



**June 10, 2008**  
**Corrected (see Item #6)**  
**WORK SESSION**  
**MAYOR AND CITY COUNCIL**  
**TOWN OF OCEAN CITY**

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In attendance: Council President Joe Mitrecic, Council Secretary Nancy Howard, Council Members Jay Hancock, Mary Knight, Lloyd Martin and Margaret Pillas, City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathy Mathias, Public Works Director Hal Adkins, Assistant Public Works Director James Parsons, Deputy City Clerk Kelly Allmond, Members of the press and interested parties. Council Member Jim Hall was absent.

Council President Joe Mitrecic called this work session to order at 12:00 p.m.; then, **Council Member Mary Knight moved to convene into closed session to discuss legal, personnel, contractual and real estate matters; seconded by Council Secretary Nancy Howard. The vote was 6-0 with Council Member Jim Hall absent.**

The Open Session reconvened at 1:00 p.m..

1. Council President Joe Mitrecic reported on the closed session held prior to this open session at 12:00 p.m.. Topics of discussion were: (1) to consult with counsel to obtain legal advice; (2) to discuss 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; (3) 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; and, (4) to consider the acquisition of real property for a public purpose and matters directly related thereto. Persons present were: Mayor Rick Meehan, Council President Joe Mitrecic, Council Secretary Nancy Howard, Council Members Jay Hancock, Mary Knight, Lloyd Martin and Margaret Pillas, City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathy Mathias, Public Works Director Hal Adkins, Assistant Public Works Director James Parsons and Chuck Trice of the URS Corporation.
2. In accordance with the Town's Employee Recognition Program, Public Works Transportation Superintendent George Thornes introduced Transportation Employees Pat O'Neal and Brian Conner.

3. Bid openings:

**A. 41<sup>st</sup> Street Water Tower Painting and Repairs  
(FY09 Budget Allocation = \$450,000.00, \*5% Bid Bond Required)**

**Council Member Lloyd Martin moved to accept one late bid; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Jim Hall absent.**

| Vendor   | Bid                 |
|--|---------------------|
| K & K Painting, Baltimore, Maryland                  | \$587,984.00        |
| <b>J&amp;W Sandblasting, Vansper, North Carolina</b> | <b>\$487,000.00</b> |
| Corrosion Control Corp., Pedricktown, New Jersey     | \$722,000.00        |

**Council Member Mary Knight moved to acknowledge the apparent low bid from J&W Sandblasting with remand to Staff for review; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Member Jim Hall absent.**

**B. Eagles Landing Golf Cart Fleet (48-month Lease)  
(FY09 Budget Estimate = \$153,600.00/year)**

| Vendor                                      | Bid                 |
|---|---------------------|
| GL Cornell Company, Gaithersburg, Maryland  | \$270,528.00        |
| <b>EZ-Go, Norfolk, Virginia</b>             | <b>\$258,816.00</b> |
| Golf Car Specialties, Wallace, Pennsylvania | \$270,105.60        |

**Council Member Mary Knight moved to acknowledge the apparent low bid from EZ-Go with remand to Staff for review; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Member Jim Hall absent.**

**C. Northside Park Press Box General Construction  
(Staff Estimate = \$445,000.00, \*Bid Bond Required)**

| Vendor                                       | Bid                 |
|--|---------------------|
| <b>Miken Builders, Millville, Delaware</b>   | <b>\$347,393.00</b> |
| Willow Construction, Easton Maryland         | \$449,000.00        |
| Temco Builders                               | \$365,300.00        |
| Southern Builders, Inc., Salisbury, Maryland | \$392,000.00        |
| Gillis Gilkerson, Salisbury, Maryland        | \$367,000.00        |
| Diversified Masonry                          | \$685,000.00        |

**Council Member Mary Knight moved to acknowledge the apparent low bid from Miken Builders with remand to Staff for review; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Member Jim Hall absent.**

**D. Northside Park Press Box Kitchen Equipment  
(Staff Estimate = \$86,000.00, \*Bid Bond Required)**

**Council Member Lloyd Martin moved to open the single bid; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Jim Hall absent.**

The bid was from **Chessie Sales** of Easton, Maryland, for the amount of \$78,541.77 (Staff Estimate = \$86,000.00). **Council Member Lloyd Martin moved to accept the only bid from Chessie Sales with remand to Staff for review; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Jim Hall absent.**

4. Mike Miculinic of Surf and Cycle requested a waiver for the Town's fee of \$750.00, for use of the right-of-way (to display and park his bikes), on Somerset Street. He explained that, per his agreement with the Town, his business must close for several Somerset Street events in the Spring. Ocean City Development Corporation Director Glenn Irwin advised that the Crab soup Cook-off, on the second Saturday of May, requires clearance of the right-of-way. Council President Joe Mitrecic advised Mr. Miculinic that, since the fees support the Ocean City Development Corporation, who's mission is to draw business to the Downtown area, the Council will not waive this fee.

