

## Regular Meeting Minutes

The meeting of the Pocomoke City Mayor and Council was held in Council Chambers on Monday, April 20, 2026 meeting was called to order at 6:30 pm.

### Present:

Mayor: Todd J. Nock  
Council Members: C.L. Marshall, M. Hall, S. Tull,  
D. Downing, B. Cottman  
City Manager: Brandy Matthews  
Attorney: Andrew Illuminati  
City Clerk: Melinda Stafford

### Pledge of Allegiance, Prayer, Call to Order

Mayor Nock noted concerns regarding the placement of flags and requested that the nation's flag be properly positioned rather than being placed alone in a corner.

### Approval of Minutes

Motion made by Council Member Downing to approve the minutes from April 14, 2026. Seconded by Council Member Cottman. Motion passes. Hall – aye, Marshall – aye, Downing – aye, Tull – aye, Cottman-aye.

### Approval of Bill List

The bill list was presented for payment. Motion to approve by Councilwoman Downing, seconded by Councilwoman Tull. Motion passes. Hall – aye, Marshall – aye, Downing – aye, Tull – aye, Cottman-aye.

### First Reading of Ordinance 2026-O-9 An Ordinance of the Mayor and City Council of Pocomoke City, Maryland to Amend the City's Zoning Code to Extend the Time for Noncompliance Uses by Amending Chapter 230, Article IV, General Regulations, § 230-15 Nonconforming

The Mayor presented a summation of the ordinance rather than reading it in full. The ordinance addresses Section 230-15(b)(1) Section 2 of the city zoning code, which currently provides that nonconforming use terminates when such use has ceased for six months or more. The Mayor noted that the Mayor and Council have received feedback on this issue and observed the hardship that the limited six-month time frame places on property owners.

The ordinance noted that Worcester, Wicomico, and Somerset counties, as well as the Town of Snow Hill and Berlin, all have a 12-month period for nonconforming use. On March 26, 2026, the Planning and Zoning Commission made a favorable recommendation on the zoning text changes to extend the period for nonconforming use from six months to 12 months.

The substance of the ordinance amends Section 230-15 subsection B-1 by deleting the word "6" and replacing it with the word "12." With this change, Section 230-15 B-1 now reads: "No building, structure, or premise or premises where a non-conforming use has ceased for 12 months or more shall again be put to non-conforming use."

A public hearing on this ordinance is scheduled for May 18, 2026. A copy of the proposed ordinance is available at City Hall.

### First Reading of Resolution 2026-R-11; A Resolution for an Annexation of A 2.494 Acre Parcel of Land Contiguous to and Building Upon the Corporate Limits of Pocomoke City Reflected as "Proposed Parcel A" in the Minor Subdivision of the Lands of Brittingham Wayne T. Sr. & Brittingham Flora S., and recorded in the Land Records for Worcester County, Maryland SRB Liber 257, folio 64-66

Resolution 2026-R-11 addresses the annexation of a 2.494-acre parcel of land contiguous to and binding upon the corporate limits of Pocomoke City, reflected as Proposal Parcel A in the minor subdivision of land of Brittingham Wayne T. Sr. and Brittingham Flora S., recorded in the Land Records for Worcester County, Maryland, SRB Liber 257, folio 64-66.

The Mayor presented a summation of the resolution rather than reading it in full. The resolution provides the framework for annexation under Section 4-401 of the Local Government Articles of the Maryland Annotated Code, which provides Maryland municipalities the power to enlarge municipal boundaries by annexation.

Pocomoke City received a petition for annexation dated February 19, 2026, requesting that the city annex property owned by Wayne T. Brittingham Sr. and Flora S. Brittingham consisting of 2.494 acres, more or less, depicted as Proposal Parcel A on a plot entitled Minor Subdivision of Land of Brittingham Wayne T. Sr. and Brittingham Flora S., recorded in the Land Records for Worcester County, Maryland, Plot Book SRP 257, pages 64 through 66.

It has been verified that Wayne T. Brittingham and Flora S. Brittingham are the sole owners of the property to be annexed. The property to be annexed is contiguous and adjoining to an existing boundary of Pocomoke City and does not create an unincorporated area bounded on all sides by real property presently within or proposed to be within the boundary of the municipality. The land is not located in another municipality.

At least 25% of registered voters who reside in the area to be annexed and the owner of at least 25% of the assessed valuation of real property in the area to be annexed have signed the petition for annexation. The petition appears to meet all requirements of applicable state and local law.

