

Regular Meeting Minutes

The meeting of the Pocomoke City Mayor and Council was held in the Council Chambers at City Hall on Monday, June 20, 2019. The meeting was called to order at 6:30 PM.

Present: Mayor Bruce Morrison
First Vice President: Todd J. Nock
Council Members: Diane Downing,
Dale Trotter, R. Scott Holland, Esther Troast
City Attorney: Roscoe Leslie
City Clerk: Michelle Beckett-El Soloh

Call to Order, Prayer by Mrs. Susan Harrison and Pledge of Allegiance @ 6:30PM.

Review and Approval of Minutes from Meeting of June 3, 2019

Motion to approve Minutes from June 3, 2019 (Trotter, Troast passed) @ 6:40 PM.

Acclamation: Trotter-aye, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

Review and Approval of Bill List from June 20, 2019:

Motion to approve bill list from June 20, 2019 (Troast, Holland passed) @ 6:42 PM.

Acclamation: Trotter-aye, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

Final Resolution No. 519-Removal of City Manager:

Councilmember Nock read Resolution 519:

RESOLUTION NO. 519

MAYOR AND CITY COUNCIL OF POCOMOKE CITY

A Final Resolution to Remove the City Manager by Charter Section C-22.

Councilmember Nock stated the Council has given the matter its full consideration and asked for a motion to approve by roll call vote.

Motion to approve final Resolution 519-removal of City Manager.

Trotter-aye, Holland-aye, Downing-aye;

Councilmember Troast statement: she asked everyone in attendance to please respect her vote as she will respect the other votes. The City needs to get back to what is most important and that is healing. It takes a village to be a successful at running a prosperous city so she will welcome a new embodiment with open arms but we must remind ourselves that name-calling, pointing fingers and accusations are only hindering and causing more damage and division. She has always prided herself with striving for unity and harmony. This has been her prayer for the last few months and she will continue with that prayer. Nothing has ever damaged her spirit more than what she has witnessed in the last several months. She thanked her District for the opportunity to serve. She was told at the beginning of her tenure that it would not be easy. She had no idea it would be this hard. She's trying to make a brighter future for this community. Tomorrow is another day. She votes nay to final resolution 519, City Manager.

Councilmember Nock said he will abstain from voting on this matter. He was accused of something very heinous, unbecoming and something that he did not do so he will abstain his vote for those reasons.

Acclamation: Trotter-aye, Holland-aye, Nock-abstain, Downing-aye, Troast-nay; 1 opposed; 1 abstain; motion carried

Adopt Ordinance 446, FY20 Fee Schedule for City Services-2nd Reading:
Councilmember Nock read Ordinance No. 446 Fee Schedule FY20;

ORDINANCE NO. 446

AN ORDINANCE OF THE MAYOR AND COUNCIL
OF POCOMOKE CITY, MARYLAND ESTABLISHING THE
FEE SCHEDULE FOR CITY SERVICES FOR FISCAL YEAR 2019-2020

Motion to approve Ordinance No. 446, Fee Schedule for City Services for fiscal year 19-2020 (Troast, Trotter passed) @ 6:48PM

Acclamation: Trotter-aye, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

Adopt Ordinance 447, FY20, Budget-2nd Reading:
Councilmember Nock explained the Budget for fiscal year 19-2020

ORDINANCE No. 447

AN ORDINANCE OF THE MAYOR AND COUNCIL
OF POCOMOKE CITY, MARYLAND ADOPTING THE BUDGET
FOR FISCAL YEAR 2019-2020

Councilmember Trotter asked that Finance Director Wilson explain something that a former City employee had commented and agreed on regarding a surplus budget in the amount of \$700,000.00. Finance Director Wilson said there has never been a surplus of \$700,000.00. A surplus according to the auditors is 60 days-worth of funds available year-round. That is \$790,510.00 in the bank available 365 days. We have never had that much money consistently in our account. There has never been a surplus. In 2017 we had \$76,520.00. That is 6 days-worth of emergency funds. In 2018 we had a surplus of 2 days of available funds. We have been appraised by auditors because slowly but surely, we have decreased the deficit. Councilmember Troast asked for explanation of why we have a 3rd party auditor. Finance Director Wilson said a 3rd party auditor is required by any government entity and non-profit. They ask for every detail such as invoices and statements. The Finance Director takes questioning of her finance practices as an insult because her credentials are impeccable. If there was something wrong it would be reported to the Mayor & Council. Unidentified audience lady asked how not being able to get grants affected the City? Finance Director Wilson said she had recommended not to get loans right now. We do qualify for certain grants. Mrs. Susan Harrison, 3610 Cambrook Dr, asked about windfall revenues that usually come in the last 3 months of the fiscal year are not there. Finance Director Wilson said she would need examples of specific things that she could look up. She is free to come into the office any time with questions.

