

## Regular Meeting Minutes

The meeting of the Pocomoke City Mayor and Council was held in the Council Chambers at City Hall on Monday, April 8, 2019. The meeting was called to order at 6:35 PM.

Present: Mayor Bruce Morrison  
First Vice President: Esther Troast-Not Present  
Council Members: Diane Downing,  
Dale Trotter, George Tasker, Todd Nock,  
R. Scott Holland  
City Manager: Robert L. Cowger, Jr  
City Attorney: Roscoe Leslie  
City Clerk: Michelle Beckett-El Soloh

Call to Order, Prayer and Pledge of Allegiance @ 6:35 PM.

Review and Approval of Minutes from Meeting of April 8, 2019:

Motion to approve Minutes from Council meeting March 18, 2019; March 19, 2019; March 28, 2019 (Trotter, Nock passed) @ 6:37 PM.

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Tasker-aye, Nock-aye; none opposed

Review and Approval of Bills:

Motion to Approve and pay bills on current bill list (Nock, Trotter passed) @ 6:38 PM.

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Tasker-aye, Nock-aye; none opposed

Mayor and Council Congratulate Councilman Tasker on Term of Service:

Councilmember Downing stated we had an election on Tuesday for District 1. The City would like to congratulate and thank Councilmember Tasker his service to the City of Pocomoke. Councilmember Tasker said he had a good 7 years and recognized people in the audience that he has supported over the years. He gave advice to the Councilmember Elect R. Scott Holland; be your own self, be a man, stand up for what you believe in and don't let people in the background sway you and ruin you. He thinks Councilmember Holland will do an awesome job. Councilmember Tasker thanked the audience for allowing him to serve for 7 years. He loves the City and doesn't have any hard feelings. He thinks the City Manager is doing a great job and moving the City forward. Councilmember Tasker said don't be surprised if you see him in Annapolis working. *Audience applause*

Mayor and Council Swearing in of District 1 Councilmember Elect, R. Scott Holland:

Councilmember Downing said she has the pleasure of swearing in Councilmember Elect R. Scott Holland for District 1. *Councilmember Elect, R. Scott Holland takes oath and is sworn in. Applause*

Mayor and Council Swearing in of District 2 Councilmember, Diane Downing:

Councilmember Nock swore in Councilmember Downing, District 2, for her 4<sup>th</sup> term of service on Pocomoke City Council. *Councilmember Diane Downing takes oath and is sworn in. Applause*

Elect New First and Second Vice President of Council:

Motion by Councilmember Trotter for 1<sup>st</sup> Vice-president is Councilmember, Todd Nock and for 2<sup>nd</sup> Vice-president, Councilmember Diane Downing

Councilmember Downing said she doesn't accept the nomination for 2<sup>nd</sup> Vice-president but will nominate R. Scott Holland to serve as 2<sup>nd</sup> Vice-president.

Motion to nominate Councilmember Nock, 1<sup>st</sup> Vice-president and Councilmember R. Scott Holland, for 2<sup>nd</sup> Vice-president (Trotter, Downing passed) @ 6:50PM

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Holland-aye, Nock-aye; none opposed

Elect a New Tri-County Council Representative:

Councilmember Nock stated that he knows Councilmember Troast has interest in serving on the Tri County Council when the first appointment was.

Motion to elect Councilmember Troast to serve on the Tri County Council (Downing, Trotter passed) @ 6:48PM

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Holland-aye, Nock-aye; none opposed

Revitalization Committee Appointments:

Nominations are as follows: Councilmember Trotter nominated Alex Kagen (not present) who currently serves on the Planning and Zoning Board, Councilmember Holland nominated Amber Thompson (present), Councilmember Downing nominated Tim Taylor (not present), Councilmember Nock nominated Eremine Beckwith (present). Ms. Thompson and Ms. Beckwith came forward and accepted the nomination. City Manager Cowger said duties will be to serve on a Revitalization Committee to work with City Manager to bring recommendation to the Council concerning revitalization of downtown and surrounding areas of the City. The City wants to make sure that the community has input about what the City needs and would like to see in the area. They will probably meet once a month to begin.

Discuss Appointment of City Chaplin:

Councilmember Nock said he received a phone call a few days ago asking why the City does not have a Chaplin to open meetings and community events. One of the Mayor's initiatives for 2019 was to reinstate the Pocomoke Ministerial Alliance. The City think this will be the bridge to bring the ministries back into the City. Councilmember Trotter said he knows 2 pastors that are interested.

