

## Regular Meeting Minutes

The meeting of the Pocomoke City Mayor and Council was held in the Council Chambers at City Hall on Monday, July 22, 2019. The meeting was called to order at 6:29 PM.

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

### Call to Order, Prayer by Deacon Wendell White and Pledge of Allegiance

### Review and Approve Minutes from Meeting of July 1, 2019:

Motion to approve Minutes as written from July 1, 2019 (Troast, Downing passed) @ 6:31PM

Acclamation: Trotter-not present, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

### Review and Approve Current Bill List

Motion to approve current bill list (Troast, Nock passed) @ 6:32PM

Acclamation: Trotter-not present, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

### Norman Ennis/President of Fair Board-Introduction to Council

Norman Ennis, President of Fair Board, introduced himself to the Council. He said this year they had to get a grant to keep the Fair going. That grant includes having the horse racing. That event will be this Saturday at 12:00PM. Councilmember Troast asked if there is still a need for volunteers. Mr. Ennis said yes, there is always a need for volunteers and there are many positions for volunteers. Mr. Ennis said his wife, Alice Jean, is the contact for volunteers who wish to participate or the public can also let Councilmember Troast know.

### Sign PKS & Company, PA Financial Audit Agreement for Current Fiscal Year

Councilmember Nock read the terms & agreements of PKS & Company, PA and agreed to sign the agreement and authorize PKS & Company, PA to move forward with the financial audit for the City.

Action: Full agreement document to be posted on City website.

### Grant Update and Request for Authorization to Apply for a Chesapeake Bay Trust Grant

Planning Director Dan Brandewie stated that the City was awarded 2 grants. A USDA Rural Business Development program for \$12,950.00 for a comprehensive marketing campaign through websites, email marketing and social media as well as some other advertisement media. The other grant is for approximately \$6,000.00 to help in the remodeling of the Costen House restrooms. Lastly, we are asking for Council authorization to submit another proposal for another project under the Chesapeake Bay Trust. There is no match requirement for the City with this grant. They like to see education opportunities, street planning activities and rain gardens, public benefit. We can open it to public

suggestions also. It has an August deadline. Councilmember Troast said she likes it works in conjunction with the other project which allows for green infrastructure.

Motion to approve filing with Chesapeake Bay Trust for more project funding (Troast, Downing passed) @ 6:38PM

Acclamation: Trotter-not present, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

Public Hearing-Final Notice for Demolition and Removal of Properties: 415 Oxford St, 508 Bonneville Ave, 618 Clarke Ave, 704 Fourth St

Planning Director Dan Brandewie stated we are requesting a Public Hearing on the listed properties. Notices have been posted and sent to property owners requesting repair or renovations. There have been no responses from any of the property owners. We want to let surrounding property owners know that the properties will most likely be taken down by a Fire Department controlled burn in the next several months.

Public Hearing opened at 6:42PM.

Debbie Graves, 222 Laurel St, commented that the 704 4<sup>th</sup> St is close to her mother's residence and the tar and shingles on the roof cause popping and there are evergreen trees on their property close to their residence. Planning Director Brandewie said he hasn't known that to be an issue during a controlled burn. Councilmember Nock said the City can make sure that all properties with large should be pruned before the controlled burn. No other comments from public.

Public Hearing closed at 6:55PM.

Discuss Grant Funds Owed to State of MD (\$100,000.00)

Planning Director Dan Brandewie stated this an issue that has been discussed several times now. After doing some research and speaking with Finance Director Wilson regarding the 3 rehab grants back in 2009, the final amount is \$21,409.98 that is owed back to the State due to lack of documentation reasons. The City is also dealing with is the closeout of the 2009 CDBG grant award worth approximately \$250,000.00. The City documented approximately \$176,000.00 in rehab loan expenses. We are still doing the research and have asked the State for their documentation on the draw amounts to verify we did receive that total amount. Councilmember Nock said the holdup on our side is the system that the City used in 2009 does not show specific amounts or allow searches. The system is now obsolete.

Council Comments:

Councilmember Troast said every year the Fair has a hobby horse race. It helps to raise funds for the Fair-grounds. It is open to the public to join in. Students to State officials have been known to participate. Next meeting for the Revitalization/Beautification Committee is on Wednesday, July 24, 2019 at 6:00PM

Councilmember Downing said there are water problems on 9<sup>th</sup> St with smells and rust. She would like that entered as an official complaint.



Councilmember Holland confirmed with Public Works Director, Bill East, that Payne Ave will be finished after water testing and lateral connections. Princess Anne St is being worked on, then Somerset Ave. After the Heights is finished then Public Works will move on to 9<sup>th</sup> St. Councilmember Holland also reminded the Council and public that at the next meeting a nominee needs to be named for the Recreation Committee.

