505.75

Fire Service Fees for Inspections and Permits Billed in August:	\$600.00
Fire Service Fees for Inspections and Permits Paid in August:	\$600.00
Total Fire Service Fees for Inspections and Permits Paid Fiscal Year to Date:	\$900.00

**Cumberland Fire Department Responded to 497 Emergency Medical Calls:**

In City Calls	464
Out of City Calls	<u>33</u>
Total	497



Total Ambulance Fees Billed by Medical Claim-Aid in August:	\$119,792.50
Ambulance Fees Billed Fiscal Year to Date:	\$165,153.50
Ambulance Fees Paid:	
Revenue Received in August:	\$85,970.92
Revenue:	
FY2017 Fees Paid in FY2017:	\$58,727.69
All Ambulance Fees Paid in FY2017:	\$185,403.57
(Includes all ambulance fees, previous and current fiscal years, paid in FY2017.)	

**Cumberland Fire Department Provided 13 Paramedic Assist Calls:**

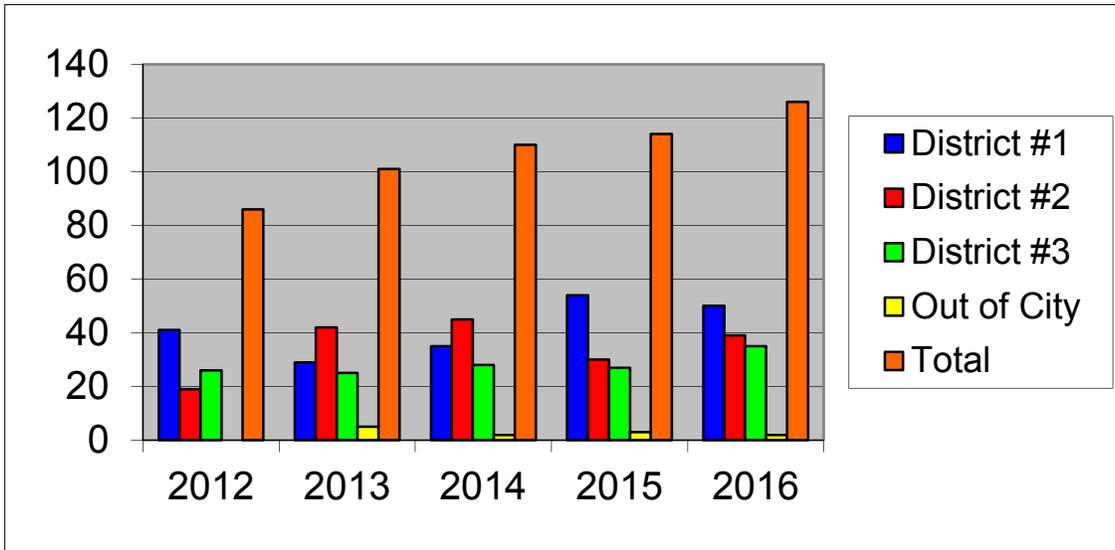
8 Paramedic Assist Calls within Allegany County	
<u>5 Paramedic Assist Calls outside of Allegany County</u>	
13	
Bowman's Addition VFD	1
Cresaptown VFD	3
Ellerslie Vol. Ambulance Squad	1
Flintstone VFD	1
Frostburg Area Ambulance	1
Tri-Towns Rescue Squad	<u>1</u>
	8
Ridgeley VFD	3
Springfield Area Rescue Squad	<u>2</u>
	13

**Cumberland Fire Department Provided 20 Mutual Aid Calls:**

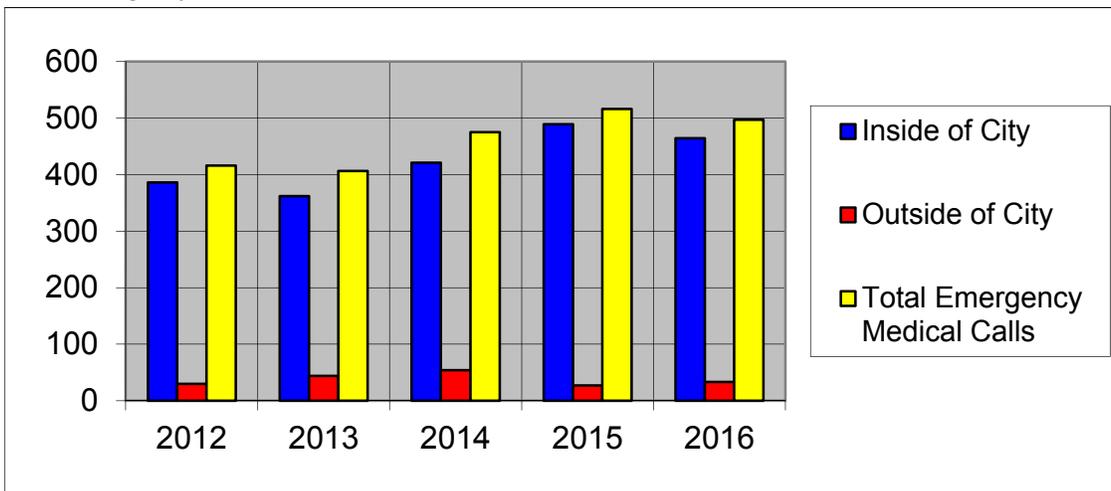
19 Mutual Aid Calls within Allegany County	
<u>1 Mutual Aid Calls outside of Allegany County</u>	
20	
Bowman's Addition VFD	2
Cresaptown VFD	8
District #16 VFD	2
Flintstone VFD	4
LaVale Vol. Rescue Squad	<u>3</u>
	19
Ridgeley VFD	<u>1</u>
	20

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

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
District #1	41	29	35	54	50
District #2	19	42	45	30	39
District #3	26	25	28	27	35
Out of City	<u>0</u>	<u>5</u>	<u>2</u>	<u>3</u>	<u>2</u>
Total	86	101	110	114	126