Motion to nominate Pastors Bob Boyce and Wayne Ayre and also Wendell White (Holland, Trotter passed) @ 6:53PM

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Holland-aye, Nock-aye; none opposed

Discuss NLC Conference for Councilmembers:

Councilmember Nock said over the last year he has become very active with the Nation League of Cities. He serves on the Small Cities Council which is a council of cities all across the Country with a population less than 20,000. He also serves on the National Black Caucus of Local Elected Officials and he serves on the Racial Equity Alliance. The NLC holds two conferences per year. He attended the conference in DC a few weeks ago The Congressional Cities Summit which gears you up to meet with officials on the national Level. You can discuss your concerns, get feedback and take classes. He also attended the NLC Summit in California last year. This is the MML on the national level. He contacted NLC on behalf of Councilmember Troast to come do an ethics training for City officials and employees. That date is to be determined at this point. He would like to go to San Antonio in November along with Councilmember Troast and Holland.

Motion to be approved to go to San Antonio, Texas in November 2019 (Downing, Holland passed) @ 6:57PM

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Holland-aye, Nock-aye; none opposed

City Manager Cowger said he has to have cost for registration, airfare and hotel for Councilmembers because there will be an impact on the budget. These costs need to be accounted for. When Council approved the budget figures will be included.

Beer Permit for Great Pocomoke Fair for Lucas Oil Truck & Tractor Pull on Saturday, June 22, 2019:

Karah Lacey, Events Coordinator, came forward to represent the Fairgrounds. This is the annual Truck & Tractor Pull at the Fairgrounds. They have a beer truck every year along with a tip certified bartender to serve. Asking Council to approve the permit for this year.

Motion to approve beer permit for Lucas Oil Truck & Tractor Pull at Pocomoke Fairgrounds Saturday, June 22, 2019 (Trotter, Downing passed) @ 7:00PM

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Holland-aye, Nock-nay; 1 opposed

Sunday Permit for Liquor License for American Legion in Pocomoke:

Councilmember Nock called Pocomoke American Legion representative, Steve Giddens, forward. Mr. Giddens stated this is for a Mother's Day celebration. Councilmember Trotter stated if the hours are noted on the application, he will make a motion. Mr. Giddens stated hours will be 4:00PM to 10:00PM. There are a few families coming from out of town. He doubted it will go on until 10:00PM.

Motion to approve Sunday liquor license for Pocomoke American Legion Sunday, May 12, 2019 from 4:00PM to 10:00PM (Trotter, Holland passed) @ 7:03PM

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Holland-aye, Nock-nay; 1 opposed

Public Hearing Regarding Downtown Revitalization Planning and Proposal:

City Manager Cowger stated these are concept drawings for downtown area open spaces. He and the Council suggested these designs to blend in with the downtown area existing historic buildings. These drawings were done by Becker & Morgan. These are multi-functional with commercial space on the bottom and residential living space/condos on the upper floor. The City has discussed with a few developers whether they would be interested in this type of project. The City has no interest in doing the project all at once. It would be done in phases starting with the open vacant lots first. It's roughly 6,000 sq ft on the corner of Market and Front St. There are balconies that would make it easy to view events when they happen in downtown. There is a space for public restrooms and sitting area. Pocomoke doesn't offer properties that the millennials and senior citizens want. This would provide that. It also would provide new, clean retail space. Condos would be in the \$200,000.00 price range. Councilmember Downing asked if that the City is changing the Zoning Codes that requires the condo owner to live in the condo and not be able to rent or lease? Councilmember Nock said he has an issue with the restrooms. There are already restrooms downtown and in the park. Pocomoke is the gateway corridor and people driving through town don't need to see toilet paper in the downtown area. He would rather see something else done with the property. City Manager Cowger said now that we have a Revitalization Committee to work with the City. If a restroom isn't wanted it can be taken out and replaced with something else. Councilmember Trotter said on Friday, the City Manager and Councilmembers met with the DPA. This design is promising and Councilmember Trotter is in support of the design and feels it's needed to bring people in.

Rob Clark, 1400 Cedar St, asked if the City would be taking property by eminent domain. It's been done in other municipalities. He feels it's morally wrong to do that. Councilmember Nock said under no circumstances will Pocomoke City be taking control of any properties under eminent domain. Eminent domain is taking control of a property for community use. Councilmember Trotter added that taxes would not be going up. The developers are the ones absorbing those costs.

