

Regular Meeting Minutes

The meeting of the Pocomoke City Mayor and Council was held in Council Chambers and via Zoom/Facebook livestream on Monday, June 21, 2021. The meeting was called to order at 6:30 pm.

Present: Mayor Susan Marshall Harrison
First Vice President: Todd J. Nock
Council Members: R. Scott Holland, Diane Downing, Daniel J. Tarr, Esther Troast
City Manager: Jeremy Mason
City Attorney: Andrew Illuminati

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

There are a couple of agenda items that need to be added to our agenda tonight and asked the Council for a motion to add these items to the agenda; 1) PowerPoint presentation on water bills, 2) Appointment of Commission members to Planning and Zoning and Board of Zoning Appeals; 3) And the third item is Commissioner Josh Nordstrom speaking about the One Stop Shop event.

Motion to amend current Agenda and add three items. (Troast, Holland passed)

Councilmember Tarr called for a point of discussion. He has not heard anything about appointing Planning & Zoning Commissioners or Board of Appeals Commissioners and has not had a chance to research the issue. Mayor Marshall Harrison said it is important to make sure the Commissions are up and running in July and August for projects that are going on this summer. One person is needed on Planning & Zoning and two on the Board of Appeals. Councilmember Nock agreed with Councilmember Tarr that the Council has not had time to research the issue but if they don't have enough people for a quorum then people do need to be appointed. The Council decided to let Finance do the PowerPoint presentation concerning water bills during the Department Head Comments section at the end of the meeting and to add Commissioner Nordstrom and appointment of Planning & Zoning and Board of Appeals Commissioners to the Agenda.

Motion amended to add two Agenda items; 1) Commissioner Nordstrom 2) Appointment of Planning & Zoning and Board of Appeals Commissioners (Troast, Tarr passed)

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

Approval of Minutes from Meeting of June 7, 2021:

Motion to approve minutes for June 7, 2021 as written (Nock, Tarr passed)

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

Review and Approval Current Bill List:

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

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

Public Hearing / Adopt Resolution No. 538, FY 2021-22 Fee Schedule for City Services, 2nd Reading:

City Manager Mason said City Council establishes the fees and charges for certain City services for each fiscal year. This is the second reading. The first reading occurred on June 7, 2021. There were two changes made. The City will now charge if we have to extract and dispose of grease. \$500.00 will be the fee for the restaurant owner. He doesn't foresee this happening very often because most of the grease trap apparatuses are now in compliance so it won't be a regular thing for us to encounter but the fee will

cover our costs and our disposal fees. The other change was to the septic hauler. The fee of six cents per gallon was increased to eight cents per gallon and that is going to help us finance our aeration project for the lagoons to make the wastewater facility healthier and the water more effluent. The City is not out of compliance but we also don't want to get to a point where we are. That increase is actually competitive with other septic receiving stations in the area. Notices will go out to the haulers. Those are the only two changes to the fee schedule this fiscal year.

Motion to adopt Resolution No. 538, Fee Schedule for City Services, addition of \$500.00 grease trap clean out fee and change to septage hauler rate to .06 to .08 cents per 100 gallons (Holland, Nock passed)

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

Introduce Resolution No. 539, FY 2021-22 Budget, 1st Reading:

Mayor Marshall Harrison said the Finance Director, Janet Wilson will introduce Resolution number 539 for fiscal year 2021-22. This is our first reading. Ms. Wilson read: **Resolution No. 539**

Budget FY 2021-22
Pocomoke City, Maryland

Finance Department Information on Water Bills:

The Water Department has had a couple comments that the city has not provided adequate notice of shut offs and late fees being in effect as of June 2021. In fact, the city has posted on the city website and Facebook that the reinstatement of water shut offs and fees were to take place again in June 2021. In March, when Governor Hogan put a halt to all shut-offs and all penalties the city did not send a bulk mailing out informing every individual that we were not going to be charging any fees or cutting off water. What was done was Governor Hogan's office was contacted. In fact, the city was very kind because Governor Hogan's letter indicated that the city could, in fact, start charging penalties and late fees as soon as October 1, 2020. But the city did not start that realizing that with the holidays, Thanksgiving and Christmas, it would be a hardship. It did not take effect until June 1, 2021. Every month citizens do get a notice on their bill. It shows in two places when the bill is due, the 10th of every month. It also has in the center block when the bill will be late and on the back side of the bill, it does state the bill is due on the 10th of the month. If it is not paid by the 10th of the month there is a \$12 late fee. There have been residents that have been paying the \$12 late fee throughout the year and the accounts have been credited for that. There has always been a notice on our tags that there was a late fee after the 10th of the month. An ordinance of the city states that if the accounts are delinquent the city has the right to turn the water off and impose late fees and not turn the water back on until all fees and turn on fees are paid. The city could have started doing that in October 2020, but it did not. What the city did is put notification on the website and on Facebook and on the red door tags, which we have 295 red dog tags going out this month. We have put a sticker on the top indicating disconnect will occur immediately, so if an individual has not paid by the 29th of June 2021, their water will be turned off that morning, so this is the final notification that water will be turned off. The city has done everything that we could possibly do to inform our customers. Sending out a bulk mailing would have cost the city over \$1,000. By putting it on the website, Facebook and on our bills every month the information has been properly given to our customers. There is one exception to the shut offs. If a customer provides a letter on their company's letterhead stating the individual was laid off due to COVID-19 with the beginning date of lay off and the return date of work, we would extend their payment by two weeks. The city understands that if people cannot work because of their jobs, they are not able to pay but that would be the only exception to the rule otherwise the water would be cut off.

