

## A G E N D A

### POCOMOKE CITY MAYOR AND COUNCIL MEETING

6:30 p.m., Monday, February 6, 2017

City Hall

1. Call to Order and Pledge of Allegiance.
2. Review and approval of minutes from meeting of January 23, 2017.
3. Swear in new alternate member of Board of Elections Supervisor. (Patricia Hindle Forbush).
4. Appoint alternate member to the Board of Elections Supervisor.
5. Public Hearing Ordinance 429 to make changes to Zoning Code Section §230-34 (G), §230-35 (F); §230-41 (L); §230-42 (F) §230-48 (P); §230-49 (G); §230-63 (L); §230-64 (E); §230-71 (M); §230-72 (E); §230-78 (N); §230-79 (Q); regarding solar panels.
6. Second reading Ordinance No. 429 to make changes to Zoning Code.
7. A representative from GMB to present the hydraulic study in Pocomoke Heights.
8. First Reading Res. No. 505-USDA loan for Clarke Ave Pumping Station Rehabilitation
9. City Manager to present certification of Hardwire, Inc for Enterprise Zone credits.
10. Authorize road culvert repairs at Cypress Park.

#### Correspondence:

Ken & Kathleen Palmer  
Pocomoke City Chamber of Commerce  
American Cancer Society

#### Council Comments

#### Comments from the Audience

Adjourn to closed session under the provisions of Section 3-305 (b), (4) of the General Provisions Annotated Code of Maryland to discuss the or to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.Maryland items.

**AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING.**

January 23, 2017

The regular meeting of the Pocomoke City Mayor and Council was held in the Council Chambers at City Hall on Monday, January 23, 2017. The meeting was called to order at 6:30 P.M.

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

Review Minutes:

In a motion (Tasker, Trotter passed) to approve the minutes of the January 9, 2017 meeting as presented.

Introduce Ordinance 429 to make changes to Zoning Code Section §230-34 (G), §230-35 (F); §230-41 (L); §230-42 (F) §230-48 (P); §230-49 (G); §230-63 (L); §230-64 (E); §230-71 (M); §230-72 (E); §230-78 (N); §230-79 (Q); regarding solar panels.

Mayor Morrison stated that he would like to introduce Ordinance 429 to make changes to Zoning Code.

City Manager Crofoot stated that at present all solar panels applications go to Board of Zoning Appeals. The BZA asked us to change the process to allow this as an accessory use. It is a long bill as there are several places that need to be changed. It is a great idea and approve to schedule a Public Hearing for February 6, 2017.

In a motion (Hirshman, Troast passed) to hold a public hearing for Ordinance 429 to make changes to the Zoning Code on February 6, 2017.

Proclamation National School Choice Week 2017:

Mayor Morrison read for the record Proclamation National School Choice Week 2017.

In a motion (Tasker, Hirshman, passed) to authorize Mayor to sign Proclamation National School Week January 22-28, 2017.

Appoint member to Board of Elections Supervisor for one year. (vacancy):

Mayor Morrison stated that he would to see them to move Allen Butler to the vacancy on the Board of Election Supervisors.

In a motion (Troast, Trotter passed) to move Allen Butler to the Board of Election Supervisors as a permanent member for one year.

Swear in new member of Board of Elections Supervisor Allen Butler:

Mayor Morrison swore in Allen Butler to the Board of Election Supervisors for one-year term.

Authorize Mayor to sign letter to submit renewal of Sustainable Communities designation:

City Manager Crofoot stated that periodically we have to renew our application for Sustainable Communities. This is something that we need to do to continue our designation as a Sustainable Community.

In a motion (Trotter, Hirshman passed) to authorize the Mayor to sign the letter to submit the renewal application for Sustainable Communities designation.

City Manager to discuss credit card fee charges:

City Manager Crofoot stated that we now have the Incode system ready to use. Our customers will now be able to go on-line and make their payments. There is a fee for this service of \$1.45 per transaction. The fee is for anyone using a credit card, as we shouldn't absorb the cost for this use.

In a motion (Tasker, Troast passed) to allow the charge of \$1.45 to be imposed when using a credit card to pay for any transactions.

