

Regular Meeting Minutes

The meeting of the Pocomoke City Mayor and Council was held in Council Chambers on Monday, September 5, 2023. The meeting was called to order at 6:32 pm.

Present: Mayor Todd J. Nock
First Vice President: Esther Troast
Council Members: R. Scott Holland,
Diane Downing-Not Present, and Monda Marsh
Interim City Manager: John Psota
City Attorney: Andrew Illuminati
City Clerk: Michelle Beckett-El Soloh

A Closed Session was held on Monday, September 5, 2023 at 7:30 p.m. The Closed Session was voted to be held unanimously by the Council under the provisions of **Sec. 3-305, (b) (1)** **“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; any other personnel matter that affects one or more specific individuals.” (7)** **“To consult with counsel to obtain legal advice.”** The topic to be discussed is “EMS Department”. Each Councilmember was present, Todd J. Nock-Mayor, John Psota-Interim City Manager, Andrew Illuminati-City Attorney, Michelle Beckett-El Soloh-City Clerk and Ryan McCready-E.M.S. Director.

Pledge of Allegiance, Prayer by Councilmember Troast and Call to Order

Approval of Minutes from Meeting of June 28 and July 17, 2023:

Motion to approve minutes for June 28, 2023 as written (Holland, Marsh passed)

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

Motion to approve minutes for July 17, 2023 as written (Holland, Marsh passed)

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

Review and Approval Current Bill List:

Motion to approve the bill list (Troast, Holland passed)

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

Project Updates from Davis Strategic Development, LLC

Brett Davis updated the Mayor and Council regarding several projects around the city. He said the Fire House construction update is moving along. Insulation is being installed this week and then drywall is being installed next week. The historic windows that were removed are being reinstalled. The countertops will be granite and stainless-steel appliances. There are nine apartments upstairs with 24 ft ceilings. There will be approximately 3,500 sq ft of retail space on the first floor. There are three full garages on the first floor that can be rented out commercially. They hope that the apartments will be available by February 2024. The Mayor and Council plan to tour the building.

The Simple Fiber project is also moving along. They have received a \$800,000 grant for that project to supply fiber internet to Pocomoke, Snow Hill and Berlin. The Fire House renovation will house the fiber optics project and they are expecting to spend those grant funds in Pocomoke first. Fiber internet will be made available to all residents in the service area but they are not required to sign up. The cost will be \$89.00 per month. It will be 4 times the speed of other internet services. They are part of the affordable connectivity program and most people will qualify for a \$30.00 discount. Conduit is laid underground, even to the residences. There is no need to use telephone poles.

Councilmember Marsh asked if Davis is the middleman with MD Broadband and do they get service from them. She also wanted to know if they are providing the actual installation. Mr. Davis said no, internet service is multilayer. The purpose is to build redundancy. MD Broadband will not have anything to do with providing or installation. Md Broadband Cooperative provides high-capacity broadband to make sure that it is distributed to poorer and underserved areas. Customers will not have to deal with them directly. This will be a different service that what Verizon or comcast would provide. When most companies say that you get 1 GB, the average that you are actually getting is less than that. You only use what is needed to move the actual information. Essentially, you are paying for more than what you are using. Broadband is a simplified service that is faster and doesn't recommend buying a plan beyond what you actually need. Councilmember Marsh also asked if, like Comcast, for people that have children there is a package deal with cable and internet for \$9.00. Does Davis fiber optics have the same kind of program. Mr. Davis said, yes, they will be able to match those kinds of deals.

The Newberry building renovation is planned to have apartments upstairs and keep the bottom as retail. It is a total of 23,000 sq ft. The façade will have to be totally replaced. The entire roof structure also needs to be totally redone. Ultimately, they would like to put apartments on the first floor in the rear too. There would still be 7,000 sq ft of retail and office space. They need grants and tax credits to make their projects work. They would like to ask the city for their cooperation to apply for the grants. They have not done site plan sketches yet because they don't know if the plan would be approved. They are looking for initial approval. Arrangements would be made for the trading Post to possibly, temporarily relocate and then bring them back because there is no way they could safely remain in the building during renovation. Mayor Nock recommended talking to Planning director, Dan Brandewie about site plans and initial approval to go before Mayor & Council. Councilmember Marsh asked that the roof be supported for safety reasons until demolition and renovations begin and also to make sure trash is cleaned up in the back alcove area. Mr. Davis said they try to pay attention to that area but trash accumulates quickly there. They can check it more frequently. Just to advise the Mayor and Council, they also keep their properties on the market and look at any offers but they will most likely be the ones who finish and maintain the current and future projects. Councilmember Troast said she appreciates their presentation and is looking forward to seeing finished products.