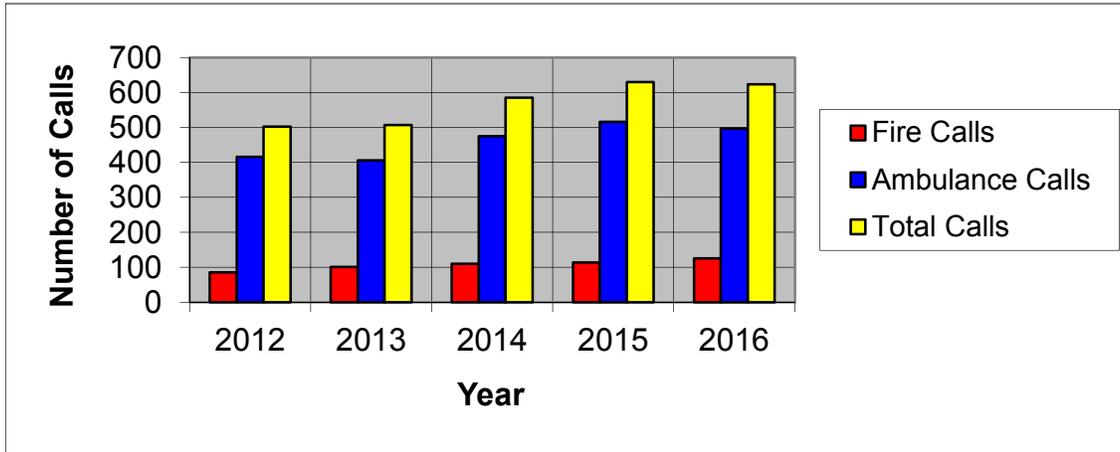
**Ambulance Calls in the Month of August for a Five-Year Period**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Inside of City	386	362	421	489	464
Outside of City	<u>30</u>	<u>44</u>	<u>54</u>	<u>27</u>	<u>33</u>
Total Emergency Medical Calls	416	406	475	516	497



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

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Fire Calls	86	101	110	114	126
Ambulance Calls	416	406	475	516	497
Total Calls	502	507	585	630	623

**Training**

Training Man Hours:	211.50
Training Listed Below:	
Active Shooter	76.00
Duties and Responsibilities	4.50
Apparatus Check Procedures	24.00
Fit Testing	47.00
Strategic & Tactical Operations	29.00
Physical Fitness	8.00
Chain Saw Safety	9.00
Pipeline Emergencies	9.00
Extrication	5.00
	<u>211.50</u>

**Fire Prevention Bureau**

Complaints Received	3
Conferences Held	65
Correspondence	27
Inspections Performed	12
Investigations Conducted	8
Plan Reviews	5
Pre-Plans	0

**Personnel**

Firefighter/Paramedic Michael R. Salvadge resigned effective August 26, 2016.

Statistics Compiled by Julie A Davis, Fire Administrative Officer



Regular Council Agenda  
September 20, 2016

---

**Description**

Maintenance Division monthly report for August, 2016.

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

**MAINTENANCE DIVISION REPORT**  
**August 2016**

**Street Maintenance Report**

**Parks & Recreation Maintenance Report**

**Fleet Maintenance Report**

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

- POTHoles AND COMPLAINTS
  - Potholed 20 Streets and 9 Alleys using approximately 25 tons of HMA.
  
- IN HOUSE PAVING
  - Paved Swick Lane using approximately 70 tons of HMA.
  - Paved Hicks Ave using approximately 110 ton of HMA.
  - Installed underdrain and paved Patterson Ave @ Springfield Blvd using approximately 60 tons of 57 stone, 45 tons of Rip Rap and 115 tons of HMA.
  - Paved Edison from Sperry Terr. to Mann's Terr. using approximately 40 tons of HMA.
  
- UTILITY HOLE REPAIR
  - Completed 9 Water Utility Hole Repairs and 8 Sewer Utility Hole Repairs using 30 tons of HMA and 10 CY of concrete.
  
- TRAFFIC CONTROL SIGNS/STREET NAME SIGNS
  - Refreshed Cross Walks and Stop Bars with Pavement Markings.
  - Continued to refresh painted curbs City Wide.
  
- STREET SWEEPING
  - Swept 486 curb miles (approx. 120 cubic yards of debris).
  - Hauled 20 tons to Landfill.

<b>STREET MAINTENANCE - AUGUST 2016</b>		8/1-8/6	8/7-8/13	8/14-8/20	8/21-8/27	8/28-8/31	TOTAL
SERVICE REQUEST COMPLETED		6	8	5	3	2	24
PAVING PERFORMED	TONS	180		10	104	37	331
CONCRETE WORK	CY						0
UTILITY HOLES REPAIRED	WATER	3	2	1		3	9
	SEWER		1	3	3	1	8
	CY	1.00	7.50	1.50			10
	TONS	5.0	2.0	8.0	2.0	13.0	30
POTHoles FILLED	STREETS	3	6	4	5	2	20
	ALLEYS	2		1	4	2	9
	DAYS						0
	Cold Mix						0
	TONS	2.5	3.5	5.5	9.0	2.0	23
PERMANENT PATCH	CY						0
	TONS	1					1
COMPLAINTS COMPLETED							0
	CY						0
	TONS						0
TRAFFIC CONTROL SIGNS REPAIRED/INSTALLED							0
STREET NAME SIGNS REPAIRED/INSTALLED							0
HANDICAPPED SIGNS REPAIRED/INSTALLED/REMOVED							0
							0
							0
PAINTING PERFORMED	BLUE						0
	YELLOW						0
	RED						0
PAVEMENT MARKINGS INSTALLED	No.						0
STREET CLEANING	LOADS	9		9	12		30
	MILES	191		150	145		486
SWEEPER DUMPS HAULED TO LANDFILL	TONS		19.4				19
CLEANED BALTIMORE ST. UNDERPASS		1	1		1		3
BRUSH REMOVAL/TREE WORK	Days	2	4	1		2	9
Check Drains/Clean Debris	DAYS						0

**Paved Swick Lane 8/1/16 70 ton**

**Paved Hicks Ave 8/2/16 80 ton, 8/3/16 30 ton**

**Traffic Control set up on Somerville Ave for National Night Out 8/2/16**

**Traffic Control set up for 911 Ride 8/19**

**Installed Guardrail at the dead end of Pear St due to RR Crossing Removal 8/4-8/5**

**Installed Guardrail at the dead end of Bow Street**

**Installed Bollard on Franklin Street.**

**3.4 ton of Gabion Stone Ditch Repair Longwood 8/8/16**

**Underdrain on Patterson @ Springfield Blvd.**

1. Saw cut and moved equipment 8/12
2. Installed Underdrain and backfilled 8/15 & 8/16 (23 ton of 57's)
3. Excavated a soft spot on the corner and backfilled with 35.52 tons of RR 8/18
4. Backfilled with 44.43 tons of 57's on 8/19/16
5. Placed 10 ton of blacktop in underdrain trench on 8/19/16
6. Cleaning ditches on Patterson Ave and Springfield Blvd 8/22/16
7. Places 10 ton of RR in ditch on 8/23/16
8. Cleaned ditches along Springfield Blvd & Milled Joints 8/24/16
9. Paving Patterson Ave 104 ton 8/25 & 8/26
10. Paving Edison 37 ton 8/29 & 8/30
11. Brush removal on Sperry Terrace 8/31/16

Item # 3

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

- Constitution Park
  - Cleaned up garbage, bathrooms and pavilions 3 time/week.
  - Cut grass in Park and Long Field.
  - Maintained pool and pumps.
  - Trimmed trees and shrubs.
  - Removed broken playground equipment and mulched playground.
  - Repaired horseshoe pits.
  
