

**December 15, 2008**  
**Amended, See Page 3**  
**REGULAR SESSION #24**  
**MAYOR & CITY COUNCIL**

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**Present:**

**Mayor Richard W. Meehan**  
**Council President Joe Mitrecic**  
**Council Secretary Lloyd Martin**

**Council Member James Hall**  
**Council Member Margaret Pillas**  
**Council Member Mary Knight**  
**Council Member Douglas Cymek**  
**Council Member Joseph Hall, II**

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**ATTENDANCE**

Mayor Rick Meehan, Council President Joe Mitrecic, Council Secretary Lloyd Martin, Council Members Jim Hall, Margaret Pillas, Mary Knight, Doug Cymek and Joe Hall, City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathy Mathias, Finance Administrator Martha Lucey, Special Events Director John Sullivan, City Engineer Terry McGean, Tourism/Convention Center Director Mike Noah, Chief Building Official Kevin Brown, 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**

Father Constantine Makrinos led the Prayer, and Council Member Doug Cymek led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

The Minutes for Regular Session # 23, dated December 1, 2008 were approved as presented.

**ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL**

- A. The Proclamation honoring Fran Meyer was postponed.
- B. The discussion regarding the Tax Differential was postponed.

**SPECIAL EVENTS PERMIT REQUESTS**

City Solicitor Ayres advised that a closed session is necessary to discuss the Memorandum of Understanding with OC Air Show, LLC. **Council Member Jim Hall moved to convene into closed session to discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal if public discussion or disclosure adversely impacts the public body's ability to competitively bid or make proposals; seconded by Council Member Doug Cymek. The vote was unanimous.**

Council President Joe Mitrecic reconvened the open session at 6:34 p.m., and reported that the closed session was held, at 6:05 p.m. to discuss contractual matters. Persons present were Mayor Rick Meehan, Council President Joe Mitrecic, Council Secretary Lloyd Martin, Council Members Jim Hall, Margaret Pillas, Mary Knight, Doug Cymek and Joe Hall, City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathy Mathias, Special Events Director John Sullivan and Bryan Lilley of OC Air Show LLC. **Council Member Mary Knight moved to accept the terms of the Memorandum of Understanding with OC Air Show LLC with the discussed changes; seconded by Council Member Doug Cymek. The vote was unanimous.**

**Council Member Mary Knight moved to close the closed session; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

- A. Special Events Director John Sullivan announced, and Bryan Lilley reported on, the **2009 Ocean City Air Show**, on June 12-14, 2009, from 12:00 p.m. to 4:00 p.m., with central staging in the area of 17<sup>th</sup> Street. Council President Mitrecic asked Mr. Lilley to present another update in early 2009. [*The vote to accept the Memorandum of Understanding was taken in the closed session.*]
- B. **Council of Baltimore Ravens Roosts Annual Convention and Parade**, May 28<sup>th</sup> – 31<sup>st</sup>, 2009 and a Date Hold for 2010. Present for questions was Sue Draper of the Council of Baltimore Ravens Roost. **Council Member Mary Knight moved to approve the event and the 2010 date hold; seconded by Council Member Jim Hall. The vote was unanimous.**
- C. **Boardwalkin' for Pets**, on Saturday, April 25, 2009, from 9:00 a.m. to noon, starting at the Inlet in front of the Harrison Harbor Watch Restaurant. Present for questions was Kristy Haley of the Worcester County/Ocean City Humane Society **Council Secretary Lloyd Martin moved to approve; seconded by Council Member Mary Knight. The vote was unanimous.**

## **NEW BUSINESS**

- A. Mayor Meehan delegated the Legislative Committee assignments to the Council Members for nomination and vote.

Police Commission Seat: **Council Secretary Lloyd Martin moved to nominate Council Member Doug Cymek; seconded by Council Member Mary Knight. The vote was 6-1 with Council Member Margaret Pillas opposed.**

Police Commission Seat: **Council Member Doug Cymek moved to nominate Council Secretary Lloyd Martin; seconded by Council Member Mary Knight. The vote was 6-1 with Council Member Joe Hall opposed.**

Police Commission Seat: **Council Secretary Lloyd Martin moved to nominate Council Member Jim Hall; seconded by Council Member Doug Cymek. The vote was unanimous.**

Committee Assignments continued...