Also, Mr. Miculinic asked the Town to place bike racks, on the Plaza for local residents to park their bikes. City Manager Dare agreed to have the bike racks installed.

5. Network Manager Gail Weldin made a recommendation to contract with LBL Technology Partners for Information Technology's Risk Assessment, in the amount of \$19,580.00 (Budget Estimate = \$20,000.00). **Council Secretary Nancy Howard moved to approve; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Jim Hall absent.**
6. Public Works Director Hal Adkins made a recommendation to contract with ~~George, Miles and Buhr, LLC~~ **Whitman, Requardt and Associates**, in the amount of \$199,000, for the design of the St. Louis Avenue underground utility upgrades. He explained that this effort is fully funded by three Capital Improvement Accounts: Water main upgrades (\$95,000.00), Wastewater (\$95,000.00) and underground utility (\$38,000.00) **Council Secretary Nancy Howard moved to approve; seconded by Council Member Jay Hancock. The vote was 6-0 with Council Member Jim Hall absent.**
7. [*On May 5, 2008, Attorney Hugh Cropper, representing Jack Burbage of Eagles Nest Development LLC, requested consideration of a boundary line adjustment between the lands of the Mayor and Council and his client's. The Council moved to allow the property exchange contingent upon the Federal Aviation and Maryland Aviation Administrations' (FAA/MAA) approval*]. Public Works Director Hal Adkins advised that the FAA/MAA authorized the boundary exchange on Eagles Nest Road.
8. General Services Director Joe Sobczak advised that the Town is eligible for organizational license plates per the Motor Vehicle Administration. He said the Mayor and Council are authorized to determine the criteria for eligibility. **Council Secretary Nancy Howard moved to ask General Services Director Joe Sobczak to prepare a written proposal to the MVA, for public tags; seconded by Council Member Lloyd Martin. The vote was 6-0 with Council Member Jim Hall absent.**

June 10, 2008 Work Session Continues...

9. Assistant to City Manager Kathy Mathias asked the Council to consider items for submission to the Maryland Municipal League for legislative initiatives. She advised that the deadline for submission is June 27, 2008. Council President Joe Mitrecic suggested rescheduling this discussion for the Monday night meeting, when all Council Members are present.
10. Finance Administrator Martha Lucey made a recommendation to enter into a Visa Purchasing Card Agreement with M&T Bank (see Attachment A). **Council Member Mary Knight moved to proceed with this agreement as a pilot program for one year; seconded by Council Member Jay Hancock. vote. The vote was 6-0 with Council Member Jim Hall absent.**
11. Council Member Lloyd Martin reported on the Police Commission Meetings of January 24<sup>th</sup>, March 25<sup>th</sup> and April 4, 2008 (see Attachment B).

**Council Member Lloyd Martin moved to adjourn this meeting at 2:21 p.m.; seconded by Council Secretary Nancy Howard. The vote was 6-0 with Council Member Jim Hall absent.**

## REASONS FOR SELECTING THE M&T BANK COMMERCIAL CARD PROGRAM

### Efficiencies/Savings Gained

- Greater Controls over employee purchasing
- Less paperwork and costly checks issued
- Real time data available on card activity

### Customer Service

- Local M&T Relationship Team
- 24/7 Online Access and Visa Emergency Line
- M&T Telephone Customer Service Support

### Implementation and Experience

- M&T has over 10 years of card experience
- Continual consulting to maintain and grow card program

### Control

- Card holder spending and daily transaction limits
- Restrictions to where cardholders can use the card

### CentreSuite Online Reporting

- Card maintenance and transaction management
- Ability to default transactions to appropriate general ledger account codes and update accounting software without manually key entering transactions

### Rebate

- Tiered rebate offered to Ocean City based on overall Commercial Card volume

**POLICE COMMISSION MEETING**  
**Open Session**  
**January 24, 2008**  
**9:00 A.M.**

**PRESENT:** Police Commission Chairman Lloyd Martin, Mayor Richard Meehan, Council Member Jim Hall, Council Member Jay Hancock, City Manager Dennis Dare, Chief Bernadette DiPino, Captain Michael Colbert, Captain Robert Bokinsky, Captain Victor Bunting.