- Mason Complex
  - Cleaned up garbage 3 time/week.
  - Lined Fields as per schedule.
  - Cut grass.
  - Tying fence lines along fields.
  - Removed old broken set of bleachers.
  - Installed outside faucet at Mason.
  
- Abrams, Cavanaugh and JC
  - Cleaned up garbage and bathrooms 3 time/week.
  - Cut grass.
  
- Miscellaneous Work
  - Continue to maintain, cut grass and pick up garbage at Parklets and other areas.
  - Brush work at Springdale Playground.

Parks and Recreation						
Field Work						
August 2016						
		Line		Spike		Drag
Flynn		3		2		3
Nonnennmann		2		2		2
Northcraft		3		2		3
Bowers						
Galaxy		6				
United		6				
Nonnennmann SF		6				
Bowers FB		6				
United FB		6				
Long						
Cavanaugh				1		1
JC						
Abrams		3				
AC		1				





**Fleet Maintenance  
August 2016**

<b>Total Fleet Maintenance Projects</b>	<b>136</b>
Street Maintenance	31
Snow Removal	0
DDC	0
CPD	24
Water Distribution	16
P & R Maintenance	8
CFD	11
Sewer	15
Code Enforcement	1
Flood	0
PIP	0
WWTP	0
Engineering	1
Facility Maintenance	0
Fleet Maintenance	0
Central Services	0
Municipal Parking	0
Public Works	2
Water Filtration	0
Small Engine Repairs	0
Scheduled Preventive Maintenance	17
Field Service Calls	10
<b>Total Work Orders Submitted</b>	<b>38</b>
<b>Risk Management Claims</b>	<b>0</b>
<b>Fork Lift Inspections</b>	<b>0</b>



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



**MAYOR**  
Brian K. Grim

**CITY ADMINISTRATOR**  
Jeffrey D. Rhodes

**CITY SOLICITOR**  
Michael Scott Cohen

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

**CITY CLERK**  
Marjorie A. Woodring

## MINUTES

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

DATE: 8/16/16

### \*Pledge of Allegiance

#### I. ROLL CALL

The meeting convened at 6:34 p.m.

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

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

#### II. PROCLAMATIONS

- (A) Proclamation to declare September, 2016 as Childhood Cancer Awareness Month and promote the "Go Gold Challenge" sponsored by the Holding Hands for Haley Foundation

Mayor Grim read the Proclamation and presented it to Mr. Buddy House, representative of the Holding Hands for Haley Foundation. Mr. House spoke about the Foundation that was begun in honor of his daughter, Haley, and encouraged those with questions about childhood cancer to consult their website. He provided details of the "Go Gold" program the Foundation was supporting, which challenged businesses to decorate in gold in recognition of Childhood Cancer Awareness Month, and discussed other events supported by the group.

- (B) Proclamation honoring the Allegany Soil Conservation District on their 75th Anniversary

Mayor Grim presented the Certificate to Tom Butler, District Chairman of the Allegany Soil Conservation District. Mr. Butler thanked the Mayor and Council for the recognition and commented on the good working relationship the ASCD has with the City of Cumberland and commented on their goal to continue to provide quality services to the citizens of Cumberland. Mr. Butler also recognized Mr. Adam Heavner, District Manager of ASCD, who was also in attendance.

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

- (A) Presentation of the 2016 Mary Susan Cerutti Historic Preservation Award to Jason Wolford and Wolford Rentals LLC for rehabilitation of 168-170 N. Centre Street

Kathy McKenney, Historic Planner, introduced Dr. Henry Bullamore, chairman of the Historic Preservation Commission. Dr. Bullamore provided background on the origin of the Historic Preservation Award, its intent, and the selection process. He discussed the project scope of the restoration of 168-170 N. Centre Street, which entailed a full rehabilitation, and provided before and after photos. Dr. Bullamore noted that the newly renovated building would provide a significant contribution to the downtown.

Dr. Bullamore and the Mayor and City Council then presented the 2016 Mary Susan Cerutti Historic Preservation Award to the owner, Jason Wolford of Wolford Rentals, LLC.

- (B) Certificate of Recognition presented to Dr. Henry Bullamore in appreciation of over 20 years of service to the Cumberland Historic Preservation Commission

Mayor Grim read the Certificate and presented it to Dr. Bullamore, thanking him on behalf of the Mayor and City Council for lending his expertise to the community for over 20 years through his service on the Historic Preservation Commission.

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

- (A) Police

1. Police Department monthly report for July, 2016

**Item Action:** Approved

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

- (B) Fire

1. Fire Department monthly report for July, 2016

**Item Action:** Approved

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

- (C) Public Works

1. Maintenance Division monthly report for July, 2016

**Item Action:** Approved

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

### **V. APPROVAL OF MINUTES**

- (A) Routine

1. Approval of the regular session minutes of June 21 and July 5, 2016

**Item Action:** Approved

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

2. Approval of the Traffic Group minutes of July 21, 2016

**Item Action:** Approved

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

**VI. NEW BUSINESS**

(A) Orders (Consent Agenda)

**Item Action:**

Mr. Rhodes reviewed each item on the Consent Agenda prior to vote and Mayor Grim entertained questions or comments. Motion to approve Consent Agenda Items 1-8 was made by Councilman Cioni, seconded by Councilwoman Alt-Myers, and was passed on a vote of 5-0.