Noise Board Liaison: **Council Secretary Lloyd Martin moved to nominate Council Member Doug Cymek; seconded by Council Member Jim Hall. The vote was unanimous.**

Tri-County Council Alternate to Mayor Meehan: **Council Member Jim Hall moved to nominate Council Member Mary Knight; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

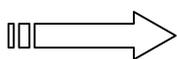
Americans with Disabilities Committee: **Council Member Jim Hall moved to nominate Council Member Mary Knight; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

Recreation and Parks Committee: **Council Member Doug Cymek moved to nominate Council Member Jim Hall; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

Recreation and Parks Committee: **Council Secretary Lloyd Martin moved to nominate Council President Joe Mitrecic; seconded by Council Member Mary Knight. The vote was unanimous.**

Recreation and Parks Committee: **Council Member Jim Hall moved to nominate Council Secretary Lloyd Martin; seconded by Council Member Doug Cymek. The vote was unanimous.**

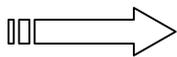
Museum Liaison: **Council Member Jim Hall moved to nominate Mayor Rick Meehan; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**



Tourism Committee: **Council Member Doug Cymek moved to nominate Council Secretary Lloyd Martin; seconded by Council Member Jim Hall. <no vote taken>. The vote was unanimous.**

Tourism Committee: **Council Secretary Lloyd Martin moved to nominate Council Member Mary Knight; seconded by Council Member Jim Hall. The vote was unanimous.**

Tourism Committee: **Council Secretary Lloyd Martin moved to nominate Council Member Joe Hall; seconded by Council Member Mary Knight. <no vote taken.>**  
Council Member Joe Hall declined this nomination to allow Council Member Margaret Pillas to serve. **Council Member Jim Hall moved to nominate Council Member Margaret Pillas; seconded by Council Member Joe Hall. The vote was 5-2 with Council President Joe Mitrecic and Council Member Mary Knight opposed.**



Humane Society Committee: **Council Secretary Lloyd Martin moved to nominate Council Member Mary Knight; seconded by Council Member Jim Hall. <no vote taken.> The vote was unanimous.**

Humane Society Committee: **Council Member Joe Hall moved to nominate Council Member Jim Hall; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

Risk Retention Committee: **Council Member Jim Hall moved to nominate Council Member Doug Cymek; seconded by Council Member Mary Knight. The vote was unanimous.**

Risk Retention Committee Alternate: **Council Secretary Lloyd Martin moved to nominate Council Member Jim Hall; seconded by Council Member Doug Cymek. The vote was unanimous.**

Coastal Resources Legislative Committee: **Council Member Jim Hall moved to nominate Council Member Mary Knight; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

Coastal Resources Legislative Committee: **Council Member Mary Knight moved to nominate Council Member Joe Hall; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

Maryland Coastal Bays Foundation Board of Directors: **Council Member Jim Hall moved to nominate Council Member Joe Hall; seconded by Council Member Mary Knight. The vote was unanimous.**

Beach Mediation/Surfing Liaison: **Council Member Mary Knight moved to nominate Council Member Jim Hall; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

Beach Mediation/Surfing Liaison Alternate: **Council Member Jim Hall moved to nominate Council Member Joe Hall; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

**Council Member Joe Hall moved to request that all Committees report to the Council in the open session immediately following the committee meeting; seconded by Council Member Jim Hall. The vote was unanimous.**

- B. *[Just prior to this Regular Session, the Mayor and Council toured the Convention Center to visualize Staff recommendations for future renovations.]* City Engineer Terry McGean recommended that the Mayor issue a letter of support to the Maryland Stadium Authority requesting matching funds for the expansion effort. Also present for this discussion was Tourism/Convention Center Director Mike Noah. **Council Member Mary Knight moved to proceed to the next step of the expansion; seconded by Council Secretary Lloyd Martin.** This motion and second were withdrawn.

Jim Flaig, Coordinator of the Seaside Boat Show, stated his opposition to the plans for permanent seating.

Convention Center Discussions continued...