Motion to approve and adopt budget for FY 20 (Trotter, Downing passed) @ 6:57PM.

Acclamation: Trotter-aye, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

Approve Alcoholic Beverage Permit for MarVa Theater Events on 7/20/19-A Midsummer Night's Muse Concert with 4 Bands and 9/27/19-Wedding Rehearsal Dinner:

Will Stevenson, Treasurer Marva Theater, said that Council has put the screws to the MarVa Theater probably unintentionally. They've been getting one day beer and liquor permits since 1910. They

have had 18 permits since the beginning of 2014. They never have been required to bring the request for permits before the Council before. They've always had the Mayor, Council or City Manager sign the permit. He checked with April Payne and they have not changed their process. The problem is that it needs to be turned in 30 days before the event and because they had to wait until tonight, they are going to be one day late for the July event but they are only allowed one late occasion each year. The problem is they cannot apply for the license until the potential renter has made their deposit and given the money to cover the liquor license, otherwise, they are out the hundred dollars. Sometimes they don't get the request six weeks ahead of time and have enough time to be heard by the Council. Can anybody explain why they've had to come before the Council this time? Councilmember Nock said if the time is tight, it can be done by email. He can come into City Hall.

Motion to approve liquor license for MarVa events on 7/20/19 and 9/27/19 (Trotter, Downing passed)
@ 7:05PM

Acclamation: Trotter-aye, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

Discuss Economic Development Committee:

Councilmember Nock said Ms. Monda Marsh, the Council heard your request for an Economic Development Committee and we are going to honor your request and create a committee. Anyone interested in an appointment can see their respective Councilmember and appointments will be made at the next Council meeting on July 1, 2019.

Council Comments:

Councilmember Troast said to elaborate more on her previous comment that she read during the vote she prayed for a sign and listened very intently to everyone's comments on Tuesday night. She considers the people the ones that put her in the position to make decisions you are the people that trust her to make decisions in her behalf. Today she receive any phone calls from people in her district and the calls were in favor to reinstate the city manager one thing she prides herself on is integrity. Lately her integrity has been questioned and it has broken her she knows most everyone here and you know her and know what kind of person she is. If anyone needed anything, she would give her last nickel Diffie her or close to you. She has served the city for four years she hopes she survives the next two and, in all honesty, the first four years have been hell. She wants everybody to think about what they say before they say it. Once you say something it's words and you can't take it back, she's been hurt by people she never thought would say anything bad about her. She said people stop speaking to her she's the nicest person you would ever want to meet. It said that the city has come to this point. She voted to keep Bobby and he did make some mistakes; she has made mistakes everyone has made mistakes there's nobody perfect here. If there was ever a problem with Bobby she said down and talk to him. We are all in the same community here and in order to bring his community that and they feel we all need to work together. The animosity needs to stop.

Councilmember Downing said Councilmember Troast said a whole lot but Esther can't speak for Diane. She agrees with a lot that Esther said and that they've been through a lot. She's been on the Council since 2010 so she's been through a whole lot more hell than Esther. As far as local government. She believes that we need to get along but we also need to be true to one another. It's funny to her how some people see some things in a certain situation but in another situation, they see things totally different. She thinks what we need to do is if we're going to get along as a community, we need to be transparent, honest, fair and open and stop the racial comments. A lot of people have said things about Diane but they have never even met her. Some people said that firing the city manager was premeditated and it was not premeditated. She went to school with Bobby and likes him but when it comes to business you have to look past friendship and who you know and what race you

are. She would turn her brother in if he was wrong and she has done that. That's what kind of person she is. For people to be judgmental and put things on social media that has to stop because no one knows her. She just wanted to explain that because she has heard so much and it's wrong. She has been called dumb and racist. She believes God allows certain people to be here for certain reasons and she believes that she has fulfilled those reasons.

