

December 1, 2008
REGULAR SESSION #23
MAYOR & CITY COUNCIL
TOWN OF OCEAN CITY

Present:

Mayor Richard W. Meehan
Council President Joseph Mitrecic
Council Secretary Lloyd Martin

Council Member James S. Hall
Council Member Margaret L. Pillas
Council Member Mary P. Knight
Council Member Douglas S. Cymek

Absent:

Council Member Joseph T. Hall, II

ATTENDANCE

City Manager Dennis Dare, City Solicitor Guy Ayres, Finance Administrator Martha Lucey, Zoning Administrator Blaine Smith, Public Works Transportation Superintendent George Thornes, City Engineer Terry McGean, 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 & PLEDGE

Dick Sands of Son Spot Ministries led the Prayer, and Council Member Doug Cymek led the Pledge of Allegiance.

REPORT FROM CITY MANAGER ON UPCOMING WORK SESSION

City Manager Dare advised that the following items will be discussed in the upcoming Work Session:

1. Bid Openings for the Jamestown Road Milling and Paving Project
2. Report on the Ocean City Fire Department's Rank Structure – presented by Ocean City Fire Chief Chris Larmore
3. Report on the Surf Rescue debriefing – presented by Ocean City Fire Chief Chris Larmore
4. Cost Reduction Measures – presented by City Manager Dennis Dare
 - A. Tram Service, Fare and Advertising
 - B. Bus – Reduction of Park and Ride Services
 - C. ADA Bus Service
5. Discussion of the Ocean City Website – presented by Tourism/Convention Center Director Mike Noah and Tourism/Convention Center Assistant Director Debbie Travers
6. Discussion of the General Employee Pension Contributions – City Manager Dennis Dare
7. Review of proposed Ordinance to amend Chapter 10, entitled Buildings and Regulations – presented by City Solicitor Guy Ayres
8. Discussion of Legislative Committee Assignments
9. Report on Tourism Commission Meeting of November 6, 2008 – presented by Council Member Margaret Pillas

APPROVAL OF MINUTES

Minutes of Regular Session #22, dated November 17, 2008, were approved as presented.

ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL

Mayor Meehan issued a Proclamation honoring Ocean City Firefighter Paramedics Derrick Simpson and Delbert Baker who, in the early hours of September 28, 2008, risked their lives to rescue two distressed swimmers caught in a rip current.

SPECIAL EVENT PERMIT REQUESTS

Special Events Director John Sullivan presented the following events for approval:

- A. **Blessing of the Waters**, on Saturday, January 10, 2009, from 12:00 p.m. to 2:00 p.m., in front of the Carousel Hotel. Present for questions was Reverend Father Michael Vasilikos of the St. George Greek Orthodox Church. **Council Member Mary Knight moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council Member Joe Hall absent.**
- B. **Festival of Music Parade**, on Saturday, May 2, 2009, from 9:00 a.m. to 10:00 a.m., at the Convention Center. Present for questions was Peter Mundrick. **Council Member Jim Hall moved to approve; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Joe Hall absent.**
- C. **Beach 5 Sand Soccer**, on June 27-28, 2009, starting at 9:00 a.m., on the beach between Dorchester and Caroline Streets. Present for questions was Bill Harte. **Council Member Mary Knight moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Joe Hall absent.**

NEW BUSINESS

- A. Jim Flaig of Ocean City Elks Lodge #2645 requested the Council's support for slot machines in Fraternal Organizations. **Council Secretary Lloyd Martin moved to support slot machines in fraternal organizations; seconded by Council Member Doug Cymek. The vote was 6-0 with Council Member Joe Hall absent. Council Secretary Lloyd Martin moved to ask Mayor Meehan to draft the letter of support to the Maryland State Delegates; seconded by Council Member Jim Hall. The vote was 6-0 with Council Member Joe Hall absent.**
- B. Ocean City Fire Chief Chris Larmore briefed the Mayor and Council on the progress of the Ocean City Fire Department (see Attachment A).
- C. Ocean City Fire Chief Chris Larmore made a recommendation to adopt a new seal for the Ocean City Fire Department (see Attachment B). **Council Member Mary Knight moved to approve; seconded by Council Member Margaret Pillas. The vote was 6-0 with Council Member Joe Hall absent.**
- D. Citizen Robert Melvin asserted that government funding is available for door-to-door ADA Transit Service outside municipal limits. **Council Secretary Lloyd Martin moved to ask Public Works Transportation Superintendent George Thornes to obtain written verification from State and Local Officials that funding is available for door-to-door ADA Transit Service; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Joe Hall absent.**