Brian Stair, Coordinator of the Custom Car Show, commented on the proposed layout.

**Council Member Mary Knight moved to ask the Mayor to prepare a letter to the Maryland Stadium Authority requesting financial support for the Convention Center renovations, and, to continue this discussion in a future work session, and, to set March 1, 2009 as the deadline for decision; seconded by Council Secretary Lloyd Martin. The vote was 6-1 with Council Member Jim Hall opposed.**

- C. Council Member Margaret Pillas reported on the Tourism Committee Meeting of November 6, 2008.

### **ITEMS REFERRED TO, AND PRESENTATIONS FROM, THE CITY SOLICITOR**

City Solicitor Ayres presented the following:

- A. Second Reading of Ordinance 2008-22 creating a Post-Employment Benefits Trust Fund. **Council Member Mary Knight moved to approve the Second Reading of Ordinance 2008-22; seconded by Council Member Jim Hall. The vote was 6-1 with Council Member Joe Hall opposed.** Citizen Ellie Diegelmann commented on the amount of money paid for post-retirement benefits.
- B. First Reading of Ordinance 2008-23 amending Chapter 10, entitled *Buildings and Regulations*, to adopt and update various changes to the international building and fire codes. **Council Member Joe Hall moved to approve the First Reading of Ordinance 2008-23; seconded by Council Member Jim Hall. The vote was unanimous.** Council Member Doug Cymek asked Chief Building Official Kevin Brown to schedule a question and answer session for Town Citizens.

Mr. Brown explained the Builder's Guaranty Fund requirements to Citizen Ellie Diegelmann.

Keith Norwalk mentioned that after-market vendors are offering services to make windows on existing structures impact resistant.

- C. First Reading of Ordinance 2008-24 amending Chapter 38, entitled *Floods*, changing the areas defined as critical area and requires HVAC equipment to be elevated per FEMA Flood Requirements. **Council Member Jim Hall moved to approve the First Reading of Ordinance 2008-24; seconded by Council Member Joe Hall. The vote was unanimous.**

### **ITEMS REFERRED TO, AND PRESENTATIONS FROM, THE CITY MANAGER**

City Manager Dare presented the following:

- A. General Services Director Joe Sobczak presented a list of budgeted vehicle purchases (see Attachment A). **Council Member Jim Hall moved to accept this recommendation; seconded by Council Member Mary Knight. The vote was unanimous.**

- B. Director Sobczak presented a list of budgeted Emergency Medical Supplies (see Attachment B). **Council Member Jim Hall moved to accept this recommendation; seconded by Council Member Mary Knight. The vote was unanimous.**

### **COMMENTS FROM THE CITIZENS**

Citizen Jim McGinnis stated his opposition to the Convention Center expansion.

Citizen Ellie Diegelmann stated her opposition to awarding the website design contract to MGH.

### **COMMENTS FROM THE MAYOR AND CITY COUNCIL**

Council Member Margaret Pillas asked for a report on Employees' base salaries and earnings.

Council President Joe Mitrecic said that he received a letter from the Chamber of Commerce asking for the City's contribution towards Harbor Day in West Ocean City. He asked City Manager Dare to ensure that Worcester County has provided their portion of the agreement. He wished everyone a safe holiday season.

Mayor Meehan responded to Citizen Diegelmann's comments. He wished everyone a happy holiday and encouraged all to attend the Mayor's Open House on January 1, 2009, from 1:00 p.m. to 3:00 p.m..

### **ADJOURNMENT**

**Council Member Jim Hall moved to adjourn at 8:56 p.m.; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

Minutes prepared by Deputy City Clerk Kelly Allmond \_\_\_\_\_

Minutes certified by City Clerk Carol Jacobs

Minutes approved by the Mayor and City Council on

## ATTACHMENT A

## INTERDEPARTMENTAL MEMO

**TO:** Dennis Dare, City Manager  
**FROM:** Joe Sobczak, Purchasing Director  
**DATE:** December 4, 2008  
**SUBJECT:** Purchase of Vehicles

The State of Maryland has awarded their light duty vehicle contract that we can purchase our vehicles from. In an effort to reduce expenditures and purchase more fuel-efficient vehicles, department heads have made concessions on what is purchased versus what was approved to buy this fiscal year. It should be noted however, that the vehicles purchased must be able to perform the job that they are expected to do.