Councilmember Holland said first he would like to apologize for something he said at a previous meeting. He heard, along with other councilmembers, that if the town manager wanted a public hearing then we would be able to talk in greater detail about why he was dismissed. This is what he was told by legal counsel until Mr. Cowger asked for the public hearing. As most people witnessed at the hearing, the Council did not talk. He was told that our city attorney would talk for the Council and share the questions that the Council had for Mr. Cowger. Now, I've been advised by legal counsel not to say anything regarding Mr. Cowger's dismissal. He understands this is a personnel matter and is as frustrating for the Council as it is for the public. Mr. Cowger has the support of citizens in this community and he thinks that is great. Mr. Cowger has lived here most of his life and has made a lot of friends. Councilmember Holland has known Mr. Cowger all of his life and goes to church with his family. This was a tough, not an easy decision. One of the toughest decisions in his life. The public might not always agree with his decisions but they are made with the best interest of the city at heart. He has never tried to diminish or take away any of the accomplishments that Mr. Cowger achieved. He understands that the city owes the State some money for mismanagement of past grant funds. He understands it was grant funds from some years back and not the most recent administration. He never tried to blame any of that on Mr. Cowger. He truly wishes nothing but the best for Mr. Cowger and his future endeavors. After the council meeting there were two men walking behind Councilmember Holland and he heard them say, do you think the council got it? Mission accomplished, right? He heard that comment, got in his truck and really thought about that comment. Council has heard at all. It has really turned into a messy situation, in his opinion. Throughout it all, he hears you. He has met face-to-face with a lot of people in this room. He listens because he wants to hear the citizens. In all honesty, he was a little disappointed in Mr. Cowger's speech because it was broad and did not address the Council's concerns. At the meeting, Mrs. Taylor spoke on behalf of the Chamber of Commerce about the award that Mr. Cowger received, and that's great. Ms. Marsh spoke and said she supported the Council, and that's great. Many people have shared their concerns with him and he appreciates the citizens taking the time to talk with him. We might not always agree but he values your opinions. He's heard a lot of concerns about mannerisms of the council. That there is smirking, smiling and laughing at citizen's comments. They should be more professional. Several Council meetings ago he was approached by, Laurie Kamps, who yelled at him in his driveway in front of his child. He addressed Mrs. Susan Harrison and said he doesn't want anyone to feel attacked at the Council meeting. He was sorry it went that way but she has asked the same questions over and over and has gotten answers each time. She questioned the Mayor's capabilities and got answers. She questioned the restaurant and got answers. He feels that citizens attend the Council meetings but they don't listen. He has been both verbally attacked and supported regarding decisions he has made. He was told that "he woke the town up". He was happy to hear this because the town needs to be woken up. There is a lot going on here and the citizens need to stay involved and make it a thriving town once again. He wants to see Pocomoke have better water and more opportunities for children. It takes a person with strong ethics and character to go against a popular decision and stand for what he believes in to move the town forward in a positive direction.

Councilmember Trotter thanked the citizens for opening his eyes and causing him to pray and become closer to God. He ran for this position 5 years ago because he believed we needed an open and transparent government and a Councilmember who was willing to work with the Downtown Association and we needed people willing to volunteer in the community. Based on that information,

he decided to change his vote. He read on social media that the Council were thieves. He has 26 years of public service.

Councilmember Nock said over the past 3 months he has been ripped to smithereens by multiple people sitting in the room. No one has gotten to know him. He sees people in public and they turn their heads and won't speak to him. He has been called a racist and that is vile and disgusting. This could have caused him to lose his job and everything he has worked for because of a decision he has made in the interest of the City. We need to put our differences aside and stop looking at skin color is the moment when we move forward. He said he will continue to speak to people, include them when he can and extend his hand to them. He will be here for anyone who needs him. Send and email, call him, just reach out.

Councilmember Trotter motioned to nominate Kyle Pilchard for a seat on Planning & Zoning Commission (Trotter, Nock passed) @ 7:15PM

Acclamation: Trotter-aye, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

Audience Comments:

Monda Marsh, 1 2nd St, she apologized for always speaking at the meetings. She commended the Council for always acting professional tonight and last Tuesday night. She also wanted to congratulate Susan Marshall-Harrison even though she doesn't agree with a lot that she's done and said but she's done a great job with getting the community involved. She agrees with Councilwoman Troast that we all need to heal as a community. She came here as an outsider and will always be an outsider. She has no intentions of running for office at all. She thinks we all need to work together and she understands that there is a carnival in town that has not been here for years and that Susan should use her unbelievable talent to get people to come out and support the carnival. She loves the American flag and has gotten a company to supply flags for a cheap price. They should be about \$6.50 apiece. She has talked about economic development to bring in revenue. She thinks there needs to be a committee for economic development.

