

A G E N D A

POCOMOKE CITY MAYOR AND COUNCIL MEETING

7:30 p.m., Monday, February 1, 2016

City Hall

1. Call to Order and Pledge of Allegiance.
2. Review and approval of minutes from meeting of January 4, 2016.
3. Review and approval of bills to be paid.
4. Brad Adams, Construction Superintendent of the Fay Company, to give update on progress and schedule for Rt. 13 bridge repair project.
5. Karah Lacey and Marc Scher , Downtown Pocomoke Association President to present “Motion to Approve Special Event Exception for Consumption of Alcohol”.
6. Check presentation to United Way for a successful fundraising campaign by Pocomoke City.
7. Swear in Board of Election Supervisors.
8. Mr. Terrence Snowden & Yvette Snowden to address the Council regarding a youth center.
9. Second reading of Resolution No. 491 to amend Charter by adding and deleting language to Section C-65 Purchasing and Contracts.
10. Second reading of Resolution No. 492 to amend Charter by adding and deleting language to Section C-36 Concerning the Conduct of Elections to allow write-in candidate
11. Reschedule February 15 meeting for Tuesday February 16.

Mayor and Council items
Comments from the Audience
Adjourn

AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING.

January 4, 2016

The regular meeting of the Pocomoke City Mayor and Council was held in the Council Chambers at City Hall on Monday, January 4, 2016. The meeting was called to order at 7:30 P.M.

Present: Mayor Bruce Morrison
Council Members: Diane Downing, Brian Hirshman,
Esther Troast, George Tasker, Dale Trotter
City Manager/City Attorney: Ernie Crofoot
City Clerk: Carol L. Sullivan

Review Minutes:

In a motion (Trotter, Troast passed) to approve the minutes of the December 7, 2015 meetings as presented.

Review Bills:

In a motion (Tasker, Trotter passed) the bills presented to be paid. (Copy of bill list attached to original minutes).

Public Hearing and Second reading of Ordinance No. 424 adding "Chapter 70-Purchasing" to Pocomoke City Code:

Mayor Morrison opened Public Hearing on Ordinance No. 424. Hearing no comments from the audience, Councilman Trotter made a motion to close public hearing, second by Councilwoman Downing.

In a motion (Hirshman, Tasker passed) to adopt Ordinance No. 424 adding Chapter 70-Purchasing to Pocomoke City Code.

Mr. Terrence Snowden & Ms. Yvette Snowden to address Council regarding youth center:
This item was removed from agenda until February's meeting.

A letter from a citizen to comment "Santa Claus", Billy Young:

Mayor Morrison read a letter regarding Billy Young being Santa Claus, stating what a difference he made in their daughter's Christmas. The letter stated "Santa Claus" was visiting the hospital where her daughter was a cancer patient with presents. Her daughter got the doll that she wanted from Santa. She just wanted the Mayor and Council to know how kind and thoughtful it was for Mr. Young to visit the hospital with presents.

City Manager Crofoot stated that he had purchased a \$100 gift card for Mr. Young and thanked him for a job well done.

Appoint members of the City's Board of Elections Supervisors for two-year term beginning February 2016:

Mayor Morrison stated that three members of the Board are willing to serve another two years but we needed two members.

Councilman Tasker would like to request Todd Nock be on the Board for District 1.

Councilwoman Downing would like to request Curtis Milbourne be appointed he is from District 3.

In a motion (Tasker, Downing passed) to have the following members appointed to the Board of Election Supervisors: John Hayne, Sylvia Fletcher, Grace Holland, Curtis Milbourne and Todd Nock for a two-year term beginning February 2016.

Police Chief Harden to give update on Police Department:

Chief Harden stated that in the last three months the Department has purchased two vehicles with arrest and seizure money. He hopes to have them both on the road soon. Mr. James Stant will be attending the academy tomorrow. It will be August before he will be on his own. Ms. Tanya Barnes resigned effective January 1. The new camera system from Honeywell will be up and running soon. They have started doing station checks on the PCO's, since at night they are in the building alone. The Officers' uniforms have been updated, the new shirts should last a little longer than before as the material is more durable. The partnership between other agencies has improved. On December 31, Ocean City Police Department made a stop and seized a counterfeit \$20 that matched the Salisbury case. This also matches cases in Pocomoke City. This is an on-going investigation, so he will not make any further comments at this time. Chief Harden gave a comparison of crimes in 2014 and 2015. Assault cases were down by 62%; burglary were up by 3%; 2015 had one homicide. There were two robberies reported for both years; theft was down by 22%. He has hired PCO Ericka Martin; she will start training January 5 to be certified. He is in the process of hiring three more officers. He is updating and creating written directives for the department. That is a good kick start to be CALEA certified. He stated that they were looking at body cameras for the officers to test before requesting to purchase for all officers. The Christmas Party for the kids turn-out was great. The office staff did an outstanding job.