Correspondence:

Mayor Morrison stated that we received a letter of resignation from John Haynie resigning from the Board of Election Supervisors.

Mayor Morrison read a thank you card from Karah Lacey for the flowers sent following birth of her daughter.

Mayor Morrison read a letter from Maryland Department of Transportation stating that the State Report on Transaction Funding (SRT) for 2017 will be available on line beginning January 18, 2017.

City Manager Crofoot stated he spoke with Mr. Merritt, who is Donnie Drewer's replacement, that the lights for the bridge are in the planning stages and they are moving forward with replacing the lights.

City Manager Crofoot stated that we received two letters regarding grants for the Armory Demolition and Firehouse Demolition were denied. We also received a letter of denial from a Community Legacy grant for the Costen House. An application for façade improvements for downtown was granted.

City Manager Crofoot stated that we had gotten a lower bid to clean up the houses on Second Street. It was \$4,800 from Reynolds in Princess Anne, he has done other work for us.

Council comments:

Councilman Tasker asked if the ditch at the end of his street be cleaned. There is a hole on Market Street that is getting larger, needs to be repaired.

Councilman Trotter asked if we could move forward on the bridge repair in Cypress Park.

City Manager Crofoot stated that he is still in the process of getting more estimates. We are looking for a bridge plate that we can bolt down and cover over the bridge. One estimate was \$4,200.

Councilman Trotter also stated his other concern is the speed cameras on Cedar Street.

City Manager Crofoot stated that he is going to have the representative to come in and do a presentation.

Councilman Tasker asked if they can put a police vehicle out there to slow down traffic.

City Manager Crofoot stated that GMB will be at our February 6 meeting to present their hydraulic study with a recommendation as to what they think will help the water in the Heights.

**Comments from Audience:**

Mr. Greg Frostram, 1406 Linden Drive, Pocomoke in Councilman Tasker district. He stated that his water is so bad, he has replaced all water pipes in his house with pvc pipes. He stated that this is not just at his house as you can see where others are watering their lawns with stain, where they flush the fire hydrates the streets are orange. He would like to see it repaired as it ruins his clothes and he has an added expense of a water conditioner and he is paying for the flushing of it ever night and still has bad water. He stated that they have a shower filter that needs to change every so often.

City Manager Crofoot stated that we are doing the hydraulic study and hope to have results by next council meeting ofnFebruary 6, 2017.

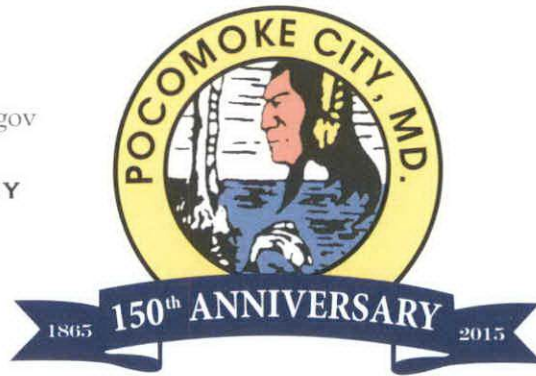
With no further business, a motion was made by Councilman Hirshman, seconded by Councilman Trotter to adjourn at 7:06 P.M.

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Carol L. Sullivan  
City Clerk

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, Patricia Hindle Forbush, 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 Election of Supervisors according to the Constitution and laws of this State.

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Patricia Hindle Forbush

Administered by and subscribed  
before me this 6<sup>th</sup> day of  
February 2017

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Bruce A. Morrison, Mayor

*“Friendliest Town on the Eastern Shore”*

CITY OF POCOMOKE  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, in compliance with the Annotated Code of Maryland and the Code of Pocomoke City, that the Mayor and Council will hear public comments on the proposed changes to Zoning Code Chapter 230, §§ 230-34, 230-35, 230-41, 230-42, 230-48, 230-49, 230-63, 230-64; 230-71, 230-72, 230-78, and 230—79, conditional uses for solar panels in the City, all to the effect of abolishing the requirement for a special exception and providing for same as an allowed accessory use. The public hearing will be held at the Council Chambers, 101 Clarke Ave, Pocomoke City, MD on:

MONDAY, FEBRUARY 6, 2017

AT 6:30 P.M.