1. Review of "Open Session" minutes from November 27, 2007- approved
2. Appeal of Taxi Driver's License – Darren Glass – Appeal Granted
3. Presentation of 2007 Annual Report by Chief DiPino

There was a 7.7% decrease in overall crime, Calls for Service showed an increase, officer assaults increased. Chief DiPino created the officers with the decrease in crime. Mayor Meehan suggested that business checks should not be included in the total count of the calls for service. The Annual Report will be revised to reflect the total of calls for service minus the business checks. It was suggested that DWI arrests data should be shown in future reports. There were 409 DWI arrests in 2007. Chief DiPino would like to implement quality control efforts to assist victims of crime and improve officers' reports. Mayor Meehan noted that the community policing efforts should include officers working with businesses, go inside the businesses and speak with the owners, be flexible and use officer discretion in enforcing laws. Chief DiPino suggested that a question for "quiz of the month" include a question on enforcing laws involving officer discretion in a business related community policing scenario.

4. Captain Bunting gave an update on the progress of the Public Safety Building addition and renovations to the Patrol area and CID offices. The contract calls for project completion by July but it is hoped the construction will be completed by Memorial Day.

5. An In-Car Cameras update was presented by Captain Colbert. A study group, consisting of supervisors, patrol members, IT personnel and CID staff, has viewed presentations by six vendors. The field was narrowed to three vendors. We have tested the Watchdog system for thirty days. We are currently testing the Motorola system. The Panasonic in-car camera will be tested in March. The biggest problem encountered was equipment malfunction. The Watchdog system provides the media in a DVD. The OCPD and other agencies experienced reliability problems. Each disc can record about two to eight hours depending on the quality. Some of triggers used to start the recordings are (1) an accident or (2) sound from the mike on the officer or in the car. Maryland law requires an officer to advise the subject that the incident is being audio recorded. They do not have the right of refusal. The funding for this project has been placed in the Capital Budget. Chief DiPino said we are currently developing a policy on the use of in-car camera. The recordings generated are stored as evidence. We are working with the Office of the State's Attorney because of concerns with the recordings. We are closely

following the International Chiefs of Police executive summary study on in-car cameras. Councilman Martin would like to see the cameras on the buses.

6. Councilman Hancock suggested the Public Safety Building 3<sup>rd</sup> floor conference room and other public areas in the Public Safety Building could be enhanced with OCPD historic pictures such as the preservation effort at City Hall.
7. Chief DiPino advised those present that the television in the lobby area displaying Missing Children was purchased from monies donated by the families in memory of deceased members. Chief DiPino hopes to add other informational subjects in the future such as recruiting and community outreach. A community outreach newsletter to the Neighborhood Watch groups will be sent out each quarter to keep the communities informed. Letters with flash drives went out former seasonal officers with recruiting videos and job applications to be shared. We will track the response to this effort. In addition, end of the year bonuses went out to seasonal officers based on the hours worked.

Open Session adjourned at 10:00 a.m.

**AGENDA  
POLICE COMMISSION MEETING  
OPEN SESSION  
March 25, 2008 9:00 A.M.**

Present: Chief Bernadette DiPino, Chairman Lloyd Martin, Mayor Richard Meehan, Councilman Jim Hall, City Manager Dennis Dare, Deputy Chief Fire Marshall David Hartley, City Solicitor Guy Ayres, Capt. Bokinsky, Capt. Bunting, Capt. Colbert, Lt. Guiton, Lt. Currence, Karin Scott, PTO Jann Jones.

Councilman Jay Hancock arrived at 9:15 am and City Engineer arrived at 10:00 am

1. Review of the minutes of January 22, 2008 Police Commission Open Session
2. Taxi Issues
  - A. Appeal of Taxi Driver's License – David DeMusz – **Appeal granted**
3. Traffic and Parking Commission Matters
  - A. Request for increase of Tow fees and impound storage – **Increase approved. City Solicitor will draft changes in City Code and present to Mayor and Council for approval. Increase in town and storage fees proposed to go into effect May 1, 2008. In February of each year the Police Commission shall review tow and storage fees. Motion made by Mayor Meehan and seconded by Councilman Hall. Approval was unanimous. One of the tow company representatives commented that the dispatchers take the tow company out of the rotation when dispatched to a tow even if they are cancelled enroute. Companies would like to retain their turn in the rotation if they are cancelled from a tow.**

| Type of Service                 | Current Fee               | Approved Proposed Fee                 |
|---------------------------------|---------------------------|---------------------------------------|
| Service Call                    | \$ 35.00                  | <b>\$65.00</b>                        |
| Tow Vehicle up to 26,000 lbs    | 125.00                    | <b>150.00</b>                         |
| Tow Vehicle 26,000 – 35,000 lbs | 125.00                    | <b>125.00 hr</b>                      |
| Tow Vehicle over 35,000 lbs     | 125.00                    | <b>150.00 hr</b>                      |
| Winding of vehicle up to ¾ ton  | 35.00                     | <b>50.00 1st ½ hr<br/>100.00 hour</b> |
| Furnishing & use of dollies     | 20.00                     | <b>30.00</b>                          |
| Extra tow truck                 | 35.00                     | <b>65.00</b>                          |
| Moving vehicle to side of road  | 35.00                     | <b>65.00</b>                          |
| Impound lot storage             | 5.00 1 <sup>st</sup> day  | <b>10.00 1<sup>st</sup> day</b>       |
| Impound lot storage             | 10.00 each additional day | <b>15.00 each additional day</b>      |