Mayor Morrison thanked Chief Harden for giving an update on the department.

Introduce and First Reading of Resolution # 490 to amend Section C-36 of the Charter to allow "Write-In Candidates":

After discussion this item was tabled.

Comments from Council:

Councilwoman Troast asked if there was an ordinance or regulation regarding multi-family living in a single family dwelling. She has had several complaints in her district that this is happening. Also she would like to have Public Works put gravel in the potholes in the White Oaks area.

City Manager Crofoot stated that Public Works would be doing cold-patch in that area this week.

Also Councilwoman Troast stated that she would like to see the playground at Cypress Park updated. She asked if Ms. Mann would look into grant funding for this project. She would like to see if Pocomoke could attract another grocery store and a good restaurant.

Councilman Hirshman asked what was going on in the area of Sixth and Market Street. The contractors are not cleaning up and poles and debris are in the street.

Mayor Morrison stated that he was fed-up with the way the town looks. He asked the City Manager to have Harvey Davis and Terry Elliott issue citation to get the properties looking better.

City Manager Crofoot stated that he would like to have a committee to work on adopting rules and regulations for rental property, so it doesn't take a complaint from tenants before something can be done to rental properties. He would like to see that the rental properties are inspected before each rental.

Comments from Audience:

Mr. Ronnie White stated that the poles that the contractors were working on have metal wire on the streets that need to be removed.

Ms. Monna VanEss stated that she would like to see that the street sweeper had a schedule, as to when they were sweeping streets, as she has not seen it in her area for over a year.

With no further business, Councilman Tasker made a motion to adjourn meeting at 8:37 PM, seconded by Councilwoman Troast.

Approved: February 1, 2016

Carol L. Sullivan
City Clerk

Batch 00001690 Check Account No 110190301 Peninsula Bank

| Post Description | GL Account | GL Account Description | Gross Amount | Deductions | Net |
|--|-------------------|-------------------------------|-----------------|------------|-----------------|
| HA4446 HARRIS COMPUTER SYSTEMS | | | 10684.87 | .00 | 10684.87 |
| SEMI ANNUAL MAINT-1/16-6/30/16 | 01.170.51055 | DATA PROCESSING SUPPORT-Gen S | 10684.87 | | |
| Total Inv# MN01472 | Due 01/21/2016 >> | | 10684.87 | .00 | 10684.87 |
| HI4700 HILLS ELECTRIC | | | 5716.52 | .00 | 5716.52 |
| FLGHT PUMP/MIXER #1059004 | 61.355.53047 | TOOLS AND EQUIPMENT | 2858.26 | | |
| Total Inv# 69240 | Due 01/12/2016 >> | | 2858.26 | .00 | 2858.26 |
| FLYGH T PUMP/MIXER #1059003 | 61.355.53047 | TOOLS AND EQUIPMENT | 2858.26 | | |
| Total Inv# 69241 | Due 01/12/2016 >> | | 2858.26 | .00 | 2858.26 |
| IN5030 CHESAPEAKE EMPLOYERS | | | 19471.00 | .00 | 19471.00 |
| INJURED WORKERS INS. FUND | 01.820.58013 | WORKER'S COMPENSATION-Work Co | 13045.57 | | |
| Total Inv# 0000033740 | Due 02/01/2016 >> | | 13045.57 | .00 | 13045.57 |
| INJURED WORKERS INS. FUND | 22.222.52013 | WORKERS COMPENSATION-Ambulanc | 2531.23 | | |
| Total Inv# 0000033741 | Due 02/01/2016 >> | | 2531.23 | .00 | 2531.23 |
| INJURED WORKERS INS. FUND | 61.360.53013 | WORKER'S COMPENSATION-Other | 3894.20 | | |
| Total Inv# 0000033742 | Due 02/01/2016 >> | | 3894.20 | .00 | 3894.20 |
| MA6640 MARYLAND UNEMPLOYMENT INS. FUN | | | 9759.04 | .00 | 9759.04 |
| UNEMPLYMNT INS./SEWELL/SAVAGE/ | 01.840.58014 | UNEMPLOYMENT INSURANCE-Insura | 9759.04 | | |
| Total Inv# 154805 | Due 12/31/2015 >> | | 9759.04 | .00 | 9759.04 |
| RU5411 RUSTY S. MERRITT | | | 200.00 | .00 | 200.00 |
| MONTHLY WEBSITE UPDATES/MAINTN | 01.170.51064 | CONTRACT LABOR-Gen Serv | 200.00 | | |
| Total Inv# 0000033747 | Due 01/19/2016 >> | | 200.00 | .00 | 200.00 |
| SA8251 SALISBURY DOOR & HARDWARE | | | 691.00 | .00 | 691.00 |
| REPLACE CURRENT LOCKS | 01.220.52043 | BUILDING REP./PEST CONTROL-Po | 691.00 | | |
| Total Inv# 57911 | Due 12/30/2015 >> | | 691.00 | .00 | 691.00 |
| XE9700 XEROX CORPORATION | | | 1282.18 | .00 | 1282.18 |
| 3 POLICE DEPT COPIERS/MONTHLY | 01.210.52052 | LEASED-Pol Admin | 233.77 | | |
| Total Inv# 0000033743 | Due 12/29/2015 >> | | 233.77 | .00 | 233.77 |
| 3 POLICE DEPT COPIERS/MONTHLY | 01.210.52052 | LEASED-Pol Admin | 323.08 | | |
| Total Inv# 0000033744 | Due 12/29/2016 >> | | 323.08 | .00 | 323.08 |
| AMBULANCE MONTHLY COPIER SERVI | 22.222.52052 | LEASED-Ambulance | 91.99 | | |
| Total Inv# 0000033745 | Due 12/29/2015 >> | | 91.99 | .00 | 91.99 |
| CITY HALL MONTHLY COPIER SERVI | 01.170.51052 | LEASED-Gen Serv | 633.34 | | |
| Total Inv# 0000033746 | Due 12/29/2015 >> | | 633.34 | .00 | 633.34 |
| Grand Total >>>> | | | 47804.61 | .00 | 47804.61 |