The Mayor and Council requests that all interested persons appear at said time and place for the purpose of expressing their views and opinions concerning the update of the Pocomoke City City Code Chapter 230.

Pocomoke City Mayor and Council

Run in Daily Times

January 25 and February 1.



**THE MAYOR AND CITY COUNCIL OF POCOMOKE CITY**

**ORDINANCE NO. 429**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL  
OF POCOMOKE CITY AMENDING SECTION §230-34 (G), §230-35 (F); §230-41 (L); §230-42  
(F) §230-48 (P); §230-49 (G); §230-63 (L); §230-64 (E); §230-71 (M); §230-72 (E); §230-78 (N);  
§230-79 (Q); OF THE ZONING CHAPTER  
OF THE POCOMOKE CITY CODE**

INTRODUCED BY: Mayor Bruce Morrison on behalf of the City Council

**AN ACT to amend § 230-§230-34 (G), §230-35 (F); §230-41 (L); §230-42 (F) §230-48 (P); §230-49  
(G); §230-63 (L); §230-64 (E); §230-71 (M); §230-72 (E); §230-78 (N); §230-79 (Q); of the Pocomoke  
City Zoning Ordinance, Chapter 230 the Pocomoke City Code**

The purpose of this ordinance is to add and delete certain language to § 230-§230-34 (G), §230-35 (F); §230-41 (L); §230-42 (F) §230-48 (P); §230-49 (G); §230-63 (L); §230-64 (E); §230-71 (M); §230-72 (E); §230-78 (N); §230-79 (Q); of the Pocomoke City Zoning Ordinance to amend said sections to provide for continuance of non-conforming uses for solar panels in residential areas. The change will promote the continuation of said projects which have had a long-term and beneficial presence in the housing market in Pocomoke City, will provide continuity of living space for tenants, and will enable the continued financing thereof, all to piece, good order, and general welfare of Pocomoke City.

This amendment to the Pocomoke City Zoning Ordinance was recommended favorably by the Pocomoke City Planning Commission at a duly Public Held meeting held January 11, 2017.

MAYOR AND CITY COUNCIL OF POCOMOKE CITY

\_\_\_\_\_  
Bruce Morrison

INTRODUCED, read first time, January 23, 2017 ordered posted and public hearing scheduled on the 6<sup>th</sup> day February 2017 at 6:30 p.m. in the City Council Chambers, City Hall, 101 Clarke Avenue, Pocomoke City, Maryland 21851

By Order of:  
\_\_\_\_\_  
Carol Sullivan, Clerk

**PUBLIC HEARING**

HAVING been posted and notice of time and place of hearing and copies having been made available to the public and the press, a public hearing was held \_\_\_\_\_. Reported favorably with amendments; read second time and ordered to be considered on \_\_\_\_\_.

**SECTION 1. *Be it hereby enacted by the City Council of Pocomoke City that be and it is hereby amended by adding at the end thereof, the following:***

CHAPTER 230 ZONING

ARTICLE V. R-1 Residence District.  
§ 230 34. Conditional uses.

Conditional uses requiring Board authorization shall be as follows:

...

G. ~~The Board of Appeals may permit Solar Energy Equipment as an accessory use subject to the following:~~

~~(1) — Solar Energy Equipment may be on roofs of principal buildings or ground mounted.~~

~~(2) — Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Board of Appeals determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.~~

~~(3) — If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred, placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.~~

~~(4) — The solar energy equipment must be adequately screened from view of residential neighbors by appropriate vegetative screening or appropriate and adequate solid fencing.~~

~~(5) — Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.~~

~~(6) — Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.~~

~~(7) — The Board of Appeals, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Board of Appeals to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.~~



~~(8) — The Board of Appeals may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.~~

~~(9) — The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Board of Appeals may order its removal and/or relocation as appropriate.~~

~~§ 230-35. Accessory uses.~~

~~Accessory buildings and uses are those building and uses customarily incidental to any principal use or authorized conditional use, including:~~

~~...~~

**F. Solar Energy Equipment subject to the following:**

**(1) Solar Energy Equipment may be on roofs of principal buildings or ground mounted.**

**(2) Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Zoning Administrator determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.**

**(3) If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred, placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.**

**(4) The solar energy equipment must be adequately screened from view of residential neighbors by appropriate vegetative screening or appropriate and adequate solid fencing.**

**(5) Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.**

**(6) Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.**

**(7) The Zoning Administrator, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Zoning Administrator to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.**

**(8) The Zoning Administrator may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.**

**(9) The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Zoning Administrator may order its removal and/or relocation as appropriate.**

ARTICLE VI. R-2 Residence District

§ 230 41. Conditional uses.