Councilmember Nock said he just got done at a conference. One thing he learned is that a City needs to have a 52-week plan of areas that need rehabilitation. Councilmember Nock and the Mayor rode the City-owned Gator and toured the City looking for areas where repair is most needed. They identified 4 areas of the City where revitalization is most needed. The Census is also upcoming. It is important that citizens respond to the Census. That is how Federal and State funding is determined. This is the first year that information can be completed online. The Census begins in March 2020. The City is going to have some Census related events. Anyone that would like a full report of items from the conference that Councilmember Nock attended can send him an email to request the report.

#### Audience Comments

Michelle Goad, 809 Market St, said she has 4 questions. At June 3<sup>rd</sup> meeting Councilmember Nock said that there was \$100,000.00 that needs to be paid back to a CDBG grant due to mismanagement of funds. What is being done to pay it back? Who mismanaged the funds? For what property were the funds for? Who approved the funds and approved the official report to CDBG? Also, the Lusby building had gotten a \$27,000.00 grant to repair a downtown building. Since it has been torn down the grant needs to be paid back. Have any arrangements been made to pay that amount back? Has Lusby's given the deed to the City? If not, why has the City not acted to recuperate the deed and the money? How long has that grant been outstanding? The final issue is, what has been done to recuperate the outstanding debt from Mallard's Restaurant? If not, why are we not doing anything?

Planning Director Dan Brandewie said the properties were 934 2<sup>nd</sup> St, 903 2<sup>nd</sup> St, a third property on 5<sup>th</sup> St were the ones that received CDBG grants. The State has identified a loan issue with rehab funds that were provided to the Lusby building in 2015 or 2016 for roof repair and façade drawings. They have not given us an amount yet. Mr. Lusby has a bill for the demolition cost and has been given a July 1<sup>st</sup> 2019 deadline to pay for the demolition. The City has not yet received a deed and might accept the deed in exchange for demolition fees. That has not happened yet.

City Attorney Leslie said regarding Mallard's Restaurant, they do owe the City some money but because of potential litigation, he could not further comment on any details.

Susan Harrison, 1306 Cambrook Dr, asked if the FY19-2020 budget can be posted on the website and adjusted monthly so that the public can be aware of money being spent. Councilmember Nock said City Clerk Beckett-El Soloh can post that information after getting updates from Finance Manager Wilson. She also wanted to know if the bill list could be added to the Agenda? City Attorney Leslie answered yes, that is public information. Councilmember Troast said the only issue with that is the length of the document. Councilmember Nock said the bill list wouldn't be given out until it is approved at each meeting. She also had a question about property tax. She has a copy of the real estate property tax rates from Worcester County website. Why do landlords in Pocomoke City pay a higher tax than owner-occupied properties? Troast said she has asked that question herself and not come up with an answer. Debbie Graves said, how much time is each person supposed to have? Susan's had more than 3 minutes. Councilmember Mrs. Harrison said, she thinks that was brought up in the past because of something going on with another resident. Councilmember Downing said, it's



up to the Council. it's whatever we want to do. Councilmember Troast said the Council has interrupted her due to answering her questions. She needs to be given more time. Councilmember Nock said, she wasn't "interrupted". He was answering her questions. Mrs. Harrison continued; Pocomoke City tax is the highest in Maryland. It's a reflection on the last 40 or 50 years of of Mayors, City Managers and Councilmembers of the past have not done their jobs. They failed to enforce the Codes that were required for residential and commercial structures up to code so that assessments would increase. Instead, the City has a deteriorating tax base. That's why our taxes are so high. Buildings becoming vacant and abandoned. We have been keeping out future growth at every turn. It's crippling to the City to be stagnant for about the last 20 years. We cannot continue what we've been doing. We have to change our methodology. Councilmember Nock said the City has just created 3 new committees. The Economic Development and Revitalization/Beautification are 2 of them. The Council invites you to come to those meetings and hear what we are doing.

KeriAnn Foster, 813 Market St, said she supports everything that can be done to raise the property values in town as a real estate agent. Her question is what will be done about the erosion and flooding in the marina area. It's going to cost more money if it's let go. Councilmember Troast said she and the Mayor have spoken with the grant office and she assured the City that money would still be available in 2 years. Ms. Foster said, the erosion and flooding will still continue to worsen for 2 years. Councilmember Troast said, there is another project that the Planning Director is working on that has to do with the Chesapeake Bay Trust grant that we can possibly tie together. There have been individuals from University of MD come look at the wetlands and do assessment and research for us too. Her last question is about the train station building. What are the plans for that and can it be seen? Councilmember Nock said, the plan for that building is to get everything out of it. The Council also needs to decide what to do with the golf course, the club house and train station. There are decisions to make.