Karah Lacey, Event Coordinator, said the Discovery Museum and XO Beanery get bombarded with restroom use during events. More signage needs to be up regarding restrooms. During events she has to use port-a-pottys, which is an additional cost for events.

Alexander Mitchell, not a Pocomoke resident, He doesn't understand why the City would want to promote new spaces for retail when there are plenty already standing vacant. He wants to present a plan to revitalize the old Armory and Firehouse to make a bike park and skate park, boxing and a trade training program. Certified welding and building trade. Also wheeled sports out number all other sports. An indoor place is needed. Councilmember Nock said a demographic study is needed to support any new structures to make sure it's a lifetime commitment.

Mark Scher, 107 Winter Quarters Dr, said he has been involved with downtown for years. He is a 3<sup>rd</sup> generation business owner and been involved with DPA. He hears a lot of negativity about downtown not being what it used to be. Demographics have changed a lot. They have done a lot in the last 20 years for revitalization. Marva Theater's roof was caving in and the Discovery Museum was just a warehouse. We are also going to have the restaurant again and likes that idea. Pocomoke does have strong business and has never heard of anyone struggling. His grandparents put 3 children through college. He put his kids through college and same with the Lusby family. There is always room for improvement. This is an improvement. We have to revitalize downtown.

Kyle Pilchard, 4127 Stark Rd, He welcomes any and all revitalization. When you visit towns like Snow Hill, Berlin, Chincoteague, Onancock, Pocomoke usually comes up in the latter. He doesn't want to see a downtown project happen just for Pocomoke to showcase more vacant space. For years Barbara Lee's building has been underutilized as well as Lawson's bar and the Dance Loft were vacant for a long time. He doesn't want to see Pocomoke doing a built-it-and-they-will-come method. Smaller town strategy is already having it rented or bought before it's built. He agrees with having a

market survey done. Condos on the 2<sup>nd</sup> level cannot be luxury apartments but can't be section 8 either. What insurances can the City give to ensure that all parts of the City will be revitalized?

Mike Parrett, 2844 Byrd Rd, He raises Australian Shepherds. He likes the ideas of keeping buildings historic. Is interested in one of the buildings being a pet store.

No further comments from audience nor Council.

Action: All agree that a demographic study needs to be completed to decide what kind of business are needed downtown.

Public Hearing Closed @ 7:20PM

Request of Council to Declare Surplus property; 401-403 5<sup>th</sup> St, Vacated Fire Dept Building and Garage, Parcel 1251, Tax Account 01-022245, Parcel 1250, Tax Account 01-022237:

Planning Director Dan Brandewie stated the City was approached by a citizen that wishes to purchase the old Fire Department and possibly the Armory. Planning Director does not recommend declaring the Armory as surplus. In order to proceed, the Council must approve the property for surplus and give Public Notice for 20 days and then advertise then enter into negotiations. This action does not enter the City into any legal binding contract. It just allows sale. Councilmember Trotter made a motion to offer old Firehouse as surplus property. Councilmember Downing asked why the City would sell the property if we haven't heard from the grants? Planning Director stated we can get the grant money and do the necessary repairs and clean up and then sell or we can sell it as is. We should be hearing something on the Brownfield grant. There is a scheduled visit to the building. Councilmember Nock said the City is currently renting office space for HR and if the buildings are fixed up, they can be used by the City.

Motion was tabled until the City hears a determination on the pending grants.

Award Lawn Care Proposal Bid:

There were a lot of bids that came in for individual properties but one bid came in for all properties for a very reasonable price of \$1,400.00 per cutting from a Virginia company, Vantage Lawn Care & Landscaping. Councilmember Nock wanted to know why Public Works is not maintaining the properties. City Manager Cowger said the City cannot pull workers away from more important work like water and sewer lines. Normally, we hire Bes-Temps employees from May to November. Last year we spent \$40,000.00 and used our own fuel and equipment. It will be a lot cheaper to contract it out. At the bid price it will be \$21,000.00 on just salary alone. Councilmember Downing asked if there were no companies in Pocomoke or at least in Maryland that can do it? City Manager Cowger stated it was advertised publicly. Phone calls were even made to invite companies to bid. Councilmember Trotter wanted to know if that price was based on a cutting and if we can change the contract to more or less depending on weather. Councilmember Holland stated that with all the events in the park in might need to be cut more often. Planning and Zoning Director Dan Brandewie said the City reserves the right to increase or decrease cutting needs.