Pursuant to Section 4-14 of the Local Government Articles of the Maryland Annotated Code, Pocomoke City is required to adopt an annexation plan for the proposed annexation of the property. Pursuant to Section 4-406 of the Local Government Articles, a public hearing on this resolution providing for the Pocomoke City Council's annexation of the property and approval of the annexation plan is scheduled for Monday, May 18, 2026, at 6:30 PM at City Hall.

The resolution proposes that the municipal boundaries of Pocomoke City be changed to annex and include within the municipality the 2.494 acres of land owned by Wayne T. Brittingham Sr. and Flora S. Brittingham. The annexation of the property is approved subject to all terms, conditions, and agreements contained in the proposed annexation agreement and annexation plan, which may be modified prior to final passage of the resolution.

The Brittingham property is currently zoned by Worcester County as SC-2. Pocomoke City Code Section 230-12 provides that when territory becomes part of the incorporated area of Pocomoke City by annexation or otherwise, such territory shall automatically be classified as R-1 district until otherwise classified. The Pocomoke City Planning and Zoning Commission has prospectively approved the parcel, on the condition it is successfully annexed, to be zoned as B-2 General Business Zone. If the annexation is approved, the zoning map of Pocomoke City shall be amended to include the property and classify it as B-2 General Business Zoning District.

The resolution includes exhibits consisting of the petitions with signatures, the annexation plan, and the annexation agreement. A copy of the proposed resolution is available at City Hall.

#### Public Comment on Resolution 2026-R-11

Mark Crawford, attorney, 6200 Coastal Highway Suite 200, Ocean City, Maryland, addressed the Council on behalf of the Brittingham's, who filed the petition for annexation. Mr. Crawford expressed appreciation to the Mayor, the City Manager, and staff for their cooperation regarding the matter. He stated, "We're just looking forward to getting this process completed so that we can begin construction as soon as possible. Anything we can do to make your job easier, certainly let us know, but we're very happy with the process thus far and have no reason to believe you won't see this project to completion."

#### Second Reading of Ordinance 2026-O-8; Amending the Official City Zoning Map for Parcel 1606, Tax Map 402, Grid 11 at 0 Old Virginia Road (Cypress Grove LLC), Public Hearing and Vote

The Mayor presented a summation of the ordinance rather than reading it in full. Cypress Grove LLC owns property located on Old Virginia Road, more specifically identified as Parcel 1606, Tax Map 402 Grid 11, Tax Account 01-202-9274, recorded by deed referenced in Liber 9088, folio 454.

The city's official zoning map currently classifies this property as M-1 Industrial and B-2 General Business. Cypress Grove LLC seeks to maximize its development potential by amending the zoning district of the property from M-1 and B-2 to Planned Redevelopment District (PRD) Floating Zone pursuant to Article 8, Sections 230-55 through 230-60.

The purpose of the PRD floating zone is to accommodate growth in older sections of Pocomoke City by encouraging and facilitating new development on vacant, bypassed, or underutilized land; encourage the efficient use of properties in economic and/or structural decline; encourage investment in infill and redevelopment projects by providing flexible development standards that permit innovative

design solutions creating high-quality neighborhoods; implement the goals, objectives, and policies of the Pocomoke City Comprehensive Plan; and encourage compact mixed-use development that is pedestrian scale.

The city considers it in the public's interest to be best served by adoption of this zoning map amendment. The city is authorized by the Local Government article of the Annotated Code of Maryland, Section 5-213, to enact and administer reasonable zoning regulations. Section 4-201 of the Land Use articles of the Maryland Annotated Code provides Maryland municipalities the power to amend zoning regulations and boundaries.

The Planning and Zoning Commission met on Tuesday, March 3, 2026, and recommended approval of the master development plan. The Mayor and Council find that the proposed zoning zone amendment is consistent with Pocomoke City's comprehensive plan, the stated purpose of the PRD district complies with requirements of Chapter 230 of Pocomoke City Code, and is compatible with adjoining land uses. The ordinance provides that the above parcels shall be zoned PRD floating zone, that the zoning map of Pocomoke City shall be updated to reflect the approved rezoning, that the master development plan attached as Exhibit A is hereby approved, and that the ordinance shall take effect in accordance with the city charter.

The Mayor opened the public hearing and invited any members of the public with comments concerning Ordinance 2026-O-8 to come forward and state their name and the street on which they reside. No members of the public came forward to comment. The Mayor closed the public hearing and inquired whether there was any discussion from Council members. Seeing no discussion, the Mayor called for a motion.

