

Regular Meeting Minutes

The meeting of the Pocomoke City Mayor and Council was held in Council Chambers on Monday, August 19, 2024. The meeting was called to order at 6:31 pm.

Present: Councilwoman Monda Marsh
Council Members: R. Scott Holland,
C.L. Marshall, Brooke Cottman
City Manager: John Barkley
City Attorney: Andrew Illuminati
City Clerk: Melinda Stafford

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

Review and Approval Current Bill List

Motion to approve current bill list made by Councilman Marshall, seconded by Councilman Holland. (passed)

Approval of Minutes from Meeting of July 22, 2024

Councilman Holland abstained as he stated he did not have adequate time to review the minutes. Motion to approve the minutes made by Councilwoman Cottman, seconded by Councilwoman Marsh. Councilman Marshall voted Nay. City Attorney Andrew Illuminati stated that since there wasn't a majority, this topic should be tabled. Councilwoman Marsh asked for a motion to table to the next meeting. Councilman Marshall seconded the motion to table to the next meeting.

Consideration of Hunting Permits

Major East asked for permission to hunt on city property as he has in previous years. Councilwoman Marsh asked for a motion to approve. Motion to approve by Council Marshall and seconded by Councilman Holland. James Telford would like to hunt on Broad Street. Councilman Holland approved and seconded by Councilman Marshall

Ordinance No. 2025-O-2 Cannabis Zoning Restrictions

Andrew Illuminati read the new considerations of the Cannabis Ordinance. The law is now updated pertaining to Cannabis. The city currently has a moratorium in place. There is a proposed Ordinance from the Planning commission to Pocomoke City. Attorney Andrew Illuminati read the first reading with the second hearing and voting to be scheduled on September 3, 2025 and will be completed as an emergency hearing.

Rezoning 401 Market St., Second Reading, Public Hearing, Vote

Dan Brandewie, Planning and Zoning Director began the second reading of the rezoning of 401 Market Street. Councilman Marshall confirmed the dates of the previous hearings. The City Attorney reminds everyone that this is done in the affirmative. Speaking next is Ms. Tuller on the findings of the Planning and Zoning Commission and read a synopsis. By the end of the synopsis, it is stated that the property owners will profit from the zoning change. Councilwoman Marsh calls for the public hearing to begin. A letter from the former Mayor of Pocomoke City was read stating he was against the rezoning of 401 Market Street. Richard Choquette, whom read the previous letter also read a letter of his own stating he too was against the rezoning. Ms. Tuller made a rebuttal stating that the rezoning would open the City to lawsuit. Councilwoman Marsh read a letter from someone in her district. Sarah Chapman states that she is only asking for the property to properly zoned as it is. It would be doing her a favor by keeping it as affordable housing for veterans and seniors and charge

higher rent. Councilman Marshall asks if she is taking a 3-bedroom unit and split it into 2 single rooms to house more veterans and seniors. Her reply was yes. She stated an example of what she would like to do. Councilwoman Cottman stated that she agrees that it is not advisable and illegal to move forward. Councilwoman Marsh explains her reasons during the hearing and questions the process. Councilman Marshall asked how did it miss the Board of Zoning Appeals. Councilwoman Marsh stated she does not understand the order of approval. City Attorney Andrew Illuminati explains where it is printed Code of Pocomoke City, MD and read the overview of the process of Commission approvals before it comes before the council. Councilman Marshall explained his opinion and talked about population density and he agreed with the splitting of the homes. Councilman Holland said that he was inclined to agree with Councilman Marshall and that it makes all the sense in the world to him. That would tie our hands whether we did it or not. Councilwoman Marsh reiterates the possibility of litigation. Councilman Marshall makes a motion to move ahead with the improvements as presented by Mr. Bradley however there was not a second. Therefore, there wasn't a vote.

Worcester County Development Center Auction Donation

City Manager John Barkley wanted to make the Council aware of the Donation and let the council decide if they wanted to donate or not. Councilwoman Cottman relayed that this is based on the development center to help the people that they serve. It will be tabled until September 3rd meeting. Councilwoman Marsh made a motion to table the subject and Councilman Marshall seconded.

