

March 5, 2018

The regular meeting of the Pocomoke Mayor and Council was held in the Council Chambers at City Hall on Monday, February 5, 2018. The meeting was called to order at 6:30 P.M.

Present: Councilwoman Esther Troast as Acting Mayor
Council Members: Brian Hirshman, Dale Trotter, Diane Downing,
George Tasker
City Manager: Robert Cowger
City Attorney: Paul Wilbur
Deputy Clerk: Paula Sparrow

Review Minutes

In a motion (Hirshman, Trotter) passed, to approve the minutes of the February 5, 2018 meeting.

Review Bills

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

Introduce Bill McDermott of the States Attorney's Office

Mr. McDermott said he is appreciative of the opportunity to speak this evening. The former States Attorney, Beau Oglesby, was recently appointed as Judge of the Circuit Court. Mr. McDermott was unanimously appointed by Judges to serve as States Attorney and will be up for election in the fall.

There are a lot of cases his office is working on involving Pocomoke. Laquan Townsend was recently arrested on various charges and had a lot to do with a lot of the burglaries here in Pocomoke. He was arrested with possession with intent to distribute cocaine and marijuana, and also being a felon in possession of various weapons. He plead guilty today. Townsend received a fifteen-year sentence, with all suspended but ten years in prison.

Mr. McDermott said his office has an open-door policy. If anyone has questions about problems in their neighborhood, please feel free to contact his office.

Assateague People of Delmarva

This item was tabled from the last meeting. In a motion (Tasker, Trotter) unanimous, to deny the request for use of Cypress Park for a Pow Wow on May 17 – 21, 2018. The City Manager will send

a letter notifying them of the Council's decision due to concerns regarding the City's resources.

Beer and Wine License

Karah Lacey, Downtown Coordinator, was present to discuss permission to submit a Beer and Wine License for two upcoming events. August 4, 2018 – Great Pocomoke Fair and September 14, 2018 – Delmarva Bike Week Block Party.

The Bike Week Block Party will be held at Front and Market Streets from 5:00 to 8:00 p.m. and will feature live music.

In a motion (Trotter, Hirshman) passed, to approve submittal of license permits for both events.

Interim Financing – Wastewater Treatment Plant

Hebron Savings Bank wants to get involved with Pocomoke City and provide interim funding. The City received a letter from them stating they will provide interim financing at \$1.123 million. When our contractor submits their bill, the City will submit the bill to U.S.D.A. After which, U.S.D.A. will reimburse us, and the City will pay Hebron Savings Bank. This is not a loan, just interim financing.

In a motion (Hirshman, Downing) passed to approve construction financing agreement with Hebron Savings Bank. Letter attached to original minutes.

Bid Proposal for Custodian

The custodial position is for City Hall and the public restrooms. The City bid the position and received only one bid. It was advertised for three weeks. After submittal, the bidder (Jen's Home Service) reduced their fee by \$125/month.

In a motion (Trotter, Downing) passed - to award bid. Bid attached to original minutes.

Pocomoke Heights Water Quality Update

City Manager Cowger presented four sample bottles of water that were taken before Christmas. This was before IOREX, the work on the wells and filters, and replacing some of the water pipes. He went just before the meeting this evening and collected samples from Dorchester Avenue, Fourteenth Street, Princess Anne Lane, Payne Avenue, Linden Drive, and Mike Dean's property on Market Street. A sample was also taken from a hydrant on Market Street near the Dean property.

The City still has quite a way to go. There is iron still in the pipes. The City engineer's proposal to complete the project in the Heights (with grants/loans) is projected at \$2.9 million. There are 10,400 feet of pipe in the Pocomoke Heights. The tie into Fourteenth Street will make the project 13% complete. The City could do all those pipes at a cost of \$1.1 million.

City Manager Cowger asked the Council's permission to do it "in house". To fund that, he requests Council's support of an increase of \$1.00/per thousand gallons to the homeowner's monthly water bill. This would generate \$85,000 per year and would pay the City's payment. It would take about ten years to pay off the loan. At that time, the rate would revert back to the \$6.00 now charged. He stated this will save the City \$1 million. A Public Hearing would be required for the resolution outlining the change in rate per gallon.