A motion was made by Councilmember Cottman to approve Ordinance 2026-O-8, amending the official city zoning map for Parcel 1606, Tax Map 402, Grid 11, at 0 Old Virginia Road. The motion was seconded by Councilmember Marshall. The motion passed unanimously with all members voting in favor. Hall – aye, Marshall – aye, Downing – aye, Tull – aye, Cottman-aye

There was a motion for a 3-minute recess made by Councilmember Marshall, seconded by Councilmember Cottman. Motion to reenter open session by Councilmember Cottman and seconded by Councilmember Downing. Hall – aye, Marshall – aye, Downing – aye, Tull – aye, Cottman-aye

Second Reading of Resolution 2026-R-09; A Resolution of the Mayor and Council of Pocomoke City, Maryland, Setting the Tax Rates for Fiscal Year 2026-2027, Public Hearing and Vote

The Mayor noted that Section C-56 of the City Charter requires the City Council to establish the tax rate for the next fiscal year for the various classes of property subject to taxation based upon the tax revenue called for by the budget. The tax revenues for fiscal year 2026-2027 have been established and approved on this 20th day of April 2026. The resolution provides that tax rates are hereby levied for the fiscal year ending June 30, 2027, on each \$100 worth of property assessed in accordance with the following schedule of property classifications: Real property owner-occupied residential: \$0.9375, Real property other: \$1.1311, Personal property: \$2.00, Railroad: \$2.00, Public utilities: \$2.40, Ordinary business corporations excluding manufacturing inventory and the first \$125,000 of commercial assessed inventory: \$2.00, Equipment used in the manufacturing process: \$1.00, The resolution provides that it shall take effect from and after the date of its approval by the City Council.

The Mayor opened the public hearing and invited any members of the public with comments to come forward and state their name and the street on which they reside. No members of the public came forward to comment. The Mayor closed the public hearing and inquired whether there was any discussion from Council members. One Councilmember Marshall stated, "I will say that at some point we may have to consider an alternative way to raise funds for EMS system. Not sure what that's going to take, whether that'll be some sort of EMS assessment or tax that we may have to put forward in the future, but I think it bears discussion in this council at some point moving forward. As grant money continues to dry up, we need to look at alternative ways to be able

to fund ourselves." Mayor Nock responded, "I think that before we go and we add any other tax, we need to allow the wastewater tax to fall off. Back in 2017, before most of us-because I ain't the only person that's still here from that vote back in 2017, the mayor and council passed an ordinance to increase our water utility to help pay for the Zip Line project that we've all benefited from. And correct me if I'm wrong, but 2027 was the year, fiscal year 2028, fiscal year 28 is the year that it finally drops off. So maybe what we should think about doing is allowing it to drop off." The first Councilmember Marshall agreed, stating, "Yeah, I just trying to be a little proactive looking down the road as grant money continues to get tighter and the cost of service and the equipment continues to go up, just trying to be provided." A motion was made by Councilmember Cottman to approve Resolution 2026-R-09, a resolution of the Mayor and Council of Pocomoke City, Maryland, setting the tax rates for fiscal year 2026-2027. The motion was seconded by Councilmember Downing. The motion passed unanimously with all members voting in favor. Hall – aye, Marshall – aye, Downing – aye, Tull – aye, Cottman-aye

Second Reading of Resolution 2026-R-10; A Resolution of the Mayor and Council of Pocomoke City, Maryland, Approving the Abatement of Certain Real Property Taxes for Fiscal Year 2026-2027, Public Hearing and Vote

The Mayor presented the resolution, noting that the Pocomoke City Council considers the following list of properties for the abatement of taxes. The Bypass Road, Ocean Highway, and Tara Avenue properties do not receive all city services. The Cypress Knee property, located on Market Street Extended near Buchanan, was given annexation tax-free until the property is developed. The Byrd Road, Jenkins Orchard Road, and Atkins Farmland properties are small sections used to run sewer lines to the YMCA. The Unionville property was annexed into the city for the new well but was not purchased by the city. These taxes had been abated by the city for the past several years. The total amount being abated is \$5,814.50.