1. Order declaring 0.49 of a mile +/- on US 220 McMullen Highway near the southwest corporate limits of the city, north of the Upper Potomac Industrial Park, as surplus property and authorizing its transfer to the MD State Highway Administration per terms of a Road Transfer Agreement approved by Order No. 25,035

ORDER NO. 26,015

2. Order authorizing Special Taxing District Residential Exemptions for the 2015-2016 tax year in the amount of \$1,074.91, and the 2016-2017 tax year in the amount of \$1074.91 for property at 55 Baltimore Street; for the 2016-2017 tax year in the amount of \$320.70 for property at 107 S. Centre Street, and for the 2016-2017 tax year in the amount of \$413.59 for property at 27 N. Centre Street

ORDER NO. 26,016

3. Order authorizing the City Administrator to sign and submit a Transportation Grant Application to the MD Department of Transportation for local government funding provided through a Chapter 143 Special Fund Appropriation and committing to use the funds only for transportation projects

ORDER NO. 26,017

4. Order declaring a 1991 Ford Truck (VIN: 1FDNK64P3MVA13467) as surplus and authorizing it for sale or trade-in

ORDER NO. 26,018

5. Order accepting the sole source proposal from KONE, Inc., to provide elevator maintenance services under the US Communities Program, with the agreement being effective for a three (3) year term commencing July 1, 2016, in the amount of \$10,020.00 per year, for a total contract amount not to exceed \$30,060

ORDER NO. 26,019

6. Order accepting the Total Base Bid of Protection Services, Inc. for the Bike Improvements on Bedford and Frederick Streets Project (11-13-M) in the estimated unit price of \$88,165.75

ORDER NO. 26,020

- 7. Order accepting the bid of Protection Services, Inc. for the project Bike Improvements on Mechanic and Centre Street (10-12-M) in the estimated unit price of \$14,942.50

ORDER NO. 26,021

- 8. Order declaring City-owned property at 424 Goethe Street to be surplus and authorizing its donation to Friends Aware, Inc.

ORDER NO. 26,022

**VII. PUBLIC COMMENTS**

All public comments are limited to 5 minutes per person

Mr. Owen Rice, 510 Welch Avenue, raised questions regarding funding for many of the street repair projects currently underway and stated that if there was funding for the streets, there should be funding to fix his street as well. Mayor Grim noted the current administrator's clear commitment to street repair and Mr. Rhodes advised that staff was aware of the problems and slope issues on the streets between Bedford and Frederick Streets.

**VIII. ADJOURNMENT**

With no further business at hand, the meeting adjourned at 6:59 p.m.

Minutes approved on \_\_\_\_\_

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

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



**MAYOR**  
Brian K. Grim

**CITY ADMINISTRATOR**  
Jeffrey D. Rhodes

**CITY SOLICITOR**  
Michael Scott Cohen

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

**CITY CLERK**  
Marjorie A. Woodring

## MINUTES

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

DATE: 8/26/16

### \*Pledge of Allegiance

#### I. ROLL CALL

PRESENT: Brian K. Grim, Mayor; Council Members David Caporale, Richard J. Cioni, Jr.

ABSENT: Council Members Nicole Alt-Myers and Seth Bernard

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

#### II. NEW BUSINESS

##### (A) Orders (Consent Agenda)

1. Order authorizing execution of a Temporary Right of Entry Agreement with CSX Transportation, Inc. to allow access to CSXT property for the purpose of assessing the condition of an existing gravity sewer pipeline associated with the Phase III Evitts Creek CSO Upgrades Project (01-10-WWTP)

Mr. Rhodes advised that the project involved performing camera work inside the force main off of Industrial Boulevard. The Right of Entry Agreement would allow the City's contractors access to CSX property to access the line which ran under the CSC mainline. The special meeting had been called to allow the project to continue in a timely manner.

Motion to approve the one item on the Consent Agenda was made by Councilman Caporale, seconded by Councilman Cioni and was passed on a vote of 3-0.

ORDER NO. 26,023

#### III. PUBLIC COMMENTS

All public comments are limited to 5 minutes per person

No public comments were offered at this time.

**IV. ADJOURNMENT**

With no further business at hand, the meeting adjourned at 8:02 p.m.

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

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



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**Approval, Acceptance / Recommendation**

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

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

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED FOR THE PURPOSE OF CONVEYING TO FRIENDS AWARE, INCORPORATED CERTAIN SURPLUS REAL PROPERTY LOCATED AT 424 GOETHE STREET IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND."

**WHEREAS**, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 424 Goethe Street, in the City of Cumberland, Allegany County, Maryland;

**WHEREAS**, the said property was declared to be surplus property under the terms of Order No. 26,022, passed by the Mayor and City Council on August 16, 2016;

**WHEREAS**, Friends Aware, Incorporated requested that the City donate the property to it with the intention of renovating the structure so that would be suitable for use as a group home and could be used for that purpose; and

**WHEREAS**, the Mayor and City Council deem the donation of the property to be in the City's best interests as the improvements to the structure that were made to the City in anticipation of the conveyance which is the subject of this Ordinance and those which will be made by Friends Aware, Incorporated will result in substantial renovations to the property, should help shore up the neighborhood and will ultimately result in the expenditure of less City funds that would have been the case if the City demolished the structure, which was its intent before Friends Aware, Incorporated made its renovation proposal.

**NOW, THEREFORE**

**SECTION 1:** BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that the Mayor be and he is hereby authorized to execute a Deed in the form attached hereto as Exhibit A in order to effect the conveyance of the real property and the improvements thereon located at 424 Goethe Street, Cumberland, Maryland 21502 to Friends Aware, Incorporated for the purchase price of \$0.00;

**SECTION 2:** AND BE IT FURTHER ORDAINED, that the City Solicitor be and he is hereby authorized to execute such other documents as may be required or expedient for the purpose of facilitating and completing the conveyance; and

**SECTION 3:** AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2016.

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

ATTEST:

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

# **EXHIBIT A**

**THIS DEED**, made this \_\_\_ day of \_\_\_\_\_, 2016, by and between **MAYOR AND CITY COUNCIL OF CUMBERLAND**, a Maryland municipal corporation, party of the first part, and **FRIENDS AWARE, INCORPORATED**, a Maryland non-profit corporation, party of the second part.

**WITNESSETH:**

That for and in consideration of the sum of Zero Dollars (\$0.00) cash in hand paid and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby quitclaim unto the party of the second part, its successors and assigns, all of the party of the first part's right, title, interest and estate in and to the following described property lying and being in the City of Cumberland, Allegany County, Maryland, to wit:

**ALL** that lot or parcel of ground situated and lying on Goethe Street, in the City of Cumberland, Allegany County, Maryland, a plat of which said property is recorded in Liber 121, folio 608, among the Land Records of Allegany County, Maryland, and particularly described as follows, to-wit:

**BEGINNING** at a point on the westerly side of Goethe Street at the end of the fifth line of the deed from William H. Cole and James C. Powell, Trustees, to Martha M. Donahoe, dated July 28, 1905, and recorded in Liber No. 99, folio 53, one of the Land Records of said Allegany County, said beginning point being also distant south 34 degrees and 35 minutes west 51 feet from the northeast corner of the brick house located on said Donahoe lot, and known as the Darnell house, and running thence with the westerly side of Goethe Street, south 34 degrees and 35 minutes west 6 ½ feet; south 40 degrees 20 minutes west 19 ½ feet, then north 52 degrees and 25 minutes west 220 ½ feet to the end of 124 feet on the fourth line of a deed from Rebecca E. Henderson and others to Lewis Weber, dated January 13, 1903, and recorded among the Land Records of Allegany County in Liber No. 93, folio 574 and reversing part of said fourth line as corrected by variation, north 40 degrees east 8 ½ feet to the end of the fourth line of the aforesaid deed to Martha M. Donahoe and then with the fifth line of said Donahoe deed, as corrected, south 57 degrees east 221 feet to the beginning.