Councilwoman Downing asked if it would involve overtime. City Manager said no. He has five men committed to putting in water lines.

Councilman Tasker said the water at his home is 99% better than it was and it is a great improvement. He added that the men are dedicated and doing a great job.

In a motion (Trotter, Tasker) passed to move forward with the project.

In a motion (Downing, Hirshman) passed for a public hearing be scheduled as required for the resolution.

Housing and Planning Director Updates

Housing Director Dan Brandewie was present and spoke about the abandoned houses and blighted buildings. There was a City ordinance dated January 22, 2018 to address this subject. He has identified 80 to 90 buildings. He hopes to send correspondence this week regarding the abandoned and dilapidated buildings.

Mr. Brandewie requested the Council's permission to apply for Federal and State Grants. He has spoken with the City's Grant Writer Valerie Mann, as well as the Maryland Heritage Authority. At present there are six grant opportunities. He would like to focus on the Armory building and its potential re-use. A structural analysis; roof repair; Brownfields Cleanup; and lead, asbestos and mold removal will all be needed. The City needs matching resources with C.D.B.G. and other funding resources.

Councilman Tasker said that he was at a meeting with County Commissioner Merrill Lockfaw a while ago. Commissioner Lockfaw said he would seek funds through the County for the project.

Councilwoman Downing stated she hopes we can renovate but said a 2012 letter from Hamblin & Associates did a survey and said it would cost \$1 – \$1.5 million to renovate the Armory. She has had a problem this week. She said she has a few calls and visits from people in the neighborhood saying there are citizens in the building. The letter from Hamblin says no one should be in there cleaning up.

City Manager Cowger said two groups have contacted him. Save the Youth representative Mrs. Cane, and Steven Mills and James Jones have asked about playing basketball in the gymnasium. Councilwoman Downing added she didn't want anyone being sick. The City Manager said they were in there cleaning the gym only. They were not in the offices or anywhere else. They swept the floor and picked up trash so they could play basketball at night and on weekends. This would get the kids off the streets and have some place for them to use. They were in there about six hours. They were willing to go in there and clean the gym up. The City sent the trash truck there on Saturday. They have not used

the gymnasium yet. The City Manager said he is supposed to get back with them about setting up a time for them to play basketball in there. He spoke with Dan (Brandewie) and an air test is needed so there would be no problems. He said we do not need any liability and we don't want anyone to get sick.

City Manager Cowger said there are areas that are off limits.

Councilman Tasker said the group needs to sign a form to get a key to enter – Mrs. Cane; Steven Mills; James Jones of Save the Youth.

Councilwoman Downing read a prior report from Hamblin about how the roof above the gym is unsafe.

Acting Mayor Troast said we need a legal binding agreement not holding the City liable. She suggested tabling the item about letting people use the gym until the building is deemed safe.

American Legion Post #93 - Recent Activity

City Manager Cowger said Sgt. Detective Joseph Bailey of the Pocomoke Police Department was present to discuss the recent activity at the Legion.

Sgt. Bailey said there was an incident on February 20, 2018 where a shooting occurred in the parking lot. It was investigated by the Pocomoke Police Department, Maryland State Police, Worcester County Sheriff, and the Worcester County Bureau of Investigation. He drafted a letter to April Payne of the Worcester County Liquor Board requesting their license be looked at or revoked. He asked the Council to draft a letter, as well.

City Manager Cowger said there is a copy of Sgt. Bailey's letter and a draft of the City's letter enclosed in your packet. This is not the only incident. There have been numerous.

Sgt. Bailey said in the past five years there have been two shootings, and five to seven assaults have occurred.

Councilman Hirshman asked if this was a party going on there or were they open for anything else. Councilwoman Downing asked if it was the same group over and over.

Sgt. Bailey said the Legion opens business to biker gangs out of Virginia and D.J.s out of Virginia. They are all out of Accomac County.