The Mayor opened the public hearing and invited any members of the public with comments to come forward and state their name and the street on which they reside. Ronnie Durham came forward and stated, "I'd like to just inquire, is there any reason this couldn't be done as a permanent thing instead of rehashing it every year until you where you do provide city services such as police protection, trash, water sewer, road maintenance, whatever." The Mayor responded, "Mr. Durham, I wish we could do that, but there were some changes made to the abatement list from last year to this year. Now, in the past, we had never made any changes, but we do have to do it every year just in case something changes." City Manager, Ms. Matthews, responded, "Each year that has this-that list actually has to be submitted to Worcester County. So anytime the assessment changes, that dollar amount changes, and they have to have a yay, nay from everyone that's up here. So, it has to be done every single year."

A motion was made by Councilmember Downing to approve Resolution 2026-R-10, approving the abatement of certain real property taxes for fiscal year 2026-2027. The motion was seconded by Councilmember Tull. The motion passed unanimously with all members voting in favor. Hall – aye, Marshall – aye, Downing – aye, Tull – aye, Cottman-aye

Update on the Progress and Public Hearing of the MD-21-CD-6 Capital Improvement Plan

Ms. Matthews, City Manager, presented an update on the progress of MD-21-CD-6 Capital Improvement Plan. The project location was citywide. The CDBG funding request was initially \$30,000 with a total project cost of \$43,770. The project was originally awarded in 2021 and was finalized and extended to June 30, 2023. The funding was used to prepare a capital improvement plan to assess and prioritize infrastructure needs. The plan identified issues, solutions, estimated costs, and optimal time frames. The only change from the first public hearing was the completion date, which was extended until June 30, 2023. Ms. Matthews noted, "All in all, even though this was originally presented to the Mayor Council on March 4th, 2024, and even though it was not voted or implemented, the majority of those items in that Capital Improvement Plan for 2023 to 2027 have been completed. The Mayor opened the public hearing and invited any members of the public with comments to come forward and state their name and the street on which they reside. No members of the public came forward to comment.

Update on the Progress and Public Hearing of the MD-22-CD-7 Water Line Improvements – Market Street  
Ms. Matthews reported that the budget was updated. The CDBG funds requested increased to \$835,727. Other funding sources included a WSG grant from MDE in the amount of \$844,306, \$567,944.10 from DWIN (an EPA grant administered by MDE), and \$500,021.271 from CDBG was actually used. The total project budget was \$2,457,033. The actual total cost was \$2,388,438.10, which is \$68,594.90 under budget. The Mayor opened the public hearing and invited any members of the public with comments to come forward and state their name and the street on which they reside. No members of the public came forward to comment.

#### Discussion to Move Pocomoke City Budgeted Donations to Grants

The Mayor introduced a discussion regarding changing the city's approach to providing financial support to nonprofits, businesses, and other organizations. The Mayor noted that for years the city has been providing approximately \$80,000 in donations to nonprofits across the city for their operations expenses. Council asked for clarification: "So this would be like a little micro-grant type of thing? To go out and serve as a business incubator." The Mayor explained, "One of the things that we could do with that is help them with fundraising efforts. So, if they want to put something going to help assist them, then we at the city can make sure that we can get them the services that they need. It's more about accountability. It's more about accountability and making sure that what they are asking for those grant funds for, that they're actually doing it. And it's not just us giving them that amount. They're going to have to show that those things were actually completed, just like any other grant that we would have to compliance for here in Pocomoke."

The City Attorney noted that this would represent a change from the unwritten policy of simply making donations, and asked whether the new grant process could be instituted for fiscal year 2027 or if the goal would be fiscal year 2028.

A plan of what the prerequisites were given to the Mayor and Council by Ms. Matthews. Ms. Matthews responded, "So there is a template there, but if you guys would like to brainstorm and we go through, you know, what the qualifications is, specifically dollar amount, what the requirements are for specific grants, if it's business, a for-profit or nonprofit business. Those are things that we can discuss as well. And it's probably easier to do it this way than just saying, okay, July 1st, issue out checks for these donations. This is a revolving, so someone can come because it happens a lot where someone will come after the fact and say, hey, is there any way that the city could do this because we're trying to do X, Y, and Z. So that way it's rolling and it doesn't have to be exact July 1st."

The City Attorney suggested, "You could block the money as grant money and then over the course of the year, dole it out. You know, not trying to make all the awards at once, that might be too cumbersome. But if somebody has something that they're looking to do in July, they can be the first applicant and then work your way through. And though it might be later in the year before you appropriate the award money, at least you'll have time to work your way through, see how it works, one event at a time."

The Mayor asked for consensus from Council to move forward with this approach. All Council members present indicated their approval and permission to move forward.