**IT BEING** the same property which was conveyed from Jason M. Bennett, Director of Finance for Allegany County, Maryland, to Mayor and City Council of Cumberland by deed dated September 23, 2014 and recorded among the Land Records of Allegany County, Maryland in Book 2085, Page 44.

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

**TO HAVE AND TO HOLD** the above-described property unto party of the second part, its successors and assigns in fee simple forever.

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

**WITNESS/ATTEST:**

**MAYOR AND CITY COUNCIL  
OF CUMBERLAND**

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

By: \_\_\_\_\_(SEAL)  
**Brian K. Grim, Mayor**

**STATE OF MARYLAND,  
ALLEGANY COUNTY, TO WIT:**

**I HEREBY CERTIFY**, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Brian K. Grim**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$0.00. He further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident entity of the State of Maryland.

**WITNESS** my hand and Notarial Seal.

\_\_\_\_\_  
**NOTARY PUBLIC**

**My Commission Expires:** \_\_\_\_\_

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

\_\_\_\_\_  
**MICHAEL SCOTT COHEN**



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**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: September 20, 2016

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

THAT the provisions of Section 11-113 of the City Code, entitled "Open Containers of Alcohol," be and are hereby lifted on Saturday, September 24, 2016 from 1:00 P.M. until 6:00 P.M. at the Frederick Street Garage to accommodate the Rowdy on the Roof event sponsored by the Cumberland Economic Development Corporation (CEDC);

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

---

**Brian K. Grim, Mayor**



**ChooseCumberland.org**

Built on experience. Building on potential.

August 23, 2016

Hon. Brian K. Grim, Mayor  
 Nicole Alt-Myers, Councilwoman  
 Seth D. Bernard, Councilman  
 David Caporale, Councilman  
 Richard J. Cioni, Councilman  
 City of Cumberland  
 57 N. Liberty Street  
 Cumberland, MD 21502

Greetings,

I write you on behalf of the Cumberland Economic Development Corporation to ask for your permission to use the parking facility located at 1 Frederick Street for our upcoming event, Rowdy on the Roof. I have met with Captain Greg Leake of the Cumberland Police Department as well as Fire Marshall Shannon Adams to insure feasibility of this event and they both have given me the go ahead with their support to move forward.

On September 24<sup>th</sup>, 2016, we (the CEDC) will be the host to our first fundraiser, Rowdy on the Roof. This event will consist of local vendors set up on the levels working up the garage with a concert located on the top level. We feel this is a wonderful location due to the scenic value from atop the city and also its location in the middle of the city. The event will be held from 1-6pm and will feature music by local artists Grand Ole Ditch as well as YouTube Bluegrass stars, Steve 'n' Seagulls that will be traveling from Finland to be here. We feel the timeframe and entertainment will not only draw several people in the heart of the Central Business District but also give all of our local businesses the opportunity to prosper from the crowds both prior and after the event.

With your permission to use this venue, you will also be allowing the CEDC to obtain a temporary liquor license for the event. The monitored sales of alcohol will provide us an important source of revenue from the event. We want to create a family atmosphere but feel as though the ability to sell beer on the premises would only keep people longer and generate income. Volunteers will assist in monitoring alcohol sales as well as policing the area for any potential underage consumption or overly intoxicated patrons. Any violators of consumption laws will be immediately discarded from the event and will be handed over to local law enforcement for further punishment if necessary.

The CEDC's main goal with fundraising is to obviously become more financially independent. We feel that events such as Rowdy on the Roof not only help us in doing so, but also further our mission in enhancing local economic development by increasing downtown traffic.

Thank you for your time and please feel free to reach out to me personally with any questions regarding this letter or the event in general

Sincerely,

Matt Miller

Economic Development Specialist

Matt.miller@chooselumberland.org/240.522.6114

**APPROVED SEP 6 2016**  
 Item # 7



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**Approval, Acceptance / Recommendation**

There are currently \$1452.01 due in water and sewer fees for this City-owned property.

Budgeted

1st Reading

2nd Reading

3rd Reading

**Value of Award (if applicable)**

**Source of Funding (if applicable)**

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

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

DATE: September 20, 2016**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

**THAT,** the utility fees on the following City-owned property be and are hereby abated:

<b>Utility Account</b>	<b>Location</b>	<b>Utility Amount</b>
29-0158003	532 Maryland Avenue	\$1,452.01

---

**Mayor Brian K. Grim**

CITY CUMBERLAND

UT0865S1

Transaction Inquiry

UT7010S1

Account#: 290158003      16156      Current Balance . :      1,452.01  
 Name . : PNC BANK NATIONAL ASSOCIAT  
 Address : 532 MARYLAND AVE

Type options, press Enter.

5=Detail    6=Reprint Bill    7=Reverse    11=Mtr Hist    16=Other Charges  
 More: +

Opt	Type	Date	Amount	Posted	Due Date	Balance
—	Penalty	7/08/2016	20.87	7/08/2016		1452.01
—	Bill	6/16/2016	.00	6/16/2016	7/07/2016	1431.14
—	Penalty	6/03/2016	20.87	6/03/2016		1431.14
—	Bill	5/12/2016	.00	5/12/2016	6/02/2016	1410.27
—	Penalty	5/06/2016	20.87	5/06/2016		1410.27
—	Bill	4/14/2016	.00	4/14/2016	5/05/2016	1389.40
—	Penalty	4/08/2016	20.87	4/08/2016		1389.40
—	Bill	3/17/2016	.00	3/17/2016	4/07/2016	1368.53
—	Penalty	3/04/2016	20.87	3/04/2016		1368.53
—	Bill	2/11/2016	.00	2/11/2016	3/03/2016	1347.66

More...