Motion to award lawn care proposal bid (Trotter, no second) tabled until next Council meeting.

City Manager Cowger Stated that grass maintenance needs to begin. Is he supposed to wait or hire Bes-Temps? Councilmember Holland asked if the City awards the bid, do we need to hire Bes-Temps? City Manager Cowger said this is in place of Bes-Temps.

Motion brought to floor again, Motion to award lawn care proposal bid to Vantage Lawn Care & Landscaping (Trotter, Nock passed) @ 7:35PM

Acclamation: Trotter-aye, Troast-Not Present, Downing-nay, Holland-nay, Nock-aye; 2 opposed, Council tie, Mayor has tiebreaking vote, Mayor Morrison-aye

Elected Officials-use of Computers Document:

Councilmember Nock stated he still doesn't agree with this HR statement. Councilmember Downing said it still feels like the City is accusing a Councilmember of doing something wrong. She votes nay. Councilmember Holland said he is new to this but it seems too personal to vote for it. Councilmember Trotter says most electronic documents are available when needed. He doesn't like the idea that government emails can be monitored and not kept private. Councilmember Nock also doesn't like that it says they cannot download apps when we are living in a digital world. From the consensus Council, all votes are nay.

LESHC Annual Meeting Sponsor Opportunity for Pocomoke:

Mona Margarita, 407 2<sup>nd</sup> St, Board Member for Lower Eastern Shore Heritage Council. This Council is a Tri County organization under Maryland Heritage and Historic Trust that tries to preserve, maintain and educate people about historic buildings. Every year they have an annual luncheon in May. This year Roger Waters, Sturgis One- Room School House, will be receiving the award. He has gotten more and more students to visit Sturgis and The Discovery Museum. She would like to invite the Council to attend the luncheon. There will also be a silent auction.

Motion to attend the luncheon (Trotter, Nock passed) @ 7:49PM

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Holland-aye, Nock-aye; none opposed

Council Comments:

Councilmember Trotter said Cypress Park trail has been completed. If you haven't had a chance to go see it, go for a walk at the nature park. The Mayor Morrison Park is also in process of being completed. On April 27 there is a cleanup drive being sponsored by the Recreation Department.

Councilmember Nock John Haynie wife got a nock on the door from a man pretending to be from an electric company. She asked for ID. The man said follow him to his truck to see his ID. She called the police and it took them 30 minutes to respond. That is an unacceptable amount of time to respond. City Manager Cowger said he will obtain police logs and forward to Council tomorrow in the morning.

Audience Comments:

Caitlin Evans cannot meet the May 15<sup>th</sup> opening date because the contractor has been contracted to paint only one side of restaurant. Banquet room and bathrooms were not included. Councilmember Troast checked on that and said those rooms are supposed to be painted but has not been done yet. They have had people coming into XO asking when the other place will be opening? Councilmember Nock asked why do they have to go through Dan? City Manager Cowger said when they did the walk through that banquet room and bathrooms were not included. Don from the construction company came forward. He said they were contracted to paint everything that was dark blue, that's the area that was different shades and had holes. There was a change order issued for the wainscoting and found mold. That was treated and repaired. The entire floor had to be repaired, the flooring is ordered and will be in on April 12, once received that will take 2 ½ days. He is on schedule at this point. Mrs. Evans stated that the Council said the entire restaurant would be painted then it was only certain sections done. Contractor said this is a City business affair and can all concerned stay after the meeting? All agreed.

Pastor Ayre, 1505 Linden Dr, said congratulations to Scott on his election. Every Wednesday night at First Baptist Church they pray for him and his leadership. When he bought the home, he had no idea that it would cost him close to \$7,500.00 to fix the water problem. His blonde-haired daughter had orange hair and had to go to school like that. He is thanking the City for the work done on the City water system.

Media asked if Council would like to comment on the lawsuit. No Council comments.

Rob Clarke, 1400 Cedar St, thanked City Manager Bobby Cowger for all the hard work he does in the City.

Motion to adjourn meeting (Downing, Nock passed) @ 8:15 PM

Acclamation: Trotter-aye, Troast-Not Present, Downing-aye, Holland-aye, Nock-aye; none opposed

K.M. Beckett-El Soloh

City Clerk