Based on this review, I am requesting authorization to purchase the following vehicles:

**Police**

2-Special Service Package Tahoes \$27,709 each \$ 55,418.00  
 Criswell Chevrolet, Gaithersburg, Maryland

**Emergency Services**

1-Special Service Package Tahoe \$ 27,709.00  
 Criswell Chevrolet, Gaithersburg, Maryland

**Fire Marshal**

1-Ford F-150 4x4 Extended Cab Pickup \$ 19,974.00  
 Hertrich Fleet Sales, Denton, Maryland

**Recreation/Parks**

1-Ford F-150 4x4 Pickup \$ 17,187.00  
 Hertrich Fleet Sales, Denton, Maryland

**Wastewater**

2-Dodge Avenger 4 door sedan \$15,656 each \$ 31,312.00  
 Hertrich Fleet Sales, Denton, Maryland

**Water**

1-3/4 Ton 2 WD Cab/Chassis Utility Body Truck \$ 22,944.00  
 Criswell Chevrolet, Gaithersburg, Maryland

1-Dodge Avenger 4 door sedan \$ 15,656.00  
 Hertrich Fleet Sales, Denton, Maryland

**Summary of Purchase Request**

	<b><u>Approved Budget</u></b>	<b><u>Requested</u></b>
Police/FMS – 3 Chevrolet Tahoes	\$ 97,000.00	Tahoe \$ 83,127.00
Fire Marshal – 1 4x4 Pickup/Extended Cab	\$ 26,125.00	Same as approved \$ 19,974.00
Park and Recreation – 1 4x4 Pickup	\$ 18,000.00	Same as approved \$ 17,187.00
Wastewater – 2 WD ½ Ton Pickup	\$ 14,000.00	Dodge Avenger \$ 15,656.00
Wastewater – 1 Ford Escape Hybrid	\$ 30,000.00	Dodge Avenger \$ 15,656.00
Water – 1 ¾ Ton HD 4x4 Pickup	\$ 21,000.00	Dodge Avenger \$ 15,656.00
Water – 1 ¾ Ton Crew Cab Utility Body	\$ 32,000.00	Standard Pickup \$ 22,944.00
<b>Totals</b>	<b>\$238,125.00</b>	<b>\$190,200.00</b>
	<b><u>Savings \$47,925.00</u></b>	

Referencing the local search in Hal's email, I compared the State prices to the MSRP and here is what I found:

	<b><u>MSRP</u></b>	<b><u>State Price</u></b>
Tahoe	\$41,035.00	\$27,709.00
Ford F-150	\$30,060.00	\$19,974.00
Dodge Avenger	\$20,505.00	\$15,656.00

I feel comfortable that we are getting the best discount available buying on the State of Maryland contract and recommend this award as noted.

**From:** Hal Adkins  
**To:** Joe Sobczak  
**CC:** Dennis Dare; Dick Malone; Jim Parsons; Kathy Yost; Pamela McMillan  
**Date:** 11/26/2008 2:12 PM  
**Subject:** FY 09 Equipment Trust Fund

Joe...as discussed....I spent about an hour today going over the FY09 Equipment Trust Fund allocations for both Water and Wastewater. In doing so I took the time and effort to review all the Blank Purchase Orders from the State for the current fiscal year. I reviewed there denoted cost, their projected MPG, which were flex fuels, hybrids, etc. I then consider the "vehicle juggle" within all the DPW Divisions. The end result is as follows:

**Water:**

Purchase of a Dodge Avenger for use by Perry Linz. (\$16,268.00, 21 city/30 hwy @ a 4 cyl)  
Perry's current vehicle #411 will be transferred to the Meter Division.  
The Meter Division Truck # 402 will be transferred to the Airport.  
The Airport Truck #575 will then be sold at auction.

Purchase of a 1/2 Ton, 2 x 2, HD springs (please)full size pick up with Utility body and ladder/pipe rack for the Water Treatment Plant Division.  
The Water Treatment Plant Division Van #400 will then be sold at auction.