Conditional uses requiring Board authorization shall be as follows:

...

~~L. The Board of Appeals may permit Solar Energy Equipment as an accessory use subject to the following:~~

~~(1) Solar Energy Equipment may be on roofs of principal buildings or ground mounted.~~

~~(2) Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Board of Appeals determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.~~

~~(3) If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred, placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.~~

~~(4) The solar energy equipment must be adequately screened from view of residential neighbors by appropriate vegetative screening or appropriate and adequate solid fencing.~~

~~(5) Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.~~

~~(6) Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.~~

~~(7) The Board of Appeals, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Board of Appeals to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.~~

~~(8) — The Board of Appeals may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.~~

~~(9) — The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Board of Appeals may order its removal and/or relocation as appropriate.~~

§ 230 42. Accessory uses.

Accessory buildings and uses are those buildings and uses customarily incidental to any principal use or authorized conditional use, including:

...

**F. Solar Energy Equipment subject to the following:**

**(1) Solar Energy Equipment may be on roofs of principal buildings or ground mounted.**

**(2) Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Zoning Administrator determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.**

**(3) If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred, placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.**

**(4) The solar energy equipment must be adequately screened from view of residential neighbors by appropriate vegetative screening or appropriate and adequate solid fencing.**

**(5) Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.**

**(6) Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.**

**(7) The Zoning Administrator, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Zoning Administrator to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.**

(8) The Zoning Administrator may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.

(9) The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Zoning Administrator may order its removal and/or relocation as appropriate.

**ARTICLE VII. R-3 Multifamily District.**

**§ 230-48. Conditional uses.**

**Conditional uses requiring Board authorization shall be as follows:**

...

~~P. — The Board of Appeals may permit Solar Energy Equipment as an accessory use subject to the following:~~

~~(1) — Solar Energy Equipment may be on roofs of principal buildings or ground mounted.~~

~~(2) — Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Board of Appeals determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.~~

~~(3) — If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred; placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.~~

~~(4) — The solar energy equipment must be adequately screened from view of residential neighbors by appropriate vegetative screening or appropriate and adequate solid fencing.~~

~~(5) — Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.~~

~~(6) — Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.~~

~~(7) — The Board of Appeals, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Board of Appeals to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.~~

~~(8) — The Board of Appeals may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.~~

~~(9) — The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Board of Appeals may order its removal and/or relocation as appropriate.~~

**§ 230 49. Accessory uses.**

**Accessory uses in the R 3 District shall be as follows:**

...

**G. Solar Energy Equipment subject to the following:**

**(1) Solar Energy Equipment may be on roofs of principal buildings or ground mounted.**

**(2) Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Zoning Administrator determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.**

**(3) If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred, placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.**

**(4) The solar energy equipment must be adequately screened from view of residential neighbors by appropriate vegetative screening or appropriate and adequate solid fencing.**

**(5) Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.**

**(6) Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.**

**(7) The Zoning Administrator, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Zoning Administrator to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.**

**(8) The Zoning Administrator may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.**

(9) The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Zoning Administrator may order its removal and/or relocation as appropriate.

## ARTICLE IX B-1 Shopping District

### § 230 63. Conditional uses.

Conditional uses requiring Board authorization shall be as follows:

...

~~L. — The Board of Appeals may permit Solar Energy Equipment as an accessory use subject to the following:~~

~~(1) — Solar Energy Equipment may be on roofs of principal buildings or ground mounted.~~

~~(2) — Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Board of Appeals determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.~~

~~(3) — If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred, placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.~~

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~~(5) — Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.~~

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~~(7) — The Board of Appeals, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Board of Appeals to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.~~

~~(8) — The Board of Appeals may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.~~

~~(9) — The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Board of Appeals may order its removal and/or relocation as appropriate.~~

§ 230 64. Accessory uses.

