

Regular Meeting Minutes

The meeting of the Pocomoke City Mayor and Council was held in Council Chambers on Monday, March 3, 2025. The meeting was called to order at 6:30 pm.

Present:

Mayor: Todd Nock
Council Members C.L. Marshall, Scott Holland,
Brooke Cottman
City Manager: John Barkley
Attorney: Andrew Illuminati
City Clerk: Melinda Stafford

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

Councilman Holland makes a motion to amend the agenda. Councilman Marshall makes a motion to strike Item #6 – 75th Anniversary of Dianetics. Motion is seconded by Councilman Holland. Motion passes. Marshall – aye, Holland – aye, Cottman – aye

We will now move item number seven up to item number six item number, eight up to item number seven item number. Nine up to item number eight item ten to item nine item eleven to item ten.

Approval of Minutes of February 18, 2025

City Clerk Melinda Stafford informs the council that while using a transcribing service, a motion was missed in the submitted minutes. She asks that if the minutes were approved, they were to be approved with the amendment to include the motion for the Annual Cash Bash. Councilman Marshall asks what service was being used; her response was Google Transcribe. Councilman Holland makes a motion to postpone the approval of the minutes. Seconded by Councilwoman Cottman. Motion passes. Holland – aye, Marshall – aye, Cottman – aye

Review and Approval of Current List of Bills for Payment

Motion to approve by Councilman Holland, seconded by Councilwoman Marshall. Motion Passes. Holland – aye, Marshall – aye, Cottman – aye

Public Works Invoice Approvals

Public Works Director, Bill East explains that Jenkins Orchard, the lift station went down and a bypass set up to keep the sewage flowing. In order to get it fixed, he has three quotes for new pumps, and a new control panel. Hills wasn't the cheapest on the pumps. Shore-ite Controls would be the one to do the panel. The sooner we can get that done and see where he can get that pump back in case, he needs it somewhere else. Councilman Marshall asks where that station is and Councilman Holland asks who was the cheapest and Mr. East replies Hills and he lets them know that Shore-ite changes the panel. Councilman Marshall makes the motion to use Mr. East's recommendation with Hill's and to purchase of panels for the Jenkins Orchard lift station. Seconded by Councilwoman Cottman. Motion passes. Holland – aye, Marshall – aye, Cottman – aye

Mr. East also has 4 quotes for roofs on the offices at the lagoon. The cheapest one is from Tiger Roofing for \$9000. Pictures were submitted. The money would come from the capital in this years budget. Motin to approve made by Councilman Marshall, seconded by Councilman Holland. Motion Passes. Holland – aye, Marshall – aye, Cottman – aye

Horse Fair Committee

On the original published agenda, item #5 stated Horse Fair committee. The title should have stated Fair board Approvals. To fill their board, the names submitted are John Smith, Sara Chapman, Stephanie DuBrel, Dean Ennis and Alice Jean Ennis. Mayor Nock asks for any objections, none stated. At the next council meeting, they will be sworn in and need to know who their chairperson is. Melinda will go over the responsibilities of the chairperson once they are sworn in.

Resolution No. 2025-R-7: Second Reading and Hearing

Mayor Nock reads the resolution to amend section C-18 of the Pocomoke City Charter. The floor was open for public comments. There were none. Opened for discussion from Council. Councilman Holland wants to clarify. There's a tie. What if there is no recourse first time in the charter now? Attorney Andrew Illuminati replies correct. That if council member Downing was here, and something was split two, two. It could be whether somebody abstains or because the seats vacant or they're just not here for the night, depending on the urgency of the matter. It might not be able to be table to the next one. Usually, a tie votes available. But there could be times where actions needed. So, this would cover all those situations. It could be a one-off where someone's just not here, or it could be the seats vacant, or they have to abstain graphics or personal reasons any of that. This power would then be. The Mayor can break the tie. Now we have the vacancy, if it was time due to two people wanted to have a special election, two people didn't. You would have a special election. You have that seat vacant until it's up because your impasse, and that could be for political reasons. People are against that, it could be for personal reasons. It could be for just five reasons. That's an example of where, then you'd be down the 4-member council until the end of that term, and you can be in that position so. It happens when some other cities recently where they've had, like, an Ethics issue. Councilman Marshall asks how many times has this happened? The reply is not since 1878 when the city was incorporated. Councilman Marshall states we didn't know that it wasn't in the charter. So, in the past, mayors had made the vote, even though our charter doesn't. I've looked at. I've done research and lived in other cities. It's about 50, 50. I know a lot of folks that do see value. He states he's on the fence about it. We've managed this far. He believes that the mayor's power and the power at the council. Or synonymous, a mayor is more of a leader of the city of performing the forefront of the city and not involved in the day-to-day and in the streets. Mayor Nock states that for him it's about down the line and more, especially about the policy that we thought was in place. This was one that we believed was in place for a very long time, and then I don't know what happened one night, and we discovered that it was when Andrew came and we looked at Bruce where we looked at Susan to break a tie and Andrew said, wait, you can't do that. Councilwoman Cottman states also think it aligns with the mayor's current ability to veto a decision that you think they would also be able to then break a tie. Andrew has point of order. Quorum. Poor business or conduct a meeting, but you cannot take a favorable vote without majority of the whole number of members elected to the council, so if you, you can vote on it tonight, but if it's anything other than 3-0, it will fail under the charter.