#### Discussion of Policy on City-Wide Trash Receptacles

With the amount of trash that's being picked up and paper trash just being the Mayor thinks it's very instrumental that the city believes that the trash go into some type of receptacle. The question that was asked was what happens when someone decides that they are not going to get a trash receptacle and they continue to put their garbage out and then it's just left sitting there? The Mayor responded, "Well, I'm going to tell you what some of the municipalities do. They still didn't pick it up and it's still sitting there. And then there's a fine that goes out. So it could be that option too, that if they're continuing to put out trash without a receptacle, that we start issuing violations for that. There are times where, you know, some people do put out more than-more trash than what-than what is supposed to be out there, or someone actually putting trash out that doesn't live there anymore. A Council member suggested, "Maybe we can send out mailers asking people to that they can put their trash in a receptacle so they know that that's where you need to start." The Council agreed to move the discussion to a work session, with staff to draft policy proposals addressing the various concerns raised.

### Discussion on Code Enforcement Policy

The Mayor stated, "One of the things that some of us have known for years is that our Code Enforcement Department, in accordance to our code, does not have an official policy. And I believe that it is time for the Mayor and Council to come up with a policy for code enforcement." The steps he proposed include Identification of the infraction, Notice of the violation, Reinspection, Citation and fine, after 60 days of delinquent fine, add it to the water bill with a separate line. It was noted that several years ago the city communicated with Worcester County about collecting fees and fines, but Worcester County indicated they would have to do it for every municipality as well. The City Attorney provided information on recent legislative changes: "During last legislative session, it became effective October 1st-municipal fines used to only be a maximum fine of \$1,000. The Mayor asked that the matter be forwarded to a work session for further development. The Council agreed.

### Discussion on Adding Code Violation Fines to City Water Billing

Ms. Matthews presented on the proposal to add code violation fines to water bill's as a collection mechanism. Ms. Matthews stated, "We're looking for consensus that any code violations are added to the water billing, and one of the reasons is because we don't do our own-we don't collect our own taxes. When someone sells a home or someone moves out, then the city is left with that balance hanging and it just keeps increasing, increasing, increasing, and most of the times we cannot get the-get that money back at all. So, if we have someone continuing not to cut grass in a vacant property, then we're left with those charges. It would be easier to place those on the water bill, so make sure that those are actually being paid so that we can at least recoup some of the expenses that we are paying out." The Council provided consensus for staff to move forward with drafting the necessary resolution and ordinance to implement this policy.

### Comments

- a. Comments from the Audience
  1. No members of the public came forward to make comments during the public comment period.
- b. Comments from the City Manager
  1. The end date for the bid closes April 28th for the streets and sidewalks. She noted that Cedar Street would be the next street for sidewalk and meter pit repairs, along with 10th Street.
  2. The fire hydrants are also being repainted red, the sidewalks, as far as the yellow paint, the red paint, and the blue paint is coming in so the city can implement the infractions, and also that the poles and the signs for no parking on one side of the street, those have been ordered as well.
  3. As an update, the life wraps or 30,000 already done work for the docks as well."
- c. Comments from the City Council Members
  1. Councilman Hall- None
  2. Councilman Marshall- congratulated the City Manager and city staff on the accomplishments detailed in the Capital Improvement Plan update, thanked everyone who participated in the citywide cleanup event held on Saturday, special thank you to Cypress Roots, to Jessmin and his wife and family for providing us with hot dogs and soft drinks when it was finished.
  3. Councilwoman Tull- None
  4. Councilwoman Downing- None
  5. Councilwoman Cottman- None
- d. Comments from the Mayor
  1. thanked Councilmember Marshall for his work on the cleanup event.
  2. expressed appreciation to city staff and Council members this agenda, and even Councilwoman Downing and Councilman Marshall for working with him on the agenda and its contents and what he wanted.
  3. The mayor's business roundtable was successful. Topic included food trucks in Pocomoke.

4. requested that the Council commit to holding regular work sessions. "There are some things that have never changed, and I think that we truly need to get back to having work sessions where ordinances and resolutions are coming before us and we're hammering them out collectively." Ms. Matthews stated she would send Council members an email with different options for days and times that work best for everyone.

Motion to adjourn at 7:54 pm by Councilmember Cottman, seconded by Councilmember Hall.

Approved:

A handwritten signature in black ink, appearing to be 'M. H.', written over a horizontal line.

City Clerk