REPORTS AND RECOMMENDATIONS FROM THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Zoning Administrator Blaine Smith presented a Conditional Use Request for expansion to the existing Old Pro Miniature Golf Course on 13603 Coastal Highway. **Council Member Mary Knight moved to accept the Planning Commission's Finding of Fact (see Attachment C); seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Joe Hall absent.**

APPOINTMENTS TO BOARDS, COMMISSIONS AND OTHER CITY ORGANIZATIONS

Council Member Doug Cymek moved to appoint Blake McGrath to the Board of Port Wardens; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Joe Hall absent.
While Mr. McGrath was in attendance, Mayor Meehan swore him in.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

City Solicitor Ayres presented the following for approval:

- A. Second Reading of Ordinance 2008-21, amending Chapter 39, entitled *Franchises*, increasing an operator's allowed maximum beach equipment parcel holdings from 30% to 50%. **Council Member Mary Knight moved to approve the Second Reading of Ordinance 2008-21; seconded by Council Member Jim Hall. The vote was 6-0 with Council Member Joe Hall absent.**
- B. First Reading of Ordinance 2008-22, creating the Post-Employment Benefit Trust. Council Member Margaret Pillas asked for copies of all Pension Reports, and notification of meeting dates. **Council Member Mary Knight moved to approve the First Reading of Ordinance 2008-22; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Joe Hall absent.** Citizen Ellie Diegelmann commented on the necessity of this fund.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

- A. City Manager Dare requested permission to issue a Request for Proposal for the Risk Department's Actuarial Study. **Council Member Jim Hall moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Joe Hall absent.**
- B. City Engineer Terry McGean made a recommendation to award the South Ocean Drive Walkway contract to **Brawner Builders**, in the amount of \$74,000.00 (Staff Estimate = \$88,000.00). **Council Member Mary Knight moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Joe Hall absent.**
- C. [*The recommendation of amendments to the take home vehicle policy was postponed.*]

Inserted
Item

City Manager Dare made a recommendation to throw out the bid from Lynch Publishing who reneged on their quote for the graphic design of the 2009 Sea For Yourself Guide, and award the next apparent low bid from **Great State Publishing**, for the amount of \$11,880.00. **Council Member Jim Hall moved to approve; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Joe Hall absent.**

CITIZEN COMMENTS

Herb Pawlukewicz commented on yard sale permits, and, the timely removal of posted public notices. Mayor Meehan suggested that civic associations can help remove old notices. Council Secretary Lloyd Martin said, as President of the Caine Woods Association, he will be sure that a reminder goes in the newsletter.

Ellie Diegelmann commented on the DLITE Program, the AGH Presentation, the Toughbooks purchase, and the tax differential.

Jim McGinnis commented on changing the accounting system and eliminating employee medical benefits.

Bill Campbell commented on the yard sales.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

Council Member Margaret Pillas commented on the method of installing the plaques on the boardwalk benches.

Council Member Jim Hall asked for a report on employee overtime.

Mayor encouraged all to attend the Christmas Parade, Saturday, December 13, 2008 at 11:00 a.m..

ADJOURNMENT

Council Member Jim Hall moved to adjourn at 7:44 p.m.; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Joe Hall absent.

Minutes prepared by Deputy City Clerk Kelly Allmond _____

Minutes certified by City Clerk Carol Jacobs

Minutes approved on:

**Update and Briefing
of the
Mayor and City Council
by
Ocean City Fire Chief Larmore
December 2008**

Overview

Attached please find the previously submitted goals and objectives in outline form, with the updates of each respective goal. As with all Departments, a considerable amount of time and energy has been spent concentrating on budget and economic concerns, however I am very pleased to report that the ongoing process of merging 3 divisions into one world class department. I encourage any additional questions or clarification.

Chris Larmore

Fire Chief

Safety

The safety of our personnel, as well as the public we serve, is and remains our top priority.