Selection Options:
 Year 2016
 Period 07
 Batch 00001690

End of Report

**MOTION TO APPROVE
SPECIAL EVENT EXCEPTION FOR CONSUMPTION OF ALCOHOL**

A motion of the Mayor and Council approving an exception to Chapter 86-2 to allow the consumption of alcohol in non-glass containers within the closed areas of Market Street between Front Street and Second Street for the events listed below.

4th Friday Art Strolls: April 22, 2016; 5:00pm to 8:00pm
 May 27, 2016; 5:00pm-8:00pm
 June 24, 2016; 5:00pm-8:00pm
 July 22, 2016; 5:00pm-8:00pm
 August 26, 2016; 5:00pm-8:00pm
 September 23, 2016; 5:00pm-8:00pm

Motion by: _____, Second by: _____, Passed.

Council Vice President

APPROVED BY ME THIS 1st DAY OF
February 2016.

Carol L. Sullivan, City Clerk

Bruce A. Morrison, Mayor

POCOMOKE CITY, MARYLAND

MAYOR

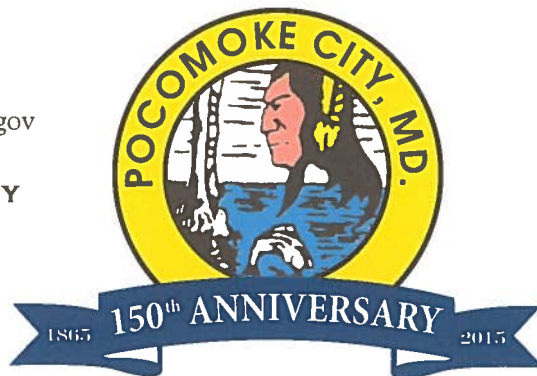
BRUCE A. MORRISON

mayormorrison@cityofpocomokemd.gov

CITY MANAGER / ATTORNEY

ERNEST A. CROFOOT

ernie@cityofpocomokemd.gov



CITY COUNCIL

DIANE DOWNING

BRIAN HIRSHMAN

GEORGE TASKER

ESTHER TROAST

DALE TROTTER

OATH OF OFFICE

I, John Haynie, do swear that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Board of Elections of Supervisor according to the Constitution and laws of this State.

John Haynie

Administered by and subscribed
before me this 1, day of
February 2016

Bruce A. Morrison

"Friendliest Town on the Eastern Shore"

POCOMOKE CITY, MARYLAND

MAYOR

BRUCE A. MORRISON

mayormorrison@cityofpocomokemd.gov

CITY MANAGER / ATTORNEY

ERNEST A. CROFOOT

ernie@cityofpocomokemd.gov



CITY COUNCIL

DIANE DOWNING

BRIAN HIRSHMAN

GEORGE TASKER

ESTHER TROAST

DALE TROTTER

OATH OF OFFICE

I, Sylvia Fletcher, do swear that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Board of Elections of Supervisor according to the Constitution and laws of this State.

