



September 30, 2008
WORK SESSION
MAYOR AND CITY COUNCIL
TOWN OF OCEAN CITY

In attendance: Council President Joe Mitrecic, Council Secretary Nancy Howard, Council Members Jim Hall, Jay Hancock, Mary Knight, Lloyd Martin and Margaret Pillas, City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathy Mathias, Finance Administrator Martha Lucey, City Engineer Terry McGean, Special Events Director John Sullivan, Public Works Director Hal Adkins, Assistant Public Works Director James Parsons, Ocean City Fire Chief Chris Larmore, Ocean City Fire Lieutenant Eric Peterson, Emergency Services Director Joe Theobald, Public Works Construction Superintendent Dean Dashiell, Chief Building Official Mike Richardson, Deputy Chief Building Official Kevin Brown, City Planner Robert Nelson, City Clerk Carol Jacobs, Members of the Press and Interested Parties.

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 and contractual matters; seconded by Council Member Lloyd Martin. The vote was unanimous.** Citizen John Medlin questioned the contents of the Closed Session. City Solicitor Guy Ayres advised that the details are inherent to the Town's negotiation strategy and will not be disclosed at this time.

The Open Session reconvened at 1:10 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 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, (2) to consult with counsel to obtain legal advice. Persons present were: Council President Joe Mitrecic, Council Secretary Nancy Howard, Council Members Jim Hall, Jay Hancock, Mary Knight, Lloyd Martin and Margaret Pillas, City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathy Mathias, Special Events Director John Sullivan, Bryan E. Lilley and Partner Frank Miller. **Council Member Mary Knight moved to close the closed session; seconded by Council Member Lloyd Martin. The vote was unanimous.**
2. In accordance with the Town's Employee Recognition Program, Ocean City Police Chief Bernadette DiPino introduced Officer Michael Kelly and Public Safety Aide Robert Lomax.
3. Bid openings:

A. Public Safety Uniforms
(Budget Allocation = \$360,000.00)

Vendor (Acknowledged only)
Maryland Police Supply, Inc., Baltimore, MD
F&F&A Jacobs and Sons, Inc., Baltimore, MD
Graves Uniforms, Lewes, DE
Lands End Business Outfitters, Dodgeville, WI

Public Safety Uniform bids continue on next page....

J. Marcel Enterprises, Seattle, WA
Atlantic Tactical, New Cumberland, PA
Howard Uniforms, Baltimore, MD

Council Member Jim Hall moved to acknowledge all bids with remand to Staff for review; seconded by Council Member Lloyd Martin. The vote was unanimous.

B. Fire Engines - Requests for Proposal

Vendor	Bid (per engine)
Pierce <location not stated>	\$491,270.00
Antietam Fire Apparatus, Inc., Funkstown, MD	\$469,702.00
Krimson, a Spartan Company <location not stated>	\$495,950.00
SeaGray Fire Apparatus, LLC in Clintonville, WI	\$552,128.77
DPC Emergency Equipment, Marydel, DE	\$477,599.00
American Fire Equipment, Inc., Woodbridge, VA	\$529,773.00

Council Member Jim Hall moved to acknowledge the apparent low bid from Antietam Fire Apparatus, Inc. with remand to Staff for review; seconded by Council Member Mary Knight. The vote was unanimous.

**C. 94th Street Brick Pavers Installation
(Budget Estimate: \$55,000.00/5000 square feet)**

Vendor	Bid (per square foot)
Systems, Inc., <location not stated>	“No Bid”
Chesapeake Landscaping, Inc., Princess Anne, MD	\$6.60
Imperial Stone Paving, LLC, Elkridge, MD	\$10.58

Council Member Jim Hall moved to acknowledge the apparent low bid from Chesapeake Landscaping, Inc. with remand to Staff for review; seconded by Council Member Mary Knight. The vote was unanimous.