Now, you're also up against your 60-day rule that you continued this today, specifically for the public hearing. You have the public hearing you former closed at all of hearing. Response is yes. So, the public hearing is closed. So, you could, if you wanted to, wait until you have four of you available to continue to another specific date, the second meeting this month. Then you could vote tonight and ultimately, it failed. It can be reintroduced, but this isn't as simple as reintroducing a regular ordinance or resolution because you have to have an advertised public hearing. Councilman Marshall states he had not considered Councilwoman Cottman's point of view. That it is in line with the power of the veto. Councilman Holland states that he thinks it's important to have a tie breaker in some form because there's some things that have stipulations and timelines to adhere to. We can't always help with somebody absent because like tonight, so you know this is part of life. Mayor Nock replies that the only other place that his mind goes in regards to this is, we also don't have anything in the charter if there is a motion that says when it can be brought back up. Other municipalities do have Charters that says, hey, you need wait three months. This can come back up in six months. We don't have any legislation that even allows us to, if we want to bring something back up, we were going to

back up, but we're really not being governed under the charter. Councilwoman Cottman makes the motion to approve and seconded by Councilman Marshall. Motion passes. Holland – aye, Marshall – aye, Cottman – aye

Pocomoke high School Donations

Mayor Nock states we did not budget for the banners. He states that every year a donation of \$500 is made to the school and they do whatever they want with it. The donation was made in September. But the city was approached to make a nomination for Senior banners. The bands are fifty dollars. He knows that some people are not going to like it, but I remember when you could call your grandmother and ask, you could call your grandfather to get 10 from him. Could have spaghetti dinner. Anything. He thinks that the banners do add a little Pizzazz to the city. But he can't see the town paying for all of these things. Councilwoman Cottman would like to clarify that the high school did not approach the city and she saw on Facebook that they were requesting donations from the community, and I thought that was something that we would be able to help out with. So that's why she wanted to discuss it, and so she reached out to Principal Rayne, and she told me that they have 77 seniors and about half need assistance every year, so that is about a \$1925 deficit. But, however, how much of anyone gets donated is up to council. Councilman Marshall's concern is we have students going to at least five different schools that we have, well, six, really. You know, but how we're going to find those. I do believe that we should do something for the for the Pocomoke schools, is that it's our primary obligation. We've done our part with 500. Mayor Nock suggests \$750 just in case, there are students from other schools that do understand this. Councilman Marshall says that's a good point when we, when we do this line item, can we do it for \$1000? Under the heading of school donations. And then delineated and divvy it up? The funds will either be utilized or it will roll over to the general fund. Mr. Barley will have to talk to Miss Matthews, so that's, that's your guide on that. He would recommend we do with those. And there's other schools that come. We've already got that in the budget, and we don't have to revisit it again. A consensus was reached and a motion will be made at the next meeting.

Comprehensive Plan Update

Mayor Nock has been to the meetings and has barely heard anything at the Planning and Zoning meeting. City Manager John Barkley states the community profile section, the draft of the new updated Community profile that's been placed on the City website and our Facebook page. For our citizens and our business community and our non-profit. Our community organizations to review it's got a lot of good data on it. Having to do with growth, transportation, the environment, economic Development. Finance, budgeting, and everything that goes with all of that because it all works together. This will eventually get to the council and eventually we'll become a forum for the community to come and visit with Council and with the Planning Commission as well to give their thoughts on each of the sections. Mayor Nock would like to see the Planning and Zoning Commission do work sessions concerning this. Nola Tullar stated of took the words right out of my mouth about the work session. She is going to highly recommend planning a zoning commission have a work session the city council and the mayor. So, there are things that we need to kind of reel in and the commission would really be the input from Council paid for us to, I think, to even go forward in a smart way. Ms. Tullar asked where to find legal notice for the public hearing for the planning and zoning commissioner? John replies I'll get back to you on that tomorrow since Mr. Brandewie is out of the office.