Sylvia Fletcher

Administered by and subscribed
before me this 1, day of
February 2016

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MAYOR

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CITY COUNCIL

DIANE DOWNING

BRIAN HIRSHMAN

GEORGE TASKER

ESTHER TROAST

DALE TROTTER

OATH OF OFFICE

I, Grace H. Holland, do swear that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Board of Elections of Supervisor according to the Constitution and laws of this State.

Grace H. Holland

Administered by and subscribed
before me this 1, day of
February 2016

Bruce A. Morrison

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POCOMOKE CITY, MARYLAND

MAYOR

BRUCE A. MORRISON

mayormorrison@cityofpocomokemd.gov

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ernie@cityofpocomokemd.gov



CITY COUNCIL

DIANE DOWNING

BRIAN HIRSHMAN

GEORGE TASKER

ESTHER TROAST

DALE TROTTER

OATH OF OFFICE

I, Todd Nock, do swear that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Board of Elections of Supervisor according to the Constitution and laws of this State.

Todd Nock

Administered by and subscribed
before me this 1, day of
February 2016

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MAYOR

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ernie@cityofpocomokemd.gov



CITY COUNCIL

DIANE DOWNING

BRIAN HIRSHMAN

GEORGE TASKER

ESTHER TROAST

DALE TROTTER

OATH OF OFFICE

I, Curtis L. Milbourne, Sr., do swear that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Board of Elections of Supervisor according to the Constitution and laws of this State.

Curtis L. Milbourne, Sr.

Administered by and subscribed
before me this 1, day of
February 2016

Bruce A. Morrison

"Friendliest Town on the Eastern Shore"

CHARTER AMENDMENT RESOLUTION NO. 491

A RESOLUTION TO AMEND THE CHARTER OF POCOMOKE CITY, MARYLAND BY ADDING AND DELETING LANGUAGE TO SECTION C-65 PURCHASING AND CONTRACTS

WHEREAS, the Municipal Corporation Charter of Pocomoke City, Maryland, § C-65 sets forth limited rules, guidelines, and practices purchasing and contracts for and on behalf of Pocomoke City; and

WHEREAS, the current Charter provisions do not provide for sufficient detail and have not kept pace with inflation or modern purchasing practices; and

WHEREAS, the Mayor and Council of Pocomoke City have concluded that it is appropriate for them to amend § 65 of the Charter to provide the power and duty of the Mayor and Council to enact, from time to time appropriate standards for purchasing, contracting competitive bidding, delegation of authority, and modernization of the purchasing process for Pocomoke; and

WHEREAS, the Mayor and Council deem it appropriate that all purchases of twenty-five thousand dollars or more be approved by the Mayor and Council; and

WHEREAS, the Mayor and Council have determined that these proposed changes are for the peace, order, and benefit of Pocomoke City and its citizens;

1. **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of Pocomoke City, by virtue of the authority granted in Article XI-E of the Constitution of Maryland, that Section C-65 of the Municipal Charter of Pocomoke City, be amended to read as follows:*

§ C-65. Purchasing and contracts.

[[All purchases and contracts for the City government shall be made by the City Manager. The Council may provide by ordinance or resolution for rules and regulations regarding the use of competitive bidding and contracts for all City purchases and contracts. All expenditures for supplies, materials, equipment, construction of public improvements, or contractual services involving more than five thousand dollars (\$5,000.00) shall be made on written contract. The City Manager shall be required to advertise for sealed bids, in such manner as may be prescribed by ordinance or resolution for all such contracts except in those instances where the Council determines that it would be in the best interest of the City to waive the requirements for advertising and/or sealed bids. Such written contracts shall be awarded to the bidder who offers the lowest or best bid, quality of goods and work, time of delivery or completion, and responsibility of bidders being considered. All such written contracts shall be approved by the Council before becoming effective. The City Manager shall have the right to reject all bids and readvertise. The City Manager, at any time in his/her discretion, may employ City forces for the construction or reconstruction of public improvements without advertising for (or readvertising for) or receiving bids. All written contracts may be protected by such bonds, penalties and conditions as the City Manager may require.]]

All purchases and contracts shall be made under the direction of the City Manager.