Appointment of Commission Members to Planning and Zoning and Board of Zoning Appeals:

Mayor Marshall Harrison said she has spoken to Council and the Planning Director regarding vacancies on both Committees. There are some recommendations to serve on each Board. Mr. Brandewie said that there are two nominations, Nola Tullar at 612 Walnut St for Planning Commission and CD Hall at 442 Linden Ave for Zoning Appeals Board. Both would serve for a term of five years or until a successor was appointed. Mr. Brandewie understands that the nominees must be appointed by Mayor and approval by City Council. There is a third nominee but he hasn't been confirmed yet. Mr. Mason said the Boards have been short. These are new people willing to serve. There have been times when there hasn't been enough people in attendance to hold a meeting. This will help business and land issues in town proceed and progress. Councilmember Troast asked if Mr. Hall being in real estate would be a conflict of interest. Mr. Brandewie said that knowledge would help and we encourage various backgrounds but it not a conflict of interest.

Motion to appoint CD Hall to the Board of Zoning Appeals (Troast, Holland passed)

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

Motion to appoint Nola Tullar to the Planning and Zoning Board (Nock, Troast passed)

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

Council Comments

There will be a splash day. They are not sure what it will be called yet. It's going to be on July 24. It will be from 2:00 p.m. to 4:00 p.m. at Cyprus Park. There will be water balloon activities and a big slip and slide and things like that. He wished all the fathers are happy belated Father's Day. He gave a shout out to President Travis Cowger for keeping our league going on it's a lot of hard work that goes into it this year.

Councilmember Nock said he wished everyone a very happy belated Juneteenth. He thanked the Council for making it a citywide holiday before it was a federal holiday. It's always nice to be above the above the fray. Again, happy belated Juneteenth to everyone, and thank you for honoring the request of the citizens.

Councilmember Troast said she attended the Tri-County Council meeting on June the 17th in Salisbury and just would like everyone to know that the Trade Center is completely back open with all the facilities and all the businesses. They had the Department of Aging, Shore Transit and unemployment. She did bring back information and will have it copied and put in each Council members mailbox within the week. It's very informative and you might want to share it with constituents. The meeting was very informative and it was nice to meet back in person again. It had been over a year and a half and it's was a wonderful way to network and meet people from Somerset and Worcester Counties.

Mayor Marshall Harrison said the Mayor & Council meeting on July 19th will be in Council Chambers and will have the painting done. There might some other things in process but it won't affect being able to meet there. The only reason the meeting is held via Zoom/Facebook this evening is because the Council Chambers are being painted and renovated.

City Manager Comments

He would like to commend Officer Rop, Officer Forsyth and Officer Laverty for joining the Pocomoke Police Department just this past week. Officer Laverty was on duty this past weekend and actually made some arrests. He is out there and he's on patrol and I believe the other two were starting today or soon after within this week so I'd like to welcome them to the police department and we're glad to have them.

Commissioner Josh Nordstrom said he wants to join the meeting today to talk about the next One Stop Shop that's coming up this Saturday on the 26th. It's at the middle school again. We would like volunteers at 11:00 a.m. at the event. It will be from noon to 2:00 p.m. at Pocomoke Middle School. We will have bags full of food and organizations will be there as well. Healthcare organizations will be doing wellness health checks and vaccinations. It's a one stop shop and it's called that for a reason because you can go there and get many, many resources from different parts of the county in the area. They need volunteers to bring bags over from the middle school. This is a great event for Pocomoke. He hopes that you all will come out. If you didn't get to come last time, come take a look come lend a hand, we can use it and it's a great thing to be a part of.

