

Regular Meeting Minutes

The meeting of the Pocomoke City Mayor and Council was held in Council Chambers and via Zoom/Facebook livestream on Monday, September 19, 2022. The meeting was called to order at 6:30 pm.

Present: Mayor Susan Marshall Harrison
First Vice President: Esther Troast-Not Present
Council Members: R. Scott Holland, Diane Downing,
Daniel J. Tarr and Todd J. Nock
City Manager: Jeremy Mason
City Attorney: Andrew Illuminati
City Clerk: Michelle Beckett-EI Soloh

Pledge of Allegiance, Prayer by Councilmember Tarr and Call to Order:

Approval of Minutes from Meeting of September 6, 2022:

Motion to approve minutes for September 6, 2022 as written (Nock, Downing passed)

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

Review and Approval Current Bill List:

Motion to approve the bill list (Downing, Tarr passed)

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

Council Approval for Eastbound Disc Golf Proposal at Winter Quarters Golf Course

Mr. Mason commented that Eastbound Golf is back tonight asking the Council to vote and allow them to setup disc golf at Winter Quarters Golf Course. There will be tournaments held, money is put back into the community and will also bring good commerce to the area.

Motion to allow Eastbound Golf to setup on Winter Quarters Golf Course, install equipment with the city responsible for approximately \$4,075.00 (half) setup cost (Holland, Tarr passed)

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

Council Approval for Beer/Wine Permit for Discovery Museum Event on October 22, 2022

Mr. Mason explained that the Rocky Horror Picture Show is a yearly event at the MarVa Theater. They need 30 days to allow the County to approve their permit however, the beer/wine permit application was not received at City Hall until today which was after the noon deadline on Friday to allow for agenda items to be considered. Council said they will be taken into consideration by email or Zoom at a later date. Paperwork was given to City Clerk to make arrangements at a later date. Item was tabled.

James Reese Contract for Industrial Property

Mr. Mason said that the property that is being considered by Mr. Reese was part of a protected deforestation property. Those trees were cut down and no longer exist. That will not affect this property. The city has to designate another 11.93 acres to replace the area that was lost. That is in process.

Motion to approve sale on Industrial Park properties to James Reese (Nock, Holland passed)

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

Public Hearing & Adopt Resolution No. 572, Pocomoke City's Portable Events Stage for Our Parks and Recreation, 2nd Reading

Councilmember Nock commented that the city had to borrow a stage. It had "welcome to Ocean City" on it. This purchase needs to happen as the stage the city has now is past its service life and is no longer usable due to safety issues.

Mr. Mason read:

**Resolution No. 572
Pocomoke City's Portable Events Stage for Our Parks and Recreation
Pocomoke City, Maryland**

Public Hearing opened. There were no comments or objections from the public. Public Hearing closed.

Motion to adopt Resolution No. 572, Pocomoke City's Portable Events Stage for Our Parks and Recreation (Tarr, Downing passed)

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

Motion to address pump station item #9 before item #8 (Nock, Tarr passed)

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

Pump Station Upgrades Project, Construction Issues Contact Person is Chad Dailey at rDailey@gmbnet.com

Mr. Mason said that any issues that residents have with the construction zone for the upgrades of the pump station project can be reported to Chad Dailey at GMB, rDailey@gmbnet.com. The grants that are providing funding, USDA, RMC and ARPA, require that that information is public.

Public Hearing & Adopt Ordinance No. 460, Amendments to Zoning Code, Sections 230-5, 230-62, 230-70 & 230-78, 2nd Reading

City Attorney, Andrew Illuminati, read:

**Ordinance No. 460
Amendments to Zoning Code, Sections 230-5, 230-62, 230-70 & 230-78
Pocomoke City, Maryland**

Article IX, B-1, Shopping District, P. Taverns, Night Clubs and Entertainment Facilities was removed at the last meeting.

Article IX, B-1, Shopping District, N, Brew-Pub, Brewery.

(1) Motion to accept amendments as read for Section (1) (Nock, Holland passed)

Acclamation: Downing-aye, Holland-aye Tarr-nay, Nock-aye; 1 opposed, motion carried

(2) Motion to accept amendments as read for Section (2) (Nock, Holland passed)

Acclamation: Downing-aye, Holland-aye Tarr-aye, Nock-aye; 0 opposed, motion carried

(3) Motion to accept amendments as read for Section (3) (Nock, no second), motion is rejected.

(4) Motion to accept amendments as read for Section (4) (Nock, Downing passed)

Acclamation: Downing-aye, Holland-aye Tarr-aye, Nock-aye; 0 opposed, motion carried

(5) Motion to accept amendments as read for Section (5)

Councilmember Tarr proposed a point of discussion. Section (5) covers the same information as Section (1).

Motion amended to strike (5) as it is repetitive (Tarr, Nock passed)

Acclamation: Downing-aye, Holland-aye Tarr-aye, Nock-aye; 0 opposed, motion carried

(6a) Motion to accept amendments as read for Section (6a) (Nock, Downing passed)

Acclamation: Downing-aye, Holland-aye Tarr-aye, Nock-aye; 0 opposed, motion carried

O. Micro-Brewery, Micro-Winery, Micro-Distillery.

(1) Motion to accept the same amendments and apply to Section O as applied to N, Brew-Pub Brewery (Tarr, Downing passed)

Acclamation: Downing-aye, Holland-aye Tarr-aye, Nock-aye; 0 opposed, motion carried

AA. Micro-Brewery, Micro-Winery, Micro-Distillery

(1) Motion to accept the same amendments and apply to Section AA as applied to N, Micro-Brewery, Micro-Winery, Micro-Distillery (Nock, Holland passed)

Acclamation: Downing-aye, Holland-aye Tarr-aye, Nock-aye; 0 opposed, motion carried

Z. Brew-Pub, Brewery

(1) Motion to accept the same amendments and apply to Section Z as applied to N, Micro-Brewery, Micro-Winery, Micro-Distillery (Holland, Tarr passed)

Acclamation: Downing-aye, Holland-aye Tarr-aye, Nock-aye; 0 opposed, motion carried

The City Attorney read the entire Ordinance No. 460, with amendments, into the record.

Motion to adopt Ordinance No. 460, with amendments, to amend the Zoning Code, Sections 230-5, 230-62, 230-70 & 230-78 (Holland, Nock passed)

Acclamation: Downing-aye, Holland-aye Tarr-nay, Nock-aye; 1 opposed, motion carried

Council Comments

Councilmember Nock said all people have to be able to work together. Ms. Ullmann is not the enemy here. She is only voicing the concerns for the city where she has her businesses. Everyone can have a different opinion and is certainly entitled to that opinion.

Comments from Mayor

None

City Manager Comments

Mr. Mason said one of the pylons that had become loose during boat docking has now been repaired by Mike Shannon.

Audience Comments

Deborah Ullmann, 203 2nd St, said she is disappointed in the Council's decision to adopt Ordinance No. 460. Brewery-type businesses will now be allowed to locate in the downtown area and basically be unsupervised. It was irresponsible to drop language regarding taverns and pubs. Important language such as not storing grains and other supplies outside was not included and we now run the risk of attracting rodents to the downtown area. Also, the removal of "amplifications" now means that bands can set up outside.

Motion to adjourn meeting (Nock, Downing passed)

Acclamation: Downing-aye, Holland-aye Tarr-aye, Nock-aye; 0 opposed, motion carried

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