

May 5, 2008
REGULAR SESSION #9
MAYOR & CITY COUNCIL

Present:

Mayor Richard W. Meehan	Council Member Jim Hall
Council President Joe Mitrecic	Council Member Jay Hancock
Council Secretary Nancy Howard	Council Member Mary Knight
	Council Member Lloyd Martin
	Council Member Margaret Pillas

ATTENDANCE

City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathy Mathias, Finance Administrator Martha Bennett, Public Works Director Hal Adkins, 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

Mayor Rick Meehan led a moment of silence to honor the life of Berlin Mayor Tom Cardinale.

Reverend Father Vasilios Penteridis Archimandrite of the St. George Greek Orthodox Church led the Prayer, and Mayor Rick Meehan led the Pledge of Allegiance.

REPORT FROM CITY MANAGER ON UPCOMING WORK SESSION

City Manager Dennis Dare reported that the following items are scheduled for discussion in the next work session:

1. Review of Coastal Fisheries Advisory Committee and Ocean City appointment – presented by Dave Wilson of the Maryland Coastal Bays Program
2. Proposed Amendment to the Lot Maintenance Ordinance – presented by City Clerk Carol Jacobs
3. Proposed Amendment to the Pension Plan – presented by City Clerk Carol Jacobs

APPROVAL OF MINUTES

Minutes for Regular Session #8, dated April 21, 2008, were approved as presented.

ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL

- A. Mayor Meehan proclaimed the month of May as '**Click it or Ticket' Month** as part of the 2008 Maryland Chiefs' Challenge Campaign. Present to accept this Proclamation was Ocean City Police Lieutenant Brian Cardamone.
- B. Council Member Mary Knight read the Mayor's Proclamation to designate May 19-25, 2008 as **National Safe Boating Week**. Present to accept this proclamation was John Bodner. Mr. Bodner announced that the US Coastguard and Power Squadron will conduct free vessel safety checks, at the West Ocean City Boat Ramp, on Saturday, May 17, 2008, starting at 9:00 a.m.; and, Boating Safety Classes will be held at the Ocean Pines Library, on May 13-15, 2008, from 6:00 p.m. to 9:00 p.m..
- C. Council Member Jim Hall read the Mayor's Proclamation to designate May 15, 2008 as **Peace Officers Memorial Day**. Present to accept this Proclamation was Ocean City Police Lieutenant Brian Cardamone.

SPECIAL EVENT PERMIT REQUESTS

Special Events Coordinator Lynda Brittingham presented the following:

- A. **OceanCity.com Sandcastle Contest – Saturday, June 14, 2008, from 9:30 p.m. – 3:30 p.m., on the beach, in front of the Carousel Hotel. Council Member Mary Knight moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**
- B. **Seaside Christian Academy Bikeathon – Tuesday, May 20, 2008, from 1:00 p.m. – 2:00 p.m., starting at 27th Street on the Boardwalk. Bikers will ride back and forth from 27th to 19th Street for one hour and forty-five minutes. Present for questions was Gwen Cordner. Council Member Jim Hall moved to approve; seconded by Council Member Lloyd Martin. The vote was unanimous.**
- C. **OC Cruzers – various dates in June, July, August and September – from 3:00 p.m. – 7:00 p.m. on Somerset Street. Present for questions was Ray Schmidt. Council Member Lloyd Martin moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**

NEW BUSINESS

- A. Worcester County Health Officer Debbie Goeller and Emergency Services Director Joe Theobald presented the Maryland Anti-viral Purchase Partnership Program. This program, Ms. Goeller explained, offers local and county governments an opportunity to purchase anti-viral medication for treatment of ill essential employees and their household family members during an influenza pandemic. *[Based on Ms. Goeller's recommendation, the Mayor and Council were not interested in pursuing this purchase at this time.]*

B. Lanny Hickman, Jr. of the Ocean City/Assateague Democratic Club requested permission to serve alcoholic beverages at the Fiesta Park Pavilion on July 16, 2008. **Council Member Mary Knight moved to allow the Democratic Club to serve beer at the Fiesta Park Pavilion; seconded by Council Member Jim Hall. The vote was unanimous.**

C. Attorney Hugh Cropper, IV presented a request for his client, Eagles Nest Development, LLC, to revise the Town's property/boundary lines, adjacent to Eagles Nest Road, to allow for the required 100-foot setback from the post equalization tank for their wastewater treatment system. Currently, Mr. Cropper explained, the installed tank sits 98 feet from the property line. Mr. Cropper requested a two-foot (65 square feet) property swap.