Accessory uses in the B 1 District shall be as follows:

...

**E. Solar Energy Equipment subject to the following:**

**(1) Solar Energy Equipment may be on roofs of principal buildings or ground mounted.**

**(2) Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Zoning Administrator determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.**

**(3) If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred, placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.**

**(4) The solar energy equipment must be adequately screened from view of residential neighbors by appropriate vegetative screening or appropriate and adequate solid fencing.**

**(5) Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.**

**(6) Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.**

**(7) The Zoning Administrator, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Zoning Administrator to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.**

**(8) The Zoning Administrator may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.**

**(9) The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Zoning Administrator may order its removal and/or relocation as appropriate.**

ARTICLE X B-2 General Business District

§ 230 71. Conditional uses.

Conditional uses requiring Board authorization shall be as follows:

...

~~M. The Board of Appeals may permit Solar Energy Equipment as an accessory use subject to the following:~~

~~(1) Solar Energy Equipment may be on roofs of principal buildings or ground mounted.~~

~~(2) Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Board of Appeals determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.~~

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~~(5) Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.~~

~~(6) Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.~~

~~(7) The Board of Appeals, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Board of Appeals to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.~~

~~(8) The Board of Appeals may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.~~



~~(9) — The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Board of Appeals may order its removal and/or relocation as appropriate.~~

§ 230 72. Accessory uses.

Accessory uses in the B 2 District shall be as follows:

...

**E. Solar Energy Equipment subject to the following:**

**(1) Solar Energy Equipment may be on roofs of principal buildings or ground mounted.**

**(2) Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Zoning Administrator determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.**

**(3) If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred, placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.**

**(4) The solar energy equipment must be adequately screened from view of residential neighbors by appropriate vegetative screening or appropriate and adequate solid fencing.**

**(5) Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.**

**(6) Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.**

**(7) The Zoning Administrator, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which would enable the Zoning Administrator to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.**

**(8) The Zoning Administrator may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.**

(9) The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Zoning Administrator may order its removal and/or relocation as appropriate.

ARTICLE XI M-1 Light Industrial District

§ 230 78. Principal permitted uses.

Principal permitted uses in the M 1 District shall be as follows:

...

**N. Solar energy equipment.**

**§ 230-79. Conditional uses.**

Conditional uses requiring Board authorization shall be as follows:

...

~~Q.—The Board of Appeals may permit Solar Energy Equipment as an accessory use subject to the following:~~

~~(1)—Solar Energy Equipment may be on roofs of principal buildings or ground mounted.~~

~~(2)—Placement of Solar Energy Equipment is not permitted within the required front yard setback unless the Board of Appeals determines that it is adequately screened from view from the public way so as to preclude any glare from the equipment which would adversely impact the vision of motorists on the public way. It is understood that this equipment may on occasion, be visible from the public way even if located in the side or the rear yard.~~

~~(3)—If the solar energy equipment is unable to be located on the roof of the principal structure as is preferred, placement of ground mounted solar energy equipment in the required side or rear yard may be permitted only if the equipment is not located in the required setback for a structure in the subject zone from the property line or a distance equal to the height of the accessory structure whichever is greater.~~

~~(4)—The solar energy equipment must be adequately screened from view of residential neighbors by appropriate vegetative screening or appropriate and adequate solid fencing.~~

~~(5)—Any proposed fencing must comply with all applicable height requirements. Natural colored fencing is preferred.~~

~~(6)—Roof mounted Solar Energy Equipment shall be located so as not to increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.~~

~~(7)—The Board of Appeals, prior to issuing a permit for the placement of any solar energy equipment, shall be provided with any requested information in regard to proving compliance with this section. This information may include a sun and shadow diagrams specific to the subject proposed installation which~~

~~would enable the Board of Appeals to determine if solar access will be impaired due to the proposed location or to the location of objects which may obstruct the solar access.~~

~~(8) — The Board of Appeals may also require submission of detailed information, including maps, plans or dimensioned sketches, showing the proposed location, including setbacks from property lines or distances from structures which are used for habitation on neighboring properties.~~