One of the more optimistic goals was to schedule a “safety officer” class, to insure the future commitment of this very important position on any serious call for service. Over a dozen people, both career and volunteer are currently enrolled, and will be certified and committed to this task in January 2009. One Assistant Chief, and the department training officer are also continuing to evaluate and implement the details and recommendation of the risk assessment plan completed in August of this year. In addition, I am very proud of the training proposal approved by the mayor and City Council in September of this year, and am pleased to report that all of our personnel are training together on a regular basis.

Equipment

The purchase of the two engines approved by the Mayor and City Council is complete, and the committee has met with the manufacturer to confirm the design and details. Delivery is expected spring of 2009

Buildings

The expansion of station 4 is delayed due to budget and economic concerns, however a presentation to the Mayor and Council will be made in January 2009. The remaining buildings are being updated and improved, along with the Fire Chief and Training offices.

Organization

Job qualifications and descriptions for the remaining positions under the three deputy chiefs are being completed, and the proposal for a change in rank structure is scheduled to be presented to the Mayor and council on 9 December 2008

Data Management

The complete method to track the staffing available, on scene, and participation of the volunteer members is moving forward and progress is being made in this regards. In order to assess the progress and needs of the organization, a new [but still unidentified] system must be instituted. The State and County rely on this information, and the maintaining of their funding is vital. The retention and recruitment of volunteers is crucial, as well as the need to accurately determine and monitor our service to the community.

Hazardous Materials Responsibilities

The complete Hazardous Materials team has been assigned to the Fire Marshal Division. This report to evaluate the future responsibilities and capabilities of the team is complete, and ready for Mayor and Council approval.

False Alarm Reduction

An important factor to more efficiently provide personnel and equipment to true emergencies, is to minimize false alarms. This alone will greatly reduce operating costs, and increase the focus of energy and resources. This report is complete, and ready for Mayor and Council approval

Surf Rescue recommendations

The Mayor and City Council tasked the Fire Chief to make recommendations to reduce the risks inherit with the calls for service whereby Firefighters perform surf rescues. This report will be presented to the Mayor and City Council on 9 December 2008.

Attachment B



FINDING OF FACT

RE: #08-12100002 – CONDITIONAL USE FOR EXPANDED MINIATURE GOLF COURSE LOCATED AT 13603 COASTAL HIGHWAY – OCTOBER 22, 2008

Upon a motion made by Joel Brous, seconded by John Staley, and carried by a vote of 6 to 0, the Planning and Zoning Commission hereby recommends approval for the expansion of an existing miniature golf course in the above referenced case for the following reasons:

1. Population Change:

There is no anticipated change in present or future population in the immediate neighborhood as a result of the expanded miniature golf course.

2. Availability of Public Facilities:

All public facilities are currently available to the existing miniature golf course operation.

3. Present and Future Transportation Patterns:

The internal traffic circulation is being modified to omit the curb cut on 137th Street as well as the northernmost curb cut on Coastal Highway which will create less conflicting traffic movement. The existing internal driveways will continue to connect with 136th Street and Coastal Highway which is a signalized intersection. Applicants have agreed to provide a bus shelter on the site which will enhance and encourage pedestrian movement at the 136th Street crosswalk on Coastal Highway.

4. Compatibility with Existing and Proposed Development for the Area:

The Commission found that the expanded golf course is compatible with existing development in the neighborhood. The property to the north is improved with the Bayside Plaza shopping center; to the south side is the Sundowner Mobile Home Park; and to the west across Sinepuxent Avenue is the City-owned Gorman Avenue Water Treatment facility.

5. Relationship to the Comprehensive Plan:

The Comprehensive Plan makes numerous references to the importance of recreational and amusement attractions as a vital part of our local economy and as a key to the maintenance of the Town's image as a family resort destination.

The Comprehensive Plan also stresses the value of mixed-use development and the need to encourage commercial development in our commercial districts. The property is currently zoned LC-1, Local Commercial, which, consistent with the Comprehensive Plan, permits outdoor miniature golf as a conditional use.

Therefore, by virtue of the requirements of Section 110-122 of the Code of Ocean City, Maryland, the above findings require that the Planning and Zoning Commission recommend approval for the expanded miniature golf course subject to final site plan approval.

Pam Greer Buckley, Chairman

John Staley

Peck Miller

Lauren Taylor

Tom Singman

Joel Brous