-F3=Exit . . F5=Refresh . . F6=Add Adjust . . F7=Event History . . F22=More Keys-----





Regular Council Agenda  
September 20, 2016

---

**Description**

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

**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: September 20, 2016**ORDERED, By the Mayor and City Council of Cumberland, Maryland****THAT**, the taxes on the following City-owned property be and are hereby abated:

<b>Tax Account / Year</b>	<b>Location</b>	<b>Tax Amount</b>
06-050301 / 2016	Bishop Walsh Road	\$8,860.44
06-011853 / 2016	Eleanor Terrace	\$1,458.40

---

**Mayor Brian K. Grim**

City of Cumberland \*\*Live\*\*  
9/07/16

TA0080S1

PROPERTY TAX SYSTEM

Inquiry

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

School Dist.: CUMB SCHLS

Phone..:

MD 21502-0000

Payoff Date : 9/07/2016  
Total Billed: 1,458.40  
Tot. Dsc App: .00  
Total Paid..: .00  
Total Due W/SC: 1,458.40

Enter Option: \_\_

F3=Exit

X	Year	Perd	Type	Bill#	Tax	Pen	Int	Collected	Remaining Balance
-	2016	1	1	201609487	1458.40	.00	.00	.00	1458.40

City of Cumberland \*\*Live\*\*  
9/07/16

## PROPERTY TAX SYSTEM

TA0080S1

Documents Exist

Inquiry

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

School Dist.: CUMB SCHLS

Payoff Date : 9/07/2016  
 Total Billed: 8,860.44  
 Tot. Dsc App: .00  
 Total Paid..: .00  
 Total Due W/SC: 8,860.44

Enter Option: \_\_\_

F3=Exit

X	Year	Perd	Type	Bill#	Tax	Pen	Int	Collected	Remaining Balance
-	2016	1	1	201610566	8860.44	.00	.00	.00	8860.44



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**Approval, Acceptance / Recommendation**

Bid results are attached.

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: September 20, 2016

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

**THAT**, the bids for surplus vehicles and equipment be and are hereby accepted as follows and all other bids are hereby rejected:

No	Year	Make & Model	VIN/Serial No.	Bid Amount	Bidder
1	1994	Ford F700 Dump Truck	1FDNK74C1RVA23344	\$858.00	Matt Dennison
2	1995	Chevy Pickup	1GCEK19H9SE170264	\$507.00	Michael W. Lawrence
3		Caterpillar Track Dozer/Hoe	Serial No. 78U2684	\$4,001.00	John Turano
4		Galion Road Grader	Serial No. 5297	\$500.00	Terry Nixon
5		Bobcat Backhoe Attachment	Serial No. 584103204	\$1,157.00	Wayne McCusker
7	1996	Jeep Cherokee	1J4FJ28S8TL265299	\$412.00	Michael W. Lawrence
8	2000	Chevrolet Van	1GCGG25R5Y1171197	\$207.00	Michael W. Lawrence

**BE IT FURTHER ORDERED**, that as no bids were received for Item No. 6, the Miller Bid 40 Welder, said equipment shall be offered for scrap.

---

**Brian K. Grim, Mayor**

**Mayor and City Council of Cumberland**

**2016 Sale of Surplus Vehicles and Equipment**

Bid Opening Date: August 17, 2016, City Hall Council Chambers 2:30 p.m.

		VIN 23344	VIN170264	Ser. 78U2684	Ser. 5297	Ser. 584103204	Ser. 567616	VIN 265299	VIN 1171197
		1994 F700 Dump	1995 Chevy PU	Caterpillar Dozer/Hoe	Galion Road Grader	Bobcat Backhoe Attach.	Miller Big 40 Welder	1996 Jeep	2000 Chevy Van
		No.1	No. 2	No. 3	No. 4	No. 5	No. 6	No. 7	No. 8
Bidder	Affidavit								
Michael W. Lawrence *	Yes		\$ 507.00				\$ <del>127.00</del>	\$ 412.00	\$ 207.00
Blane A. Bender *	Yes					\$ 106.12	\$ <del>28.12</del>	\$ 102.56	\$ 60.12
John Jones **	No			\$ <del>3,950.00</del>	\$ <del>450.00</del>				
Matt Dennison	Yes	\$ 858.00							
Terry Nixon	Yes				\$ 500.00				
John Turano	Yes			\$ 4,001.00		\$ 200.01			
Matt Crabtree *	Yes			\$ 1,006.00		\$ 526.00	\$ <del>302.00</del>		
Adams & Sons Construction	Yes			\$ 1,501.00		\$ 151.00			
Wayne McCusker	Yes					\$ 1,157.00			

\* NOTE: Michael Lawrence, Blane Bender, and Matt Crabtree withdrew their bids for the Miller Big 40 Welder

\*\* NOTE: John Jones submitted no Affidavit of Qualification to Bid Form



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**Approval, Acceptance / Recommendation**

See attached letter from the VFW requesting donation of this equipment.

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: September 20, 2016

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

**THAT** the Mayor and City Council of Cumberland is the record owner of a Self-Propelled Anti-Tank Vehicle and an Anti-Aircraft Gun that are currently displayed at the Constitution Park; and

WHEREAS, the Mayor and City Council have determined this vehicle and equipment to be of no further value to the City and desires to dispose of said units; and

WHEREAS, the Veterans of Foreign Wars, Clifford B. Sisler Post 9451, has offered to remove the units and publicly display them as part of their Veterans Memorial to be erected in Oldtown, Maryland;

**IT IS THEREFORE ORDERED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND THAT** the following units be and are hereby declared to be surplus property and authorized to be donated to the Veterans of Foreign Wars, Clifford B. Sisler Post 9451.

- 1) One (1) Self-Propelled Anti-Tank Vehicle
- 2) One (1) Anti-Aircraft Gun

---

**Brian K. Grim, Mayor**

**VETERANS OF FOREIGN WARS**

CLIFFORD B. SISLER POST 9451

18504 OLDTOWN ROAD, S.E.  
OLDTOWN, MARYLAND 21555

June 10, 2016

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

ATTN: Jeff Rhodes  
City Administrator

RE: **Military Memorials - Constitution Park**

Dear Mr. Rhodes:

To confirm our discussion when we met last week in Constitution Park, the Oldtown VFW, Post 9451 wishes to acquire the Self-Propelled Anti-Tank vehicle and the Anti-Aircraft gun now situated in Cumberland's Constitution Park. We are trying to make arrangements for the removal of those units.