~~(9) — The Zoning Administrator may also require the submission of an as-built plan showing the actual location of any installed solar energy equipment. If the equipment is not installed as permitted, the Board of Appeals may order its removal and/or relocation as appropriate.~~

**SECTION 3. BE IT FURTHER ENACTED** by the City Council of Pocomoke City that this Act shall take effect on the \_\_\_\_ day of \_\_\_\_\_, 2017.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

**CITY COUNCIL OF POCOMOKE CITY**

\_\_\_\_\_  
Carol Sullivan, Clerk

\_\_\_\_\_  
George Tasker

\_\_\_\_\_  
Esther Troast

\_\_\_\_\_  
Diane Downing

\_\_\_\_\_  
Dale Trotter

\_\_\_\_\_  
Brian Hirshman

Approved:

\_\_\_\_\_  
Bruce Morrison, Mayor

**LOAN RESOLUTION No: 505**  
(Public Bodies)

A RESOLUTION OF THE Council

OF THE Pocomoke City

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

To govern the affairs of Pocomoke City

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Pocomoke City

*(Public Body)*

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

Nine Hundred Sixty-Six Thousand & 00/100

pursuant to the provisions of \_\_\_\_\_; and

**WHEREAS**, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

**NOW THEREFORE**, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
- 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
- 17. To accept a grant in an amount not to exceed \$ \_\_\_\_\_

under the terms offered by the Government; that the \_\_\_\_\_

and \_\_\_\_\_ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas \_\_\_\_\_ Nays \_\_\_\_\_ Absent \_\_\_\_\_

IN WITNESS WHEREOF, the Council \_\_\_\_\_ of the

Pocomoke City \_\_\_\_\_ has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_

(SEAL) \_\_\_\_\_  
By \_\_\_\_\_

Attest: \_\_\_\_\_  
Title \_\_\_\_\_

\_\_\_\_\_  
Title \_\_\_\_\_

**CERTIFICATION TO BE EXECUTED AT LOAN CLOSING**

I, the undersigned, as \_\_\_\_\_ of the Pocomoke City  
 hereby certify that the Council \_\_\_\_\_ of such Association is composed of  
 \_\_\_\_\_ members, of whom , \_\_\_\_\_ constituting a quorum, were present at a meeting thereof duly called and  
 held on the \_\_\_\_\_ day of \_\_\_\_\_ ; and that the foregoing resolution was adopted at such meeting  
 by the vote shown above, I further certify that as of \_\_\_\_\_ ,  
 the date of closing of the loan from the United States Department of Agriculture, said resolution remains in effect and has not been  
 rescinded or amended in any way.

Dated, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
 Title \_\_\_\_\_

**Employment Impact:**

Current Number of Employees in proposed zone: \_\_\_\_\_

Total 53 Full Time: 52 Part Time: 1 as of 12/31/16

New Jobs to be created in the proposed zone:

Total: 20 Full Time: 20 Part Time \_\_\_\_\_

Hourly Wage for typical new job (without benefits): \$14 per hour

Additional costs of benefits provided (Per each new employee): \$7 – 10/hr

**Signatures**

Signature of individual completing this form: 

Typed or printed name: Ryan Wendell Title: C.F.O.

Date: 2/1/17

**Application Submission Instructions**

Submit completed application to: **Enterprise Zone Administrator**  
**Pocomoke City**  
**P O Box 29**  
**Pocomoke City, MD 21951**

9



ENTERPRISE ZONE  
QUALIFICATION APPLICATION  
POCOMOKE CITY, MARYLAND

Name of Firm: Hardwire, LLC  
Point of Contact: Ryan Wendell  
Premises Address: 1947 Clarke Ave.  
Mailing Address: \_\_\_\_\_  
City: Pocomoke City, MD 21851  
Telephone Number: 410-957-3669 Fax Number: 410-957-3424  
Email Address: ryan.wendell@hardwire,llc.com

Property Information

Address of Property for which Enterprise Benefits are sought:

\_\_\_\_\_  
Property Tax Map# 0401 Property Tax Parcel: 0733  
Property Tax Number (10 digit) 01-027247