Councilman Hirshman asked if the National Chapter had been notified to let them know what is going on there. Councilwoman Downing asked if the Pocomoke Police Department is notified when they have functions. Sgt. Bailey said they used to be, but not now. You can go a month, two months without any functions. He said we are talking large, large crowds at these events. Councilman Tasker said he had a problem with the letter. He said the Council probably should not send a letter saying "to temporarily or permanently revoke" the license. Definitely not permanently. City Manager Cowger stated we are talking about the liquor license, not to close the building down. Councilman Tasker said she needs to regulate who she allows to come in there – be restricted with no biker groups or whatever, and begin to fine her, not just take her livelihood away, and definitely make her more communicative every time she is going to have something there.

City Manager Cowger stated the other big concern was there were 200-250 people probably, and bullets were flying everywhere out there. I don't think there is any reason out there worth losing an

officer. What you have is five or six officers that will go in there and calm down 200-250 people at 2:00 in the morning.

Councilman Trotter said there is another concern – I responded to this and I can tell you the areas that they were shooting, I am surprised that people in the Pocomoke Heights don't have bullet holes, and they may, in some of their homes.

City Manager Cowger said they have been told and they have been told. This incident isn't the first time, and they have been warned many times. If they cannot survive off of reasonable, good functions, then I don't want to let this go. I do not want to have an officer shot or killed next Friday or Saturday night.

Councilman Trotter says the letter basically says that the City of Pocomoke stands behind Detective Bailey's letter and also stands behind the Liquor Board's decision.

Sgt. Bailey said without speaking about details of the investigation, three different caliber casings were recovered. It was an actual shootout. They were shooting back and forth. It wasn't just one person.

Acting Mayor Troast said Ronnie's Garage has had trouble with destruction to his property in past incidents. She has had phone calls from the immediate area residents who are concerned this is going on in their back and front yards. She has had numerous calls.

In a motion (Hirshman, Trotter) passed to submit the letter to the Worcester County Liquor Board and delete the word "permanently" and insert "as they see fit".

Wastewater Treatment Plant

City Manager Cowger stated that Maryland Department of the Environment gave permission for the sewer haulers to temporarily dump at the plant. A photograph of the machine which will separate the material from each hauler was available.

Drawbridge Villas Request

City Manager Cowger said that the Drawbridge Villas owner has asked permission to permanently close Riverside Drive and install new fencing to become a gated community all the way to the river. There will be only one gate into the community, and there will be no walk-through traffic in their community.

Councilman Trotter asked if we close that roadway, who will maintain that property. City Attorney Wilbur said fencing off the area will become taxable private property. It was decided to table this topic until the next meeting so the City Manager could contact the property owners and advise them.

Gas and Diesel Tanks on Riverside Drive

City Manager Cowger spoke about the possibility of these tanks at the corner of Riverside Drive

and Maple Street. The Villas are getting ready to completely gate the property and build more units.

Proposals for Propane Service

City Manager Cowger asked for approval to solicit proposals for propane service for the City. The City has not bid for this service in a long time and rates are probably lower than what is being paid. At the same time, he asked for approval to allow the Pocomoke Volunteer Fire Company to piggyback on our bid. The fire company uses about the same amount of propane as the City.

In a motion (Downing, Tasker) passed to bid the propane service.

Community Garden – 501 (c) 3 Status

Ms. Neelam Strom, representative of the Community Garden, addressed the Council and discussed some of their recent projects. The garden is being created in phases. The last phase will showcase the history of Pocomoke City and shipbuilding.

Ms. Strom thanked the City for the land and the electricity for the garden. A sheet was distributed to the Council outlining the budget and goals for 2018.

Ms. Strom had a suggestion from Stacey Weisner of the Delmarva Discovery Center to apply for their own 501 (c)3 designation. She asked the Council to assist with the legal aspect.

City Attorney Wilbur stated a lawyer can do that for the corporation's paperwork. He understands this is not in the City's budget and he will donate the work.

He also said that an accountant would be required to complete a long process of paperwork.

City Manager Cowger said to table it until next meeting so he would ask the City's Finance Director Janet Wilson if she could assist them.

Downtown Tree Replacement

City Manager Cowger said that he had spoken with Delmarva Power and within the next 30 days they plan to remove the trees on Clarke Avenue and all of Willow Street which are affecting the power lines. The only thing the City will do is remove the stumps. They will replace the trees they cut down.