Bids – Award for the Purchase of City Vehicles

City Code Enforcement officer Mike Wyatt reviewed with the Council the two bids that arrived for the purchase of new City vehicles. He explained the difference between prices for each company, the motors, and descriptions of the 2024 trucks He gives his recommendation that he would take the newer vehicles with the \$11,000 difference in bids. City Manager John Barkley explained the logistics of why the newer vehicles are needed. Such as maintenance, depreciation, for reasons of lost monies of the City if we keep the older vehicles. Councilwoman Marsh asks the difference in engine sizes and Mike Wyatt explained to the council the difference. Motion to approve the purchase of all vehicles from the Pohanka group made by Councilman Marshall and seconded by Councilwoman Marsh. The vehicles were ordered the next day.

Resolution 2025-R-2 Community Legacy Grant

City Attorney explains that this would be considered an emergency resolution requiring 4 votes. City Clerk Melinda Stafford explains why there is only 1 copy of the resolution available to council and explains why it was late adding it to the packet. Karah read the resolution to council and explained what the resolution would mean for the city while fielding questions from the council. Motion to approve the emergency resolution 2025-R-2 by Councilman Holland and seconded by Councilwoman Cottman. The Mayor will sign at another time.

Comments

a. Comments from the City Council Members

1. Councilwoman Cottman – Thanked the organizers of the Pocomoke Fair and she attended the Boat Docking event and wanted to thank the organizers of that event as well.
2. Councilman Marshall – Spoke to Ms. Chapman about the average of 3,000 attendees to the Pocomoke Fair. The rodeo and the concert have been rescheduled to April. The Boat Docking event may be broadcasted on Youtube. He also commended the Police Department for arresting the person who was found to have drugs at the Fair. He expressed his disappointment in the judicial system.

3. Councilman Holland – Wanted to second what Councilwoman Cottman and Councilman Marshall both said. The Pocomoke Fair and Boat Docking events were very successful
4. Councilwoman Marsh – She drove by the Fairgrounds and congratulated them on a successful event. There were cars everywhere. She is hoping that the proposed sidewalk and road repairs will help alleviate the problem.

b. Comments from the Mayor

Mayor Nock was not present for the meeting.

c. Comments from the City Manager

The City is working with Civicplus. It will not be a complete overhaul of the current system but it will offer better graphics, more interaction within the website, and will be much more user friendly. It will house and help manage the Rental Application process and much more. There will be an open house to show the public how to use the website. We understand that not everyone has a phone or access to computers. City hall is always open for questions and comments about the system and guidance operations.

d. Comments from the Audience

1. Jessmin Durea -Had asked about municipal parking signs next to the church. He didn't know who to talk to for that. Councilwoman Marsh suggested he should speak to John Barkley. He also wanted to find out what has taken place with the water system for businesses. Councilwoman Marsh explains the system. There was an inquiry about the sign by the bridge for advertising. Councilman Marshall suggested he speak to Karah Lacey about the signage. She had a conversation with Mr. Durea. Councilwoman Marsh has relayed that there is work being considered for an electric sign stating "Welcome to Pocomoke"
2. Nola Tuller – Talked about a complaint using mini bikes riding on the roads. She has sent emails to Pocomoke PD & there were 3 arrested. It was stated that the PD let them go and gave them a talking to. Councilman Marshall asked about the size of the bikes and Ms. Tuller explained.
3. Steve Giddens brought forth an application for a special Sunday Permit for alcohol for Bike Week on Sept. 11-15 at the American Legion. Councilwoman Marsh asked if he had the city application and he stated yes. Councilwoman Marsh asked him to fill out the City application, get the required signatures for the various departments, bring the entire package back on September 3rd. The county gave him until that Tuesday to get the council's signature on their permit. Councilwoman Marsh stated she understood the County's deadline but they need to respect ours. She instructed him to bring everything back to the September 3rd meeting.

Motion to adjourn at 7:59 pm made by Councilman Marshall, seconded by Councilwoman Marsh (passed)

Approved: _____

City Clerk

Amended - There were no drugs at the Pocomoke Fair. Police Department was commended for arresting a person who was found to have drugs.

Agenda items may or may not be considered in sequence. This agenda is subject to change to include the addition or deletion of items, including executive/closed session.