Our VFW has acquired and prepared a site adjacent to our Post in Oldtown for the erection of a Veterans' Memorial. Work on that project is underway and we would love to be able to include the Anti-Tank and Anti-Aircraft units to complement the WWII Howitzer already owned by the Post and to be part of the Memorial.

When we met, we discussed the possibility of assistance from the City as to cost in removal and transportation of the two units. We would like to further discuss that possibility.

Very truly yours,

Donald H. Nixon, Commander



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**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: September 20, 2016**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

**THAT,** the City Administrator be and is hereby authorized to execute all FY17 Employment Agreements for part-time employees of the City of Cumberland; and

**BE IT FURTHER ORDERED,** that the term of each agreement shall be for one (1) year, extending retroactively from July 1, 2016 through June 30, 2017.

---

**Mayor Brian K. Grim**



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**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: September 20, 2016

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

**WHEREAS**, the Mayor and City Council of Cumberland is the record owner of a certain parcel of real property together with the improvements thereon which are known as 423 Ascension Street, Cumberland, Maryland, 21502 (hereinafter referred to as the "Property"), the Property being more particularly described as:

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

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

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

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

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

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

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

2. **BE IT FURTHER ORDERED**, that, the Mayor and City Council, having offered the Property to adjoining property owners and having received one offer from Daniel E. Kohn, M.D., intend to sell the Property to Daniel E. Kohn, M.D. for the purchase price of \$5,000.00.

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

---

**Mayor Brian K. Grim**

**Clean Demolition, Inc.  
c/o Daniel E. Kohn, M.D.  
617 Colorado Avenue  
Baltimore, Maryland 21210-2102**

**phone 410 323-4654      fax 410 323-2000  
cell 410 375-4766      e-mail dkohnmd@gmail.com**

**August 26, 2016.**

**Mayor and City Council of Cumberland  
Attention: Marjorie A. Woodring, City Clerk  
57 North Liberty Street  
Cumberland, MD 21502**

**To the Mayor and City Council:**

**I am submitting herewith a bid to purchase the surplus property at 423 Ascension Street, Cumberland, for \$5,000. Through my corporation Clean Demolition, Inc., I own the adjacent property at 427 Ascension Street, and I desire to have a larger lot to extend the effective footprint of the property.**

**Thank you.**

**Sincerely yours,**

*Daniel Kohn MD*

**Daniel Kohn, M.D.**



# CITY OF CUMBERLAND MARYLAND

August 4, 2016

Daniel Kohn, M.D.  
Clean Demolition, Inc.  
617 Colorado Avenue  
Baltimore, MD 21210-2102

RE: Surplus City Property at 423 Ascension Street

Dear Dr. Kohn,

The City of Cumberland is the owner of surplus property at 423 Ascension Street in Cumberland, MD, which lies adjacent to property you own at 427 Ascension Street.

I'm writing to inform you that the City recently received an offer to purchase the property at 423 Ascension St. In cases such as this, where there is interest from the public in purchasing surplus property and the property value is below a certain threshold, it is the City's policy to allow all adjacent property owners the opportunity to submit a bid. The minimum bid that will be accepted for 423 Ascension Street is \$4,900, which is the current assessed value of this property.

**MAYOR**

BRIAN K. GRIM

**COUNCIL**

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

**CITY ADMINISTRATOR**

JEFFREY D. RHODES

**CITY SOLICITOR**

MICHAEL SCOTT COHEN

**CITY CLERK**

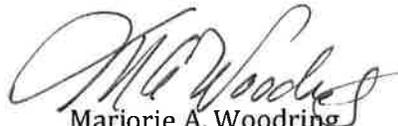
MARJORIE A. WOODRING

If you are interested in obtaining the property at 423 Ascension Street, please submit a written bid that includes your name, contact information, amount of bid, and proposed use of the property by Friday, August 26, 2016 to the following address:

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

If you should have questions, please feel free to contact me at 301-759-6447.

Sincerely,



Marjorie A. Woodring  
City Clerk



MEMBER MARYLAND  
MUNICIPAL LEAGUE (MML)

57 N. LIBERTY STREET, CUMBERLAND, MD 21502 [www.cumberlandmd.gov](http://www.cumberlandmd.gov) Item # 13  
VOICE (301)722-2000 • FAX (301)759-6438 • TDD (800)735-2258

Real Property Data Search ( w4)

Guide to searching the database

Search Result for ALLEGANY COUNTY

<a href="#">View Map</a>		<a href="#">View GroundRent Redemption</a>		<a href="#">View GroundRent Registration</a>	
<b>Account Identifier:</b>		<b>District - 04 Account Number - 019563</b>			
Owner Information					
<b>Owner Name:</b>		<b>MAYOR &amp; CITY COUNCIL OF CUMB</b>		<b>Use:</b>	<b>EXEMPT NO</b>
<b>Mailing Address:</b>		<b>57 N LIBERTY ST CUMBERLAND MD 21502-</b>		<b>Principal Residence:</b>	
				<b>Deed Reference:</b>	<b>/02078/ 00179</b>
Location & Structure Information					
<b>Premises Address:</b>		<b>423 ASCENSION ST CUMBERLAND 21502-0000</b>		<b>Legal Description:</b>	<b>423 ASCENSION ST PT LOT 85 75X73 HALEYS ADDN 73</b>
<b>Map:</b>	<b>Grid:</b>	<b>Parcel:</b>	<b>Sub District:</b>	<b>Subdivision:</b>	<b>Section:</b>
0109	0010	2609		0000	
					<b>Block:</b>
					<b>Lot:</b>
					<b>Assessment Year:</b>
					2015
					<b>Plat No:</b>
					<b>Plat Ref:</b>
<b>Special Tax Areas:</b>		<b>Town:</b>		<b>CUMBERLAND</b>	
		<b>Ad Valorem:</b>			
		<b>Tax Class:</b>			
<b>Primary Structure Built</b>	<b>Above Grade Enclosed Area</b>	<b>Finished Basement Area</b>	<b>Property Land Area</b>	<b>County Use</b>	
			5,486 SF		
<b>Stories</b>	<b>Basement</b>	<b>Type</b>	<b>Exterior</b>	<b>Full/Half Bath</b>	<b>Garage</b>
					<b>Last Major Renovation</b>
Value Information					
	<b>Base Value</b>		<b>Value</b>		<b>Phase-in Assessments</b>
			<b>As of</b>		<b>As of</b>
			<b>01/01/2015</b>		<b>07/01/2015</b>
<b>Land:</b>	5,400		4,900		<b>As of</b>
<b>Improvements</b>	0		0		<b>07/01/2016</b>
<b>Total:</b>	5,400		4,900		
<b>Preferential Land:</b>	0				4,900
					0
Transfer Information					
<b>Seller: GURTLER JOHN F-SHIRLEY I</b>		<b>Date: 09/02/2014</b>		<b>Price: \$5,400</b>	
<b>Type: NON-ARMS LENGTH OTHER</b>		<b>Deed1: /02078/ 00179</b>		<b>Deed2:</b>	
<b>Seller: GURTLER, JOHN FREDERICK</b>		<b>Date: 08/25/1993</b>		<b>Price: \$0</b>	
<b>Type: NON-ARMS LENGTH OTHER</b>		<b>Deed1: /00611/ 00720</b>		<b>Deed2:</b>	
<b>Seller: LECHLITER, BETTY JUNE ET AL</b>		<b>Date: 06/30/1993</b>		<b>Price: \$0</b>	
<b>Type: NON-ARMS LENGTH OTHER</b>		<b>Deed1: /00610/ 00247</b>		<b>Deed2:</b>	
Exemption Information					
<b>Partial Exempt Assessments:</b>	<b>Class</b>		<b>07/01/2015</b>	<b>07/01/2016</b>	
<b>County:</b>	650		4,900.00	4,900.00	
<b>State:</b>	650		4,900.00	4,900.00	
<b>Municipal:</b>	650		4,900.00	4,900.00	4,900.00
<b>Tax Exempt:</b>		<b>Special Tax Recapture:</b>			
<b>Exempt Class:</b>		<b>NONE</b>			
Homestead Application Information					
<b>Homestead Application Status: No Application</b>					