**Wastewater:**

Purchase of a Dodge Avenger for use by the Assistant Superintendent (Kevin Lynch)  
The current Assistant Superintendent Vehicle # 447 will go to the OCBP as planned.

Purchase of a Dodge Avenger for use by the Chief Plant Operator (Randy Bradford)  
The current Chief Plant Operator Truck # 448 will be transferred to the WW Station Crews  
The WW Station Crew Truck 427 will be transferred to the Transportation Department to replace the truck they sold at the recent auction ....in anticipation of getting #427.

Sooo...In summary:

(03) Dodge Avenger 4 door sedans as noted above  
(01) 1/2 Ton HD Springs, 2 x 2, full size pickup w/ Utility Body and Ladder Rack

Some additional comments:

I took time to review the Consumer Reports Buying Guide concerning the Ford Focus. As I suspected...it rec'd the next to lowest rating possible for owner satisfaction and only a middle level grade for "predicted reliability. "

Also...I see that the current State Blank Purchase Orders are all dated for either September or October of 2008. One can only assume that the actual bidding occurred many months ago. Would it be wise to at least cold call someone like Barretts Chevy/Dodge and ask what it would cost to buy three of X Y and Z...so to speak....OR via the internet ask for new pricing from a series of Dealers? I will leave that issue up to Dennis and you.

Thanks for the opportunity to input.

DD....I tried my best to balance all your concerns of cost, mpg, and perception.....foregoing the old process of 'pass me down vehicles'.

Hal

## ATTACHMENT B

## INTERDEPARTMENTAL MEMO

**TO:** Dennis Dare, City Manager  
**FROM:** Joe Sobczak, Purchasing Director  
**DATE:** December 10, 2008  
**SUBJECT:** Emergency Services Medical Supply Award

The Lt. Chris Shaffer and I have reviewed the bids for medical supplies and in all instances except for the following the low bidder does meet the bid specifications:

- Amerisochi, Mentor, Ohio, the following item bid does not meet the bid specifications in the bid package: 23
- Midwest Medical Supply, Earth City, Missouri, the following items bid do not meet the bid specifications in the bid package: 6, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123
- Elikort Internacional, Towson, Maryland, the following item bid does not meet the bid specifications in the bid package: 35
- Resort Health Services, Baltimore, Maryland, the following items bid do not meet the bid specifications in the bid package: 9, 10, 11, 12, 13, 14, 25, 29, 30, 33, 34, 35, 49, 50, 58, 65, 126, 133, 134, 135, 136
- Southeastern Emergency, Wake Forest, North Carolina, the following items bid do not meet the bid specifications in the bid package: 57, 64, 65, 78, 128, 129, 130, 131

As a result of the above referenced specifications deviations; I recommend that the bid be awarded as follows:

- Allmed, Jefferson City, Missouri  
Item #54, 87, 88, 135
- Bound Tree Medical, Dublin, Ohio  
Item #37, 49, 52, 57, 58, 77, 128, 129, 130, 131
- Henry Schein, Inc./Matrix Medical, Irmo, South Carolina  
Item #4, 5, 10, 11, 12, 13, 14, 19, 20, 23, 24, 28, 29, 30, 31, 33, 35, 36, 42, 43, 51, 61, 62, 64, 66, 74, 78, 103, 119, 120, 121, 122, 123, 124, 126, 127
- Medical Products Supply, Babylon, New York  
Item #68, 69, 70, 71, 72, 73

- Midwest Medical Supply, Earth City, Missouri  
Item #44, 50, 53, 65, 67, 75, 76, 132
  
- Moore Medical, Farmington, Connecticut  
Item #1, 2, 7, 8, 16, 17, 18, 21, 22, 25, 32, 34, 38, 45, 46, 55, 56, 63, 81, 82, 83, 84,  
85, 86, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 104, 105, 106, 107,  
109, 110
  
- Southeastern Emergency, Wake Forest, North Carolina  
Item #3, 6, 9, 15, 26, 27, 39, 40, 41, 47, 48, 59, 60, 79, 80, 108, 111, 112, 113, 114,  
115, 116, 117, 118, 125, 133, 134, 136