Introduce Resolution No. 583, Declare Property Known as the "Fish Farm" 1945 Pocomoke Beltway as Surplus

Mayor Nock read:

**Resolution No. 583
Declare Property Known as the "Fish Farm"
1945 Pocomoke Beltway as Surplus
Pocomoke City, Maryland**

Discuss Zoning Requirements for Cannabis Businesses

The City Attorney, Andrew Illuminati, presented a PowerPoint presentation regarding the current State cannabis regulations. During the 2022 General Election, Maryland voters approved a ballot referendum to allow use of cannabis by adults 21+ starting July 1, 2023. During the 2023 legislative session, the General Assembly passed legislation (The Cannabis Reform Act) that provided a

framework for implementing legal adult-use sales, including a licensing and taxation framework. Effective July 1, a legal adult-use marketplace exists in Maryland. Tax Revenue Disbursement. First, distributions are required by law. Second, complete funding of the entire cost of the operation of the Cannabis Regulation and Enforcement Division operations and administrative expenses of the Maryland Cannabis Administration and third, 5% to is allocated to each county based on the percentage of revenue collected from that county except that a county shall distribute to a municipality located in the county 50% of the allocation received under this item that is attributable to the sales and use tax revenue generated by a dispensary located in that municipality. Mayor Nock said currently, Pocomoke Code does not cover anything about cannabis. Mr. Illuminati agreed and said that is the reason to enforce a moratorium. That will avoid lawsuits and give the city time to review how to incorporate the new laws into the Code. He said the one in Ocean City is very busy. Parking, along with other regulations such as proximity to schools and places of worship will be considered. There are different regulations for each part of the process which includes growing, processing, dispensing and consumption. Councilmember Marsh asked if the city sets a moratorium of 3 or 6 months, can the time later be changed. Mr. Illuminate said yes, that can be changed.

Comments from Council

Councilmember Holland said he hopes that everyone had a great first day back to school.

Comments from the Mayor

None

Comments from Interim City Manager

None

Comments from EMS Chief

EMS was called to a residence for a fall. Upon arrival the crew found that the brakes on a wheelchair kept malfunctioning. After several calls, at which time the crew assisted her in taking care of her animals and making sure that the client was comfortable, Chief learned that the crew purchased a new wheelchair and toys for her animals. Chief received a letter from the client thanking them for their service.

Comments from Audience

Susan Pusey asked how will the Planning & Zoning Board know how to make recommendations. Will the City Attorney make recommendations. Mr. Illuminati said the the Planning & Zoning Commission also has an attorney to guide them. The Planning Commission recommendation will come before the Mayor & Council to be finalized. There will be public hearings scheduled to give the citizens a chance to be heard.

George Tasker said he attended the county meeting in the morning and their recommendation was 2,000 ft from certain establishments.

Dawn Bloxom asked why the city owns so much property that isn't being surplus so that it can be developed and be returned back to the tax base. Can the golf course be sold. Councilmember Holland said a property was surplus tonight. Is there a particular property in question. She isn't aware of each individual property but no individual property was in question. Councilmember Holland also said that the golf course property has certain stipulation that doesn't allow for sale. Ms. Bloxom

asked Councilmember Marsh what her vision is for the city. Councilmember Marsh said her primary vision is to number one, clean up the town. That will cause people to draw in for many reasons whether it is for travel and tourism, economic development or development and growth of Wallops or other reasons. The city also needs to stop giving away property. The old firehouse was sold for \$5,000.00. that brings down property values. Councilmember Troast said that the Mayor & Council are not the first ones to make decisions on development. It goes through Planning & Zoning first. The Council has never held back any worthwhile development plans. The development and growth at NASA will be good for the economy here in Pocomoke. Most people don't know but the primary income for the city is the wastewater treatment plant. She would like to see many types of businesses come to the area including grocery stores and retail, other than offices. Councilmember Holland said he would like to see revenue grow but his primary focus is providing things for children to do. Mayor Nock said there have been a lot of programs started in the city. Sometimes the issue is getting the information out and getting parents to take their kids there. Sometimes programs aren't what people expect not realizing that without input it won't change. Social media can also get in the way. Councilmember Troast said she agrees with that comment. She has been unfriended and blocked on social media by people that are here tonight. At the three jobs she has had in her lifetime, she has worked the hardest that she can. Until people are in her position and know what she goes through and the time that she puts in should not ridicule and comment because they don't know. The negativity doesn't look good on the people writing it or on the city. She isn't asking for credit; she is just asking to to be ridiculed and defaced. Councilmember Marsh said everyone has the best interests of the city at heart. The Council welcomes feedback but it should be done constructively and not as insults. It has been said that the Mayor & Council don't want people to attend meetings but that is not true. The Mayor & Council need input and rely on other's experiences for input.

Kathleen Palmer asked if there are any plans for senior assisted living. Mayor Nock said that is an issue and housing of different types is a concern because there is a shortage of housing in Pocomoke.

The other issue with cleaning up the town is enforcement. Even though the city issues fines, the court does not have any force to collect fines. That all ties in with the city does not collect its own taxes. Worcester County collects the taxes and fines cannot be added on to collection. It not that nothing can be done, if there are any issues it can reported to the reportconcerns@pocomokemd.gov email that is monitored daily. There are other resources available to help with the cost of restoring houses and fixing things.

Sara Chapman said if there are any needs for certain kinds of businesses. They are looking for things to build. They have plans for a kiddie academy, golf range and batting cages, she would like to know. That kind of feedback doesn't always make it to the developer meetings that she attends.

Kevin Spangler asked how the golf course is being run. Mayor Nock said there is a company that does disk golf. The city maintains the grounds but there are no city employees staffed there. Councilmember Troast said at one time the city golf course was very active but after a few years the decision was made to close it because it was losing about \$150,000 per year. There have been a few offers to revitalize it but when people look at the maintenance costs, it's too expensive. It is being used as an open space.

Motion to adjourn meeting (Holland, Marsh passed)

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

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