Name of Property Owner (if different from above): \_\_\_\_\_

Address of Property Owner or (different from above): \_\_\_\_\_

Approximate Size of Property: \_\_\_\_\_ Acres

Approximate Size of Existing Building: \_\_\_\_\_ Square Feet



*Pocomoke Area Chamber of Commerce  
107 Market Street  
Pocomoke City, MD 21851  
410-957-1919 or 410-430-9549  
[pocomokechamber@gmail.com](mailto:pocomokechamber@gmail.com)  
[www.pocomokechamber.com](http://www.pocomokechamber.com)*

RECEIVED  
JAN 27 2017  
BY: Paula Sparrow



January 19, 2017

Mayor Bruce Morrison  
Members of Council  
City of Pocomoke City  
Pocomoke City, MD 21851

Dear Mr. Mayor and Members of Council:

I'm writing to thank you for your continued support of the Pocomoke City Chamber, support of our events and support in the budget item you have provided to us since we departed the old gas station location. The chamber has gone through some transition in recent years, but now has a very good director as well as a good board, and we feel things are moving in a positive direction in support of the Pocomoke City business community. We have event planning underway that we believe will serve the business community as well as the town and will be rolling out events shortly. Please know that we are already well into planning a successful 2017 Cypress Festival as well as Pocomoktoberfest and the Christmas Craft Festival.

So you are aware of our new leadership, here is a list of officers and board:

Michelle Hickman – Executive Director  
C. Ray Daisey (Taylor Bank) – President  
James Keitt (Gillis Gilkerson)– 1<sup>st</sup> Vice President  
Mona Margarita (River Gem Bed & Breakfast)– 2<sup>nd</sup> Vice President  
Dana Webster (Xenith Bank)– Treasurer  
Board Members: Nina Franceschi (Tyson), Regina Fletcher (Free Indeed Ministries), Dale Rohl (Worcester County Library), Michelle Redinger (Cobb-Vantress)

I am also writing to you today with a modest request. We are very appreciative of the \$3000 you have made available to us to assist with expenses related to office space utilities. I'm writing to ask if the City would increase this amount to \$5000 potentially available in the next fiscal year, with the understanding that we would request only what is needed. I appreciate what you have done and are doing for us, as we attempt to again grow the chamber for the benefit of the town.

Many thanks,

C. Ray Daisey, President  
Pocomoke City Chamber of Commerce

January 20, 2017

The Town of Pocomoke City and The Pocomoke City Ambulance Co.

Between the dates of December 6, 2016 and January 15, 2017, my husband and I had to use the Pocomoke City Ambulance four times. Twice for him and twice for myself.

We would like to express how we appreciated the professionalism, kindness, patience and understanding from the crew that took us each time. Although we do not know the names of each crew member to thank personally, we would like to express our appreciation to each and every member of the Pocomoke City Ambulance Company.

They made us as comfortable as possible, both physically and mentally.. So many times you only hear the bad things that happen and people don't come forward with the good experiences. We appreciate the positive treatment we received during our transport to PRMC. Thank you again for all that you have done for us.

Enclosed you will find a small donation to the Ambulance Company to show our gratitude for the exceptional care we were given, Please thank your crews and give them a pat on the back for a job well done.

Again many thanks,

*Kathleen Palmer*  
*Keneth B Palmer*

Ken and Kathleen Palmer



February 2, 2017



Mayor Morrison and Members of the City Council,

We would like to thank the City of Pocomoke for your years of support of the American Cancer Society's Relay For Life of South Worcester.

We would like to request the use of the Pocomoke Fair Grounds as well as the city's stage and tent again this year for our Relay to be held on Saturday, June 10, 2017. We would begin our set up at noon on the 10<sup>th</sup> and expect to have our clean up completed by midnight.

If you need additional information, please contact me at 410-726-1893 or [mary.bellis@cancer.org](mailto:mary.bellis@cancer.org).

Thank you for your consideration.

Mary Bellis  
Senior Community Manager – Relay For Life  
American Cancer Society

**stay well | get well | find cures | fight back | cancer.org | 1.800.227.2345**

**South Atlantic Division, Inc.**  
1315 Mt. Hermon Road, Suite D  
410.749.1624 / 1.800.937.9696 f) 410.860.0832