Delmarva Power recommends Eastern Redwoods, flowering dogwoods, and other dogwoods, and plant forsythia and inkberries in concrete planters. All plant material will be donated by Delmarva Power. They have offered to give the City trees for Market Street, but we will plant them.

Councilman Trotter said that the Downtown Pocomoke Association should decide which ones they would like. They have a meeting on March 20. This information will be passed on to the D.P.A. and will be brought back to the Council for the next meeting.

Comments from the Council

Councilwoman Downing received an email from Resource Center and passed it on to the City

Manager. Karah Lacey said maybe the City could include it in one of our events, otherwise it will be quite costly. Councilwoman Downing said different agencies would be present to aid residents with such items as bill paying, etc. This will be re-addressed at your next meeting.

Councilman Trotter said last Sunday Mayor Morrison came home. The Council would like to recognize Councilwoman Esther Troast and Sue Tull for their efforts for the parade on the Mayor's entry into town that day.

Comments from the Audience

Ronnie White spoke about cleaning the Armory. He said there is asbestos, mold, lead, etc. and those people were not told. He asked why did you send them in the building if you knew it was toxic.

City Manager Cowger said Steve Mills (who headed it up) went with him and walked through there. Mr. Mills said he wanted to clean it up. Mr. Cowger said he had no problem with keeping it closed until it is cleaned up.

Todd Nock said he believed the American Legion should not be closed down. There should be a time frame for a night club-type event. The Legion should have to pay police officers. The Legion should limit the amount of people because that place won't hold that many. The police need to know about the event beforehand. The Princess Anne Legion denied that same group.

(In a later comment, Councilman Trotter said the event that night was scheduled as a birthday party.

Jonathon Guy said that in the last four years he and his wife have rehabilitated seven homes in Pocomoke City. The water quality has improved in the last few weeks. On another subject, with respect to the Riverside Drive closure, he asked what the boaters will do at the Laurel Street dock because they cannot turn around if the street is blocked off (for fencing Drawbridge Villas). There is not enough room.

Bill Sparrow said that he does not know whose responsibility it is, but something needs to be done in front of Wal Mart (and Dollar General) as he has repeatedly witnessed vehicles blocking the front of the buildings and parked in the designated fire lane. People cannot get in or out of the building easily. The drivers are ignoring the no parking signage. Sometimes there is no one in the vehicle as they are inside shopping, leaving the vehicle unattended in a No Parking zone. City Manager Cowger said he would have the police department do more routine checks around there.

In respect to Drawbridge Villas' request and the fuel tanks at the docks, fencing the area and not having access to turn around could pose a problem for the fire company's response. We have a couple trucks, the ladder truck has a 100 feet tower, and it takes room to get it in. I think you need to consider that.

The propane bill mentioned earlier was for two different meters - the fire house and the

community center. The fire company pays these bills and the City pays 25%.

Regarding Comcast and their franchise agreement, Ocean Pines removed them due to increases in fees. When the City's agreement ends, the City should explore other avenues other than Comcast.

At the Armory, Councilwoman Downing is correct. I have talked with Commissioner Lockfaw, who is working on getting money for it. It is not only a building, it is a historical building. I would like to see it turned into a place the young children in Pocomoke can go. Not every child has ride to the Y. Our children need a place to go.

With respect to the proposed change in the water billing fee, will Jenkins Orchard be affected by this. They are not provided water service, only sewer. The City Manager answered no, as they are only billed for sewer service and their bill will not be affected at all.

In a motion (Hirshman, Trotter) passed to adjourn at 8:07 p.m.

Following a motion by Councilman Hirshman and seconded by Councilman Trotter, the Council voted to meet in a closed session at 8:11 p.m. in the Council Chambers. Present were Acting Mayor Troast; Councilmen Hirshman, Trotter, Tasker; Councilwoman Downing; City Manager Robert Cowger, City Attorney Wilbur; Deputy Clerk Paula Sparrow. Items discussed were personnel issues as permitted under the provisions of Sec 3-305 (b), (1) of the General Provision of the Annotated Code of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction, or any other personnel matter that affects one or more individuals. The Executive Session was adjourned at 8:30 p.m.

Approved: March 26, 2018

Paula M. Sparrow

Paula M. Sparrow
Deputy Clerk