Item # 13



Regular Council Agenda  
September 20, 2016

---

**Description**

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

**Approval, Acceptance / Recommendation**

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

**Value of Award (if applicable)**

**Source of Funding (if applicable)**



**P.O. Box 3162, Lavale, MD 21504**

City of Cumberland  
57 N. Liberty Street  
Cumberland, Md. 21502  
August 3, 2016

RE: 114-116 Winton Place  
Cumberland, Md. 21502

Att: Jeff Rhodes  
City Administrator

Dear Jeff,

On behalf of the Allegany County Habitat for Humanity Board of Directors, and as Chair of the Property Acquisition Committee, we are formally requesting that the City of Cumberland accept our property at 114-116 Winton Place, Cumberland, Md. 21502 as a donation. The account identifier for the property is District 06, account number 015794 and is attached.

Habitat for Humanity reluctantly obtained this property along with another donated property in Frostburg, where we soon intend on building our 4<sup>th</sup> house in the county. We have no intention of building, remodeling or demolition of the 114-116 Winton Place house, and the Board has decided to offer it to the City of Cumberland at no charge.

Please consider our offer of donating this property to the city and let us know of your decision at your earliest convenience. Should you have any questions, I can be reached at 301-268-4744, or you may write to the Habitat post off box address above.

Sincerely,

A handwritten signature in cursive script that reads "George W. Lapp, Jr.".

George w. Lapp, Jr.  
Habitat for Humanity of Allegany County  
Board of Directors  
Property Acquisition Committee

Enclosure

Real Property Data Search ( w/d)

Guide to searching the database

## Search Result for ALLEGANY COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration					
<b>Account Identifier:</b>		<b>District - 06 Account Number - 015794</b>								
Owner Information										
<b>Owner Name:</b>	ALLEG CO HABITAT FOR HUMANITY			<b>Use:</b>	EXEMPT NO					
<b>Mailing Address:</b>	P O BOX 3162 LAVALE MD 21504-			<b>Principal Residence:</b>	/02145/ 00291					
Location & Structure Information										
<b>Premises Address:</b>		114 WINTON PL CUMBERLAND 21602-0000			<b>Legal Description:</b>		114-116 WINTON PLACE PT LTS 7 & 41 33X101			
<b>Map:</b>	<b>Grid:</b>	<b>Parcel:</b>	<b>Sub District:</b>	<b>Subdivision:</b>	<b>Section:</b>	<b>Block:</b>	<b>Lot:</b>	<b>Assessment Year:</b>	<b>Plat No:</b>	<b>Plat Ref:</b>
0106	0017	0745		0000				2015		
<b>Special Tax Areas:</b>		<b>Town:</b>			CUMBERLAND					
		<b>Ad Valorem:</b>								
		<b>Tax Class:</b>								
<b>Primary Structure Built</b>	<b>Above Grade Enclosed Area</b>		<b>Finished Basement Area</b>		<b>Property Land Area</b>		<b>County Use</b>			
					3,363 SF					
<b>Stories</b>	<b>Basement</b>	<b>Type</b>	<b>Exterior</b>	<b>Full/Half Bath</b>	<b>Garage</b>	<b>Last Major Renovation</b>				
Value Information										
		<b>Base Value</b>		<b>Value As of 01/01/2015</b>		<b>Phase-in Assessments As of 07/01/2015</b>		<b>As of 07/01/2016</b>		
<b>Land:</b>	3,300		3,300							
<b>Improvements</b>	0		0							
<b>Total:</b>	3,300		3,300		3,300		3,300			
<b>Preferential Land:</b>	0						0			
Transfer Information										
<b>Seller: SMITH PHILIP WALTER</b>			<b>Date: 06/30/2015</b>			<b>Price: \$0</b>				
<b>Type: NON-ARMS LENGTH OTHER</b>			<b>Deed1: /02145/ 00291</b>			<b>Deed2:</b>				
<b>Seller: PCG REO HOLDINGS LLC</b>			<b>Date: 04/11/2013</b>			<b>Price: \$6,000</b>				
<b>Type: NON-ARMS LENGTH OTHER</b>			<b>Deed1: /01955/ 00263</b>			<b>Deed2:</b>				
<b>Seller: ABE LINDA</b>			<b>Date: 03/05/2013</b>			<b>Price: \$20,000</b>				
<b>Type: NON-ARMS LENGTH OTHER</b>			<b>Deed1: /01945/ 00226</b>			<b>Deed2:</b>				
Exemption Information										
<b>Partial Exempt Assessments:</b>		<b>Class</b>		<b>07/01/2015</b>		<b>07/01/2016</b>				
<b>County:</b>		840		3,300.00		3,300.00				
<b>State:</b>		840		3,300.00		3,300.00				
<b>Municipal:</b>		840		3,300.00		3,300.00		3,300.00		
<b>Tax Exempt:</b>		<b>Special Tax Recapture:</b>								
<b>Exempt Class:</b>		NONE								
Homestead Application Information										
<b>Homestead Application Status: No Application</b>										