Bobby Cowger, 344 Winter Quarters Dr, has something to bring to the public's attention. As everyone knows, it's the City Manager's responsibility to do the City budget. He did FY 2019 and followed it through-out the year. Using the City's own budget, it shows approximately \$700,000.00 of surplus/windfall money sitting in FY2019. On the very last page of the report under summary it shows \$464,000.00 of surplus/windfall money that wasn't used in FY 2019. In the FY2020 report that just came out, it says there is \$486,000.00. the City picked up another \$20,000.00. How that happened was that last year in windfall revenue there was \$903,000.00 that was not budgeted. The amount paid out was \$503,000.00. Just before he was dismissed, the City paid out \$165,000.00 in engineering/design and permits for the pump station project but never reimbursed. That money was not yet appropriated anywhere. That is \$486,000.00 plus the \$165,000.00. The final thing is on large projects there are contingency. There was \$125,000.00 in contingency. We had spent \$45,000.00 and that job was 98% completed. \$75,000.00 left on contingency had been approved to buy a pump truck.

Monda Marsh, 1 2<sup>nd</sup> St, she still has water problems but not here to discuss that. She has heard a lot about the marina. As a downtown resident, the marina is in her neighborhood. She can't find an RFP for the marina. She understands that there was a deal cut with a Mr. Crofoot. Is there anyway she can find the proposal? Councilmember Nock said, there was no proposal or RFP submitted to the council.

George Young, 1603 Market St, Business owner, to elaborate on what the former City Manager said, you have \$700,000.00 in windfall. The Finance Director, who is paid well, said that there is no surplus/windfall. She also made a statement that the City would never do a loan for a project. He said this City is better than any other City to be able to do that. Even when there is 87.5% grant on water



and sewer project, there is still a City share. Now, at best, it's a 50/50 grant. So, for the City to say that they will never borrow for projects. There are numerous projects needed to be done in the City. It will be interesting to see how they are paid for. No one on the Council or finance picked up on that. The Finance Director said revenue will pay for it all. Bobby Cowger was going to utilize that money for the best of the City. Mr. Cowger understood finances. He didn't allocate more money for trips all over the United States. If the Council really cared about the City, they would not have any expenses including income. With the financial shape that this town is in, Council doesn't need to be traveling all over. He is the highest water-bill payer in the City. The spending has him concerned. Councilmember Downing said, if he thinks \$6,000.00 is a lot to be paid after what the Council goes through then something is wrong with him. Councilmember Holland said, the Finance Director said that she would be happy to discuss the windfall money. She needs an example of an amount of money to know exactly where to find the money in question.

*Councilmember Nock called for order in the Council Chambers.*

William Marshall, 2036 Orchard Dr, said he has not been able to hear anything that's been said in the meeting. He feels that the City needs to invest in a PA system so that the audience can hear everything. Councilmember Nock agreed. The City Clerk is obtaining estimates to update that equipment.

KeriAnn Foster, 813 Market St, said she has spoken on the phone with Councilmember Nock about the outbursts in Council Chambers. The majority of the people try to be civil. Councilmember Nock promised he would not allow it to happen and it did happen tonight again. The only thing he can do is call order.

Kathleen Palmer, 1929 Cedar St, said she has spoken about the control in Council Chambers before also. When Susan Harrison came up earlier today, there were other audience members talking and commenting while she was talking. She thinks anyone should be able to come up front and speak without audience comments. There should be no making faces or remarks. It is not professional.

*Audience disorderly. Councilmember Nock attempted to adjourn meeting.*

Travis Ayres, 205 Market St, he isn't there to point fingers. He has lived in the area for years. It kills him to see the City divided over several issues. The division has been over years regarding Chief Sewell and the City Manager. Arguing over the issues isn't going to bring anyone back. We need to come together as a town and with solutions that will benefit not only the Mayor, the Council, the town but also the citizens. He thinks every taxpayer has the same interests at heart. We need to try to be civil. When you get into a heated argument here, we will see each other around town.

Monda Marsh, 1 2<sup>nd</sup> St, appreciated what the gentleman before her said. There is a lot of animosity in the room and in the town. The town needs to focus on solutions. The officials are trying to correct the past mistakes made in this town. There have been water problems since 1977. She wouldn't have bought a home here if she had known about the water problems. She contacted City Hall and the DPA. Again, she asked the citizens, what have they done instead of coming to meetings and attacking the officials?

Susan Harrison, 1306 Cambrook Dr, she agrees with what Monda is saying but when the citizens come with concerns like \$700,000.00 unaccounted for and we come to the leaders for answers and you look at us like we are the fools because we want to know. Councilmember Troast said she can't take the abuse anymore. She has been working on the budget at home for 3 weeks but she can't say anything until she is done with her investigating and is 100% sure. The Council never hears anything

positive about what they do. The pay that Eddie Young was talking about, she didn't even know the Council got paid anything. Councilmember Nock can go to classes and conventions because he isn't married and can get away to go. She said she is ready to resign if someone thinks they can do better. We need to become positive and be part of the solution.

Motion to adjourn open session (Troast, Downing passed) @ 7:38PM

Acclamation: Trotter-not present, Holland-aye, Nock-aye, Downing-aye, Troast-aye; none opposed; motion carried

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