Audience Comments

Travis Cowger, White Oaks Rd, he gave thanks to Councilmember Holland for your words. It does take quite a bit to run the little League and to piggyback off of that the County is hosting a large softball tournament on July 28 through August 1 and we are going to be opening up the concession stand to try to raise some extra funds. They can always use some help I know you reached out about that I just figured I would mention it on here as well. Secondly, if he understands correctly, at the last Council meeting, the ordinance for tractor trailers in town, was voted down, and he would like to know why that is by those who did not vote for that ordinance. Councilmember Tarr said for him it did not have to do with the truck ordinance or truck section of the ordinance but with the accessory buildings and the fencing requirements which he expressed his concerns earlier. Certain things were simply aesthetics and not for safety reasons. Councilmember Downing said she didn't vote for it. She didn't vote for it because it was too many things put together. She doesn't think that the City should control everywhere somebody parks. It's their yard and she feels like they can just park wherever they need to. Mr. Cowger said can I have your home address, please because he would like to go get a tractor trailer with a 53-foot trailer and come drive the tractor trailer around your house. I would like to tear up your streets, I would like to tear up your road, I would like to disturb you and your neighbors. Councilmember Downing said that's not your property, it's not your right, if you did that, then I will call the police and have you locked up. Mr. Cowger said that is not an arrestable offense so try going to the police academy first but let's stick to the facts here. Councilmember Downing said she voted the way she voted and I'm not going to change it for you and nobody else. It was my decision so have a good night. Mr. Cowger said it is his right as a citizen to address her and he wanted to know that. Councilmember Downing said anyone bringing a tractor trailer to her house will suffer the consequences. Mr. Cowger said once again you're not a law enforcement officer and that's not a violation of the law and I'm just pointing out what you are creating. The Mayor asked Councilmember Nock if he would you like to address why he didn't vote for it. Councilmember Nock said just as he expressed to us, he felt like there were too many things combined together in one ordinance. He is open to things coming back, it just has to come back separately. Mayor Susan Marshall Harrison said what she would like to do is take that into consideration, since that has been mentioned by Councilmember Nock and Councilmember Tarr. We can certainly talk with Mr. Brandewie and it could even be broken down into three separate ordinances. Councilmember Holland expressed frustration that it was not discussed more in depth and suggestions made that first time around. He brought up concerns then it brought back for another vote after some changes were made. Nobody expressed any more concerns and he was surprised when it wasn't passed the second time it was voted on. He wasn't expecting Councilmember Tarr to vote for passing any property issues and has no interest in it. Councilmember Tarr clarified that neighbor relationships and safety are very important. He felt like the ordinances didn't address any safety issues and it was primarily about aesthetics. An ordinance wasn't appropriate only to laws about aesthetics. Mr. Cowger said unfortunately, some things are required to be governed by the city. He doesn't like looking at the 18" to two-foot-tall grass across the street from my house because the neighbors refuse to cut it or the lots that have four-foot-tall grass, because nobody maintains them, it brings down property values. It's not safe my five-year-old, in the middle of a residential neighborhood, to have a tractor with a 53-foot trailer. Our roads are torn to pieces, there is no road left hardly. Let's not forget a few months ago, a city truck fell into a sinkhole. In the middle of eight street but we're going to drive heavy trucks on the roads further by bringing tractor trailers all through the town.

There's a sinkhole on Homewood that keeps getting bigger but yet we're going to keep driving over top of it. What's the Council's plan when you bring a tractor trailer in the middle of a large residential neighborhood and something happens like an ammonia leak from the tanker or there's a nitrogen leak or there's a propane leak in the middle of town that could have been prevented. But Council seems to think it's okay, because you can drive a truck through town. If a HAZMAT team had to be called in it takes a while for them to respond and it's not fair to people that have to evacuate their houses. Let's go park some hazardous chemicals by Councilmembers houses and she wants to say she's going to have you arrested for driving on a public roadway. That was an asinine comment. Councilmember Downing said he is the ass and he doesn't even live in town. Mr. Cowger responded she doesn't even know what he told her; he lives on the streets in this town. Councilmember Downing said she doesn't really don't care. Councilmember Holland said he is not in favor of ending the meeting. Mayor Marshall Harrison said the Council should probably address these as separate ordinances because hearing from Mr. Nock and Mr. Tarr they had a problem with all three of the ordinances being lumped together and that is something that we can work on and bring back. Councilmember Holland said Planning and Zoning has been asked to do more work on something they've already spent 10 months doing. These things should have been addressed the first time around. He would just ask that Councilmember Tarr would think about property value and how that affects property values. We've heard plenty from citizens about cleaning up this town again to look better, I think this is where it starts and about the road's potholes in the stuff that we always hear about from citizen town, this is the type of stuff that this is where it starts. Councilmember Troast agreed with Mr. Cowger regarding large trucks causing damage to roads in town. Citizens know it's the Council's motto to clean this town up and make it better and make it more beautiful for people to attract them to come here and live and she works very hard to keep her property up. Mayor Marshall Harrison said if the Council would like to break it down instead of it being one ordinance, please make your preference known on that if you think it would work best for our citizens and we'll go from there.

Motion to adjourn meeting (Nock, Holland passed)

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

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