The Council shall provide, by ordinance, for rules, regulations, standards, guidelines, and procedures for the purchase of materials, goods, and services for or on behalf of Pocomoke City, including standards for competitive pricing and for sealed bidding where appropriate. Anything in this Charter to the contrary notwithstanding, all purchases twenty-five thousand dollars or more must be approved by the Council in a public meeting thereof; provided, however, that purchases and commitments otherwise requiring such approval may be made in bona fide emergency circumstance by the City Manager, who shall immediately report same to the Mayor and Council.

* *Italicized print indicates material added to existing law.* Deleted material from the existing Charter is indicated by bold double bracketed [[]] language.

2. AND BE IT FURTHER RESOLVED THAT

In accordance with § 4-304 of the Local Government Article of the Annotated Code of Maryland, the City Manager shall:

- a. Post a complete and exact copy of this Charter Amendment at the City Hall Office, for at least forty (40) days after the passage of this Resolution; and
- b. Publishing a fair summary of this Resolution once per week for four (4) weeks in a newspaper of general circulation beginning immediately after the passage of this resolution.

3. AND BE IT FURTHER RESOLVED THAT

This Resolution shall become effective fifty (50) days after passage, in accordance with § 4-304 of the Local Government Article of the Annotated Code of Maryland.

This Resolution was introduced and read at a meeting of the Mayor and Council of Pocomoke City held on the 25th day of January, 2016, and passed for Second Reading.

The Resolution was finally passed and signed and approved by the Mayor and Council of Pocomoke City on the 1st day of February, 2016.

Attest:

THE MAYOR AND COUNCIL OF
POCOMOKE CITY, MARYLAND

Carol L. Sullivan, City Clerk

Bruce Morrison, Mayor

George Tasker, First Vice-President

Publish: _____

CHARTER AMENDMENT RESOLUTION NO. 492

A RESOLUTION TO AMEND THE CHARTER OF POCOMOKE CITY, MARYLAND BY ADDING AND DELETING LANGUAGE TO SECTION C-36 CONCERNING THE CONDUCT OF ELECTIONS

WHEREAS, the Municipal Corporation Charter of Pocomoke City, Maryland, § C-36 sets the rules and procedure the conduct of elections; and

WHEREAS, the current Charter provisions do not provide for write-in ballots; and

WHEREAS, the Mayor and Council of Pocomoke City have concluded that it is appropriate for them to amend § 36 of the Charter to allow for write-in ballots in all municipal elections and to ~~delete~~ **AMEND**, in furtherance thereof, language in § 36 of the Charter that provides for cancellation of an election for an office where only one candidate has filed for that particular office; and

WHEREAS, the Mayor and Council have determined that these proposed changes are for the peace, order, and benefit of Pocomoke City and its citizens;

1. **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of Pocomoke City, by virtue of the authority granted in Article XI-E of the Constitution of Maryland, that Section C-36 of the Municipal Charter of Pocomoke City, be amended to read as follows:*

C-36. Conduct of Elections.*

It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order by office with no party designation of any kind. The Board of Supervisors of Elections shall keep the polls open from 7:00 a.m. to 7:00 p.m. on election days or for longer hours if the Council requires it. In the event that there is no contest for any of the offices for which an election shall be proper, *after all filing and notice deadlines have expired*, the Board of Supervisors of Elections are authorized and directed to cancel the election with respect to said office or offices after giving public notice thereof by publication *[[for two successive weeks]]* in a newspaper or newspapers having general circulation in the City, and to certify as elected the candidate or candidates therefor who have filed a valid certificate of nomination *or notice of write-in candidacy, as the case may be*, pursuant to Section C-34 *or this Section C-36* of the Charter. *The Board of Supervisors of Elections, in providing for suitable ballot boxes and ballots and/or voting machines, shall provide for write-in balloting and shall ensure that ballots and/or voting machines shall allow for write-in ballots while protecting the confidentiality of voters. For any write-in ballot to be valid, official, and counted, the candidate named on the write-in ballot must have otherwise complied with the requirements of § C-34 hereof not later than 14 days prior to the date of the election in which the subject ballot is cast. In any event, names of write-in candidates shall not be printed or reflected on any ballot or voting machine.*

* *Italicized print indicates material added to existing law. Deleted material from the*

existing Charter is indicated by bold double bracketed [[]] language. Material added prior to third reading is in ***ALL CAPS, BOLD, ITALICS***; material deleted is in ~~double strikethrough~~.

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Attest:

THE MAYOR AND COUNCIL OF
POCOMOKE CITY, MARYLAND

Carol L. Sullivan, City Clerk

Bruce Morrison, Mayor

George Tasker, First Vice-President

Publish: _____