Ann Hurley, 26 Somerset Ave, she has had bad water for a long time. She has had 2 washers and several commodes replaced because of water damage. She hasn't seen Public Works in the Heights area for a few weeks and wanted to know what the plan is for them to be back in the Heights?

Councilmember Nock said it was brought to the Council's attention that there are fire hydrants that needed attention and some repairs. That was a priority project for the City. That is close to completion and Public Works will be back in the Heights working on the water lines very soon.

Susan Harrison, 2610 Cambrook Dr, any of you can go back and research any of the posts. She has not called any of the Councilmembers a thief or a liar. Anything she has brought up as a concern has not been personal. There have been no personal attacks. She has tried to educate people about some issues that she had concerns over. She's a schoolteacher and has taught for 34 years. Her nickname was "by the book". That was the way she was taught to operate. It goes back to the Charter which is the heart of governance in the City. Mr. Cockey explained very clearly that it took two public readings to dismiss the city manager. The first meeting that the Council had was closed session. According to Maryland Open Government it's strictly states that you had to have 2 public hearings. If we don't set parameters to be followed, we're operating out of the guidelines. We have to be fair to everyone. It doesn't matter what your skin color is.

City Attorney Leslie said the procedure is laid out and the resolution 2nd reading was tonight. Mr. Cockey has his position that he is advocating for his client. The City Attorney views are different from Mr. Cockey's. That's why there are judges to decide on disagreements. Mrs. Harrison said can the City Attorney acknowledge that the State law says a resolution has to be read twice. City Attorney Leslie said the 1st reading was April 29th in open session.

Laurie Kamps, 1306 Dorchester Ave, she heard comments that Councilmember Holland was saying about her. As bad as all this is, she believes everything happens for a reason she would like to believe that all this is happening to bring Pocomoke City together. The bashing does not need to happen. She should be able to go to her Council person and speak but now she doesn't feel that she can do that. Councilmember Holland said, it has to be in a respectable manner. Ms. Kamps said, we should be able to agree to disagree in a peaceful way. She has never said anything negative on social media about anyone the Council. She hopes that we can grow from this. Councilmember Holland asked, she asked him why he didn't vote to move the meeting to a different location when it was clear he was in favor of moving the meeting. That's his point, people aren't listening when the Council speaks.

Councilmember Downing said she has a point to make, Ms. Harrison said that the removal of the City Manager seems to be racially motivated. We need to learn from past situations that have happened in the community. We need to see just how racially divided we are and learn from it. The removal of the City Manager was in no way racially motivated, it was based on performance issues.

Councilmember Trotter wanted to clarify that he realizes her comment about the budget was not directed at him individually and that it was directed to the Council as a body.

Councilmember Holland said everyone on the Council is willing to accept and answer question but there is a difference in asking a question with accusations attached to it. That is a disservice.

Don Layman, 302 15th St, said a couple weeks ago he went before the Planning and Zoning Commission to ask about variances. Has the Council made a decision about filling all the volunteer spots on the commissions yet? Homeowners, as well as business people, need to be able to progress in the City. Council member Trotter said we just filled a position tonight for Planning and Zoning. Councilmember Nock said we need to review the current committees and see when terms expire and how many spots are open. That is a priority for the new fiscal year. Councilmember Troast has been assigned to the Beautification Committee, Councilmember Trotter and the Mayor has been assigned to DPA, Councilmember Downing is assigned to Planning & Zoning, Councilmember Nock is with Economic Development and Councilmember Holland will be a part of the next created Committee.

Councilmember Nock asked that if anyone in the community has any questions for him, please feel free to contact him. He invited Mrs. Glover to meet with him and have an opportunity to get to know each other.

Motion to adjourn open session (Trotter, downing passed) @ 7:48PM

Acclamation: Trotter-aye, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

Approved: K.M. Beckett-El Soloh/ City Clerk