- B. U.S. Power Squadron requests to block seven parking spaces from oceanfront to Coastal Highway on 92<sup>nd</sup> Street to park an exhibit trailer on Thursday March 27 through Sunday, March 30, 2008 for Spring Conference. **Request Approved and sent to Mayor and Council for confirmation**
5. Review of General Orders
- A. GO 500 S-1 Secondary Employment – Presented by Lt. Guiton **approved with changes, proposed hourly rate to be determined, Chief to provide written explanation if secondary employment is denied, additional charge for special equipment needs such as a police vehicle, Chief may grant exception for employment in alcohol establishments if it is a public safety issue such as traffic or pedestrian safety. Secondary employer shall pay Town of Ocean City and TOC will reimburse employee minus administrative fee, taxes, etc. The coding process will be done internally. Police related duties must be performed within TOC limits.**
  - B. GO 400 B-1 Response to Explosive Devices and Suspicious Packages - Presented by Deputy Chief Fire Marshall David Hartley – **approved as presented**
6. New Business
- A. Budget Reports – Karin Scott, OCPD Fiscal Supervisor presented the proposed budget for FY 2009. FY 2008 budget is 18,875,077. Proposed FY2009 budget is 20,135,581 with an increase in overall benefit costs. Retirement benefits are required to be funded on a pay as you go instead of previously as a liability. Other increases are attributed to operational costs, travel, part time salaries, equipment and cost of living.  
  
Mayor Meehan would like to see a cost comparison utilizing officers for overtime vs. hiring additional officers. Chief DiPino requested the Police Commission's support in requesting the court assign specific court dates for each officer to reduce overtime costs.
7. Old Business
- A. Open Container – proposed changes to ordinance from a criminal citation to a municipal infraction. A civil citation is not an arrestable offense. Chief DiPino asked the Police Commission to keep the current law for another year. The crime rate dropped eight percent last year and 75% of the open container arrests are underage drinkers. Councilman Hall asked that we try the new law for a year. Councilman Hancock believes the change will reduce court time and the time officers spend on a call. Chief DiPino does not advocate drinking in public and if a citizen violates the law he will receive a citation. The proposed citation fee will be \$100 if paid in within 48 hours of issuance and \$200 after 48 hours of issuance.
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Captain Bunting is assigned to create the citation and send to the City Solicitor for review. City Solicitor Guy Ayres will draft the new legislation and Councilman Hancock made a motion to forward it on to the Mayor and Council for approval.

- B. In-Car Camera Update-Lt. Guiton The OCPD has viewed seven in car camera systems. We are currently testing three cameras in the patrol vehicles. We have received three complaints against officers and after viewing the in car camera video it was determined that the officers acted appropriately. This saved valuable investigation time. Evaluations on the in car camera system will continue through May. The biggest expense is the server storage and data management of the videos. The videos will be stored and handled as evidence by the Forensic Services Unit. Once the videos are used in trial they become public information. Tag recognition software may be available in the near future with the In car cameras. The Police Commission would like to view a demonstration once the evaluations are completed.

**POLICE COMMISSION MEETING  
OPEN SESSION  
April 4, 2008 3:30 P.M.**

Present: Chairman Lloyd Martin, City Manager Dennis Dare, Councilman Jay Hancock, Captain Robert Bokinsky, Cpl. McIntyre, City Engineer Terry McGean PTO Jann Jones

2. Taxi Issues

A. Appeal of Taxi Driver's License – Meghan McManus

Denied by Chairman Martin and Councilman Hancock based on Ms. McManus' driving record. If Ms. McManus' driving and criminal record remains clean for another year, she may reapply in 2009.

3. Traffic and Parking Commission Matters

A. Permission has been granted for the Southern Builders/Seaside Escape, 18 75<sup>th</sup> St. from April 1, 2008 through September 31, 2008:

Close alley from 79<sup>th</sup> St. North to mid-point during construction  
Install pedestrian protection on sidewalk for duration

Use 79<sup>th</sup> St. for load zone, No parking permitted to provide emergency access to 79<sup>th</sup> St. on Monday-Friday for five parking spaces through June 30, 2008, after June 30, 2008 the five parking spaces will be posted for no parking with 48 hours notice as needed  
After June 30, 2008, Dispatch will be notified loading zone is needed  
No material storage permitted on street