

April 7, 2008
REGULAR SESSION #7
MAYOR & CITY COUNCIL

Present:

Council President Joe Mitrecic

Council Member Jim Hall

Council Member Jay Hancock

Council Member Mary Knight

Council Member Lloyd Martin

Council Member Margaret Pillas

Absent:

Mayor Richard W. Meehan

Council Secretary Nancy Howard

ATTENDANCE

City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathy Mathias, Human Resource Director Roger Weseman, Emergency Services Director Joe Theobald, Planning and Community Development Director Jesse Houston, City Engineer Terry McGean, Parks and Recreation Director Tom Shuster, Special Events Coordinator Lynda Brittingham, City Clerk Carol Jacobs, Members of the Press and Interested Parties.

CALL TO ORDER

Council President Joe Mitrecic called this Regular Session to order at 6:00 p.m. in the Council Chambers of City Hall, 301 Baltimore Avenue, Ocean City, Maryland 21842.

PRAYER AND PLEDGE

Reverend Father John P. Klevence of the St. Mary's Star Of the Sea and Holy Savior Catholic Church led the Prayer, and Council Member Jim Hall led the Pledge of Allegiance.

APPROVAL OF MINUTES

- A. An amendment to the Minutes for Regular Session #5 (held on March 3, 2008) was not approved. Council President Joe Mitrecic asked City Clerk Carol Jacobs to review the recording.
- B. Minutes for Regular Session #6, dated March 17, 2008, were approved as presented.

ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL

- A. Council President Joe Mitrecic issued a Proclamation designating April 25, 2008 as Arbor Day. Present to accept this proclamation was Donna Greenwood and Linda Herzberg of the Beautification Committee.

Regular Session #7 held on April 7, 2008 continued...

- B. Council President Mitrecic issued a Proclamation designating the month of April as National Sexual Assault Awareness Month. Present to accept this proclamation was Ocean City Police Department Public Affairs Specialist Jessica King.
- C. Council President Mitrecic issued a Proclamation designating the month of April as Fair Housing Month. Present to accept this proclamation was Thomas Davis.
- D. Assistant to City Manager Kathy Mathias presented diplomas to the 2008 OC University Graduates (See Attachment A).

SPECIAL EVENT PERMIT REQUESTS

Special Events Coordinator Lynda Brittingham presented the following:

- A. **Marine Corps Pull-Up Challenge on June 6th – 8th , 13th – 16th , and 20th – 22nd**, on the concrete pad at Dorchester Street and the Boardwalk, from 11:00 a.m. to 6:00 p.m. daily. Present for questions was Marine Corps Sergeant Jimmy Bention. **Council Member Jim Hall moved to approve; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.**
- B. **Maryland Recreation and Parks Association RALS 5k Walk/Run** on Monday, April 14, 2008, starting at the Inlet, from 3:30 p.m. – 5:30 p.m. Present for questions was Assistant Director of Recreation and Parks Susan Petito. **Council Member Jim Hall moved to approve; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.**
- C. **Showell Elementary First Grade Boardwalk Walk**, on Friday, May 9, 2008. Present for questions was Robin Wolinski. **Council Member Lloyd Martin moved to approve; seconded by Council Member Margaret Pillas. The vote was 6-0 with Council Secretary Nancy Howard absent.**

UNFINISHED BUSINESS

Hobbit Restaurant Owner Tom Heiderman advised that the screening around the Rivendell Building's HVAC units was installed. He requested approval for partial occupancy to open his restaurant. **Council Member Mary Knight moved to grant partial occupancy to Hobbit Restaurant Owner Tom Heiderman subject to all final inspection approvals; seconded by Council Member Jim Hall. The vote was 6-0 with Council Secretary Nancy Howard absent.**

NEW BUSINESS

- A. William R. Bunt, Esquire for the Amber Waves Condominium Association requested permission to replace their deck over the city-owned alley between 29th and 40th Streets. **Council Member Jim Hall moved to allow the deck to be rebuilt over the city-owned alley, if: (1) the property owner agrees to remove the deck if the alley is open to traffic; and, (as amended, by Council Member Hall to his original motion) the deck must not infringe on any utility easement; seconded by Council Member Jay Hancock. The vote was 5-1 with Council Secretary Nancy Howard absent and Council President Mitrecic opposed.**
- B. Dr. Melvin Freidman, Chairperson of the AARP Chapter 1917, announced the 2008 AARP Health Fair on Wednesday, April 16, 2008 at the Convention Center.
- C. Diakonia's Executive Director Claudia Nagle gave a presentation on the Emergency Shelter's current projects and financial status. She asked that, in the upcoming fiscal year, the Council consider a \$25,000 grant to assist with their expenses.
- D. Star Charities Committee Members Anna Foulz, Susan Amara and Robin Peoples announced the 11th Annual Alzheimer's Ball on Sunday, May 4, 2008 at the Clarion Resort Hotel Fontainebleau Crystal Ballroom.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

City Solicitor Guy Ayres presented the following:

- A. First Reading of Ordinance 2008-6, amending Chapter 90, entitled *Vehicles and Traffic*, increasing the basic Tow Fees to \$150. **Council Member Jim Hall moved to approve the First Reading of Ordinance 2008-6; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.**
- B. First Reading of Ordinance 2008-7, amending Chapter 70, entitled *Solid Waste*, adding the provision: "*all residential properties of three or more units shall provide space, containers and access to facilitate recycling.*" Public Works Director Hal Adkins was present for questions. **Council Member Lloyd Martin moved to approve the First Reading of Ordinance 2008-7; seconded by Council Member Jim Hall. The vote was 6-0 with Council Secretary Nancy Howard absent.**
- C. Traffic Commission Regulation 2008-2 to close the alley from 79th Street North to it's midpoint, from April 1, 2008 through September 31, 2008, during construction to the Seaside Escape Condominium. **Council Member Jim Hall moved to approve Traffic Regulation 2008-2; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

A. Bid Awards:

1. City Engineer Terry McGean made a recommendation to reject the bid from Carpets by the Ocean and award **OC Floor & Gallery** for the **Convention Center Lobby carpet** ("Bid Alternate 2"), for the sum of \$129,442.91 (Budget Allocation = \$196,000). **Council Member Jim Hall moved to approve; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.**
2. Parks and Recreation Director Tom Shuster made a recommendation to purchase the **outdoor movie system** to **Open Air Cinema** for the sum of \$13,337.00 (Staff Estimate: \$13,500). **Council Member Margaret Pillas moved to approve; seconded by Council Member Mary Knight. The vote was 6-0 with Council Secretary Nancy Howard absent.** Director Shuster advised that Parks and Recreation notified all property owners in the 27th Street beachfront vicinity and spoke with the Management Offices of the Dunes Manor, Dunes Motel and Harrison Group about the upcoming events.
3. City Engineer Terry McGean presented a committee recommendation to hire **George, Miles and Buhr** as engineers for the **St. Louis Reconstruction Project**, for the amount of \$419,320 (Budget Allocation = \$500,000). **Council Member Jim Hall moved to approve; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.**
4. City Manager Dennis Dare made a recommendation to purchase **6 Stryker Ambulance Cots**, from **Stryker Sales Corporation**, for the sum of \$52,844.76 with trade-in (Budget Allocation = \$56,400). **Council Member Jim Hall moved to approve; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.**

- B. City Manager Dennis Dare made a recommendation to renew the contracts with **Bolton Partners, Care First BC/BS** (medical/Rx and vision coverage) and **Assurant Employee Benefits** (dental/life/AD&D/Dependent Life & LTD; and, change the **Town Employees benefits package** as follows:

*(-Change the current office visit co-pay [from \$15.00] to \$20.00
-Change the prescription drug co-pay [from the current \$10.(generic)/\$20.(preferred brand/\$35.(brand) effective since 2002] to \$0./\$25./\$45.)*

Council Member Jim Hall moved to approve City Manager Dare's recommendation to renew the insurance provider contracts, and, implement the above-stated changes to the employee benefits package; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.

ITEMS PRESENTED BY THE CITY MANAGER CONTINUED...

- C. Emergency Services Director Joe Theobald requested permission to sole source purchase one AutoPulse System from Zoll Medical Corporation. He explained that this purchase is not a budgeted item but is approved for full reimbursement by the Ocean City Paramedic Foundation. **Council Member Lloyd Martin moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council Secretary Nancy Howard absent.**

COMMENTS FROM CITIZENS

None

COMMENTS FROM THE MAYOR AND CITY COUNCIL

None

CLOSED SESSION

Council Member Jim Hall moved to convene into closed session at 7:37 p.m. to discuss legal and contractual matters; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.

REPORT ON CLOSED SESSION

Council President Joe Mitrecic reconvened the meeting at 8:07 p.m. and reported that the closed session was held at 7:40 p.m. to discuss legal and contractual matters. Persons present were Council President Joe Mitrecic, Council Members Jim Hall, Jay Hancock, Mary Knight, Lloyd Martin and Margaret Pillas, City Manager Dennis Dare, City Solicitor Guy Ayres and Assistant to City Manager Kathy Mathias.

Council President Joe Mitrecic announced that next week's work session is cancelled. He invited all to attend an open discussion regarding the Ocean City Volunteer Fire Company on Monday, April 14, 2008, starting at 9:00 a.m., at the Convention Center.

ADJOURNMENT

Council Member Jim Hall moved to adjourn at 8:10 p.m.; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Secretary Nancy Howard absent.

Minutes prepared by Kelly L. Allmond, Deputy City Clerk



Minutes certified by Carol L. Jacobs, City Clerk.

Minutes approved on 4-21-08

2008 OCU Graduates

Bachelors Degree

Gertrude Apple
Kendrick Rabindranath Bann
Joan L. Bauer
Holly W. Bennett, Jr.
Juleanne Bennett
Lori Ann Ciminelli
Dolores Irene Cooper
Joseph Fuchsluger
Stephanie Fuchsluger
Kasey Johnson
Philip W. Kemp
Jean Kopp
Joseph Kopp
Kenneth W. Lamont
Suzanne G. Lamont
N. Park Makin
Larry R. Martin
Jeffrey M. McArthur, Sr.
Joyce Melocik
Randall Mullen
Rosalinda T. Mullen
Bob Price
Kathy Price
Melissa Rizer
Shelia Rothstein
Jane Slotter
Evangeline Watts
James Watts

Masters Degree

Gertrude Apple
E. Audrey Kerr
Jennifer Lake Albright
Jerry Albright
Robert J. Chapman, Sr.
Christina Courtney
Eleanor Curcio
Irene Hansen
Jean Kopp
Joseph Kopp
N. Park Makin
Jeffrey M. McArthur, Sr.
Phyllis Mosmiller
Shelia Rothstein
Evangeline Watts
James Watts