Budget Work Session Dates

Mayor Nock asks for dates to begin working on the budget. The consensus is to have it on the off week of the Mayor and Council meeting, Tuesdays, at 7pm. Ms. Matthew will have copies of the fees and fines available for each councilmember. Mayor Nock wants to have a meeting with all of the department heads. To know where they see the departments go, right? They also need to tell us what were some of our shortfalls, not just theirs, but all of ours? In this budget here, and one thing or two

things that they think that we all could do. In the fee schedule as well.

Comments

a. Comments from the City Council Members

1. Councilman Holland – Would like to have a short agenda to meet with the Fair Board on March 17th.
2. Councilman Marshall – commend their Public Works requirement for everything the demolition of the Armory project. MDE showed up Bill and Mike, and that whole crew, uh, I mean, they did things the right way, and it got done. Had all paperwork in order. Strongly encourage the people who call the city of Pocomoke City, first, prior to calling the state agency because you know, we're all on the same team, and we're trying to do the best that we can do.
3. Councilwoman Cottman –install of a bus shelter on March Street and 5th, and that's going to be a big help to our community population, so I wanted to thank our city manager, Mr. John Barkley, for all the parties he did, and collaborating with Shore Transit to make that happen.

b. Comments from the Mayor

It's getting to be that time when it's about to get hot out. I think we're all anticipating the warm weather. We also know that we see an influx in crime once it gets warm outside. Has Delmarva Power contacted us about adding more street lights for town. They didn't contact us last year, and it was supposed to correct me if I'm wrong. It was supposed to be a gradual process where they were coming to us, and they were asking us to pick certain spots to put these street lights, and they've only done. They only did that in one year, and we haven't seen them back. It's dark. We want number one. We want our residents to be able to see where they're from. We also want our law enforcement to be able to navigate. Also, we need to figure out where we are in the street bike process because I remember we sat down. Each council person came up with different locations that needed them, and I can remember we did a lot of quarters. I never want us to be in a place where we've kind of done work like that for nothing. Also, something else that is coming up real soon. Our negotiated agreement with Comcast. We need to see if we're going to renew it, ultimately. What this agreement does is it keeps other cable companies up, not Dish companies, but it keeps other cable companies out. Comcast pays the city a fee but it's coming directly from the residents, and we only get a portion of it. We want to renew it. It is a little bit of revenue that comes in, but is it worth it? It's a franchise agreement, where they have the sole right to provide cable. Well, we know it's common. But the last time it came up, we kind of duked it out about it. So, I think that before we really make a decision. The budget talks are something else that we were able to look into now. It is so nice to see everyone's beautiful face tonight. Mr. Barkley. I wanted to thank you for jumping into action when I sent you that email last week concerning the Boys and Girls Club conservative. I hope that we can start having some conversation really soon about what we're going to do with the armored property. I'm excited about the direction we're moving in. I want to thank you for, for springing into action. Um, I know I can be a bit of a pain sometimes, and I know my stuff just comes up and out randomly. I feel like everybody else is kind of like moves strategically, and you, you know what to expect from them, but sometimes I just spend something on you. There were questions about having a meeting on St. Patrick's Day. The Mayor states that City Hall is open and it wouldn't be a normal meeting that would be moved.

c. Comments from the City Manager

The preliminary audit draft is out for fiscal year 2024 and we had a good year. We're carrying approximately a 1.8-million-dollar fund balance from the prior year to this this current fiscal year. So you've got 1.8 million in the bank. Investment policy usually prescribes that you have 3 months in the bank. We've got a lot more than that. That's about 1.1 million. As I'm advised, and so it puts us in a good situation for a foundation for the budget discussions for both the current year budget and amendments and or the coming year physical. Your budget that we'll start talking about later in March. So that gives us good footing to go forward. It'll also be presented to you here in the coming weeks by them, auditing consultant.

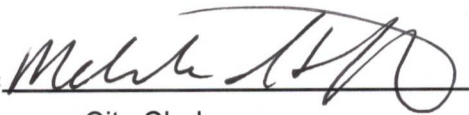
d. Comments from the Audience

Stephanie Dubrel – Wanted to know why there wasn't a swearing in of the Fair Board? Mayor Nock responded that we have to specify it on the agenda. It was listed as Horse Fair and approvals. So, you're approved one meeting and sworn in at the next.

413 Laurel Street - Helen Lynch down there, right here, is thankful for the health and a continued responses due to minor and semi-serious incidents. She is appreciating the compliments from the local residents, and is thankful to the Pocomoke Police Department. Mayor Nock informs them the appropriate person to contact would be would meet to the Chief Hancock if there are issues. With all due respect, this is the legislative meeting. He can appreciate you cleaning all that trash up. So, for me to you, from one neighbor to the other, thank you.

Motion to adjourn at 7:31 pm by Councilman Holland, seconded by Councilwoman Cottman.

Approved:



City Clerk

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.