Public Works Director Hal Adkins and City Solicitor Guy Ayres asserted that this boundary change requires the Federal Aviation Administration's approval. **Council Member Jim Hall moved to approve this concept of a property swap along Eagles Nest Road with the Eagles Nest, LLC, contingent upon the approval of Worcester County, Maryland Aviation Administration and the Federal Aviation Administration; seconded by Council Member Margaret Pillas. The vote was unanimous.**

D. *The request for a minor revision to the Planned Overlay District for the Clarion was removed from the Agenda.*

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

A. Second Reading of Ordinance 2008-8, authorizing the May 10, 2008 Sale of Surplus Municipal Property as amended (some vehicles were removed since First Reading). **Council Member Lloyd Martin moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**

B. First Reading of Ordinance 2008-9, amending Chapter 1, entitled *General Provisions*, and Chapter 58, entitled *Offenses and Miscellaneous Provisions*, to change open container violations from a misdemeanor (violators are subject to arrest) to a municipal infraction (violators are issued a \$200.00 citation). **Council Member Mary Knight moved to approve; seconded by Council Member Jay Hancock. The vote was 6-1 with Council Member Margaret Pillas in opposition.**

C. City Solicitor Guy Ayres addressed the debarment of John Robinson. Solicitor Ayres advised that Mr. Robinson defaulted on the terms and conditions of the beach equipment rental franchise agreement for 11th Street. City Clerk Carol Jacobs advised that Mr. Robinson declined his right to a debarment hearing by voice mail on April 17, 2008. **Council Secretary Nancy Howard moved to proceed with the debarment of John Robinson for a term of three years; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Member Margaret Pillas in abstention.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

- A. City Clerk Carol Jacobs recommended a contract award to Sharon Weker, who was the highest bidder of the 11th Street Beach Equipment Franchise, for an annual fee of \$900.00. **Council Member Jim Hall moved to approve; seconded by Council Member Lloyd Martin. The vote was unanimous.**
- B. City Manager Dennis Dare requested permission to solicit bids for: (1) the Eagle's Landing Golf Cart Fleet. **Council Member Lloyd Martin moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.** (2) the 41st Street Water Tower Painting and Repairs. **Council Member Jim Hall moved to approve; seconded by Council Secretary Nancy Howard. The vote was unanimous.**

Special Events Director John Sullivan, accompanied by Bryan Lilley, gave an update on the upcoming Air Show (See Attachment A). Mr. Lilley said that they raised \$45,620.00 from corporate sponsorships. Citizen Herb Pawlukewicz asked if the airplanes will fly over residential areas. Mr. Lilley advised that they will briefly fly over land, but most of the show will be over the ocean.

Inserted
Items

Special Events Director John Sullivan reported that Sunfest 2008 was a record-breaking success.

COMMENTS FROM CITIZENS

Citizen Jim McGinniss commented on the Health Department's report on the Anti-viral program.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

Council Member Jay Hancock announced that May 10, 2008 is National Railroad Day.

CLOSED SESSION

Council Secretary Nancy Howard moved to convene into closed session at 8:25 p.m. to discuss legal and personnel matters; seconded by Council Member Jim Hall. The vote was unanimous.

REPORT ON CLOSED SESSION

Council President Joe Mitrecic reconvened the Regular Session at 9:00 p.m.. He reported that the following topics were discussed in the closed session held at 8:25 p.m.: (1) the appointment, employment, assignment, removal or resignation of appointees, employees or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals, and; (2) to consult with counsel to obtain legal advice. Persons present were Mayor Rick Meehan, Council President Joe Mitrecic, Council Secretary Nancy Howard, Council Members Jim Hall, Jay Hancock, Mary Knight, Lloyd Martin and Margaret Pillas, City Solicitor Guy Ayres, City Manager Dennis Dare and Assistant to City Manager Kathy Mathias.

ADJOURNMENT

Council Member Mary Knight moved to adjourn at 9:02 p.m.; seconded by Council Member Lloyd Martin. The vote was unanimous.

Minutes prepared by Kelly L. Allmond, Deputy City Clerk

A handwritten signature in black ink, appearing to read "Kelly L. Allmond", written in a cursive style.

Minutes certified by Carol L. Jacobs, City Clerk.

Minutes approved on 5-19-08

**OC Air Show Update
Mayor & Town Council**

Performers

Confirmed

USAF F-16 Viper Demo Team
USAF F-15 Eagle Demo Team
USAF Heritage Flight (F-15, F-16, P-51 Mustang)
US Army Golden Knights Parachute Team
USJet Aerobatic Team
USAF Reserve Bi-plane
Embry Riddle Mono-plane
Yak Attack
GEICO Skytypers
C-17/C-5 Flyover
NASA P3 Flyover

Pending

US Coast Guard support (Demo)
US Navy support (Demo & Flyovers)
MG Air National Guard support (Flyovers - Blackhawk Approved for Open House)

Sponsorship, Exhibitors, Advertisers (Contracted)

GEICO
Carey Distributors
Gibbs Management Company
America's Army Virtual Army Experience
Char-Broll
Micky Fins
Shenanigans
Kite Loft
Phillips Crabhouse
Parkplace Jewelers
Fishtails
~~Hersheypark~~
Francis Scott Key Resort
Eastern Shore Gas
Taylor Bank

Funds raised to date \$45,650