**D. Jamestown Road Sewer Main Replacement
(Budget Estimate: \$390,000.00; *5% Bid Bond Required)**

Vendor	Bid
George & Lynch, Inc., Dover, DE	\$581,114.00
Bunting & Murray Construction Corp., Selbyville, DE	\$412,320.00
Precision Grading Service, LLC, Ocean City, MD	\$623,650.00
American Paving Corp., Salisbury, MD	\$477,735.00
Teal Construction, Inc., Dover, DE	\$342,600.00
Shumer, Inc., Mayo, MD	\$788,775.00

Council Member Mary Knight moved to acknowledge the apparent low bid from Teal Construction, Inc. with remand to Staff for review; seconded by Council Member Jim Hall. The vote was unanimous.

**E. Subaqueous Water Main Installations
(Budget Estimate: \$545,000.00; *5% Bid Bond Required)**

Vendor	Bid
Shumer, Inc., Mayo, MD	\$681,300.00
American Paving Corp., Salisbury, MD	\$386,800.00
Aaron Enterprises Inc., York, PA	\$378,040.00
Drill-Tech, Inc., Chester, MD	\$404,850.00
Precision Grading Services, Inc. <location not stated>	\$706,234.00
George & Lynch, Inc., Dover, DE	\$447,380.00

Council Member Mary Knight moved to acknowledge the apparent low bid from Aaron Enterprises, Inc. with remand to Staff for review; seconded by Council Member Jim Hall. The vote was unanimous.

**F. Wight Street Water Main Installation
(Budget Estimate: \$700,000.00; *5% Bid Bond Required)**

Vendor	Bid
American Paving Corp., Salisbury, MD	\$799,542.00
Dixie Construction Co., Inc., Georgetown, DE	\$815,998.20
Bunting & Murray Construction Corp	\$721,908.00
George & Lynch	\$744,959.00

Council Member Jim Hall moved to acknowledge the apparent low bid from Bunting & Murray Construction Corp. with remand to Staff for review; seconded by Council Member Lloyd Martin. The vote was unanimous.

**G. Life Saving Museum Restoration
(Budget Allocation: \$260,000; Bid Bond Required)**

Vendor	Bid
Hegarty & Associates	\$62,456.00
Atlantic Finish Works	No Bid Bond
Black Diamond Builders	\$82,800

Council Member Lloyd Martin moved to reject the bid from Atlantic Finish Works due to lack of bid bond; seconded by Council Member Mary Knight. The vote was unanimous.

Council Member Jim Hall moved to acknowledge the apparent low bid from Hegarty & Associates with remand to Staff for review; seconded by Council Member Mary Knight. The vote was unanimous.

- Emergency Services Director Joe Theobald, accompanied by Electronic Services Manager Bob DiMaio, requested permission to sole-source purchase bulk radio equipment from M/A COM, for the amount of \$404,549.48. **Council Member Lloyd Martin moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**

- City Clerk Carol Jacobs presented the list of those who filed Certificates of Candidacy for the October 21, 2008 Municipal Election. In her September 24, 2008 Memorandum to the Mayor and Council, City Clerk Jacobs advised, “*With the exception of William J. Steiner, all candidates are listed as registered voters eligible to vote in Ocean City’s municipal election. Mr. Steiner was not on our voter rolls as of September 23, 2008 but, according to Worcester County Board of Elections, did register on the 24th. When I spoke to him about the registration requirement, he stated that 1209 Atlantic Avenue is his residence and he was unaware of the registration requirement. When informed that this would be an issue and given the option to withdraw as a candidate or attend a hearing, he chose the latter.*” City Solicitor Ayres asked City Clerk Jacobs to confirm, under oath, that Mr. Steiner was not registered with the Worcester County Board of Elections on September 23, 2008 (the candidate filing deadline).

Council President Joe Mitrecic pointed out to Mr. Steiner that the State of Maryland has two different properties on record as his primary residence. Mr. Steiner said that his primary residence is on 1209 Atlantic Avenue.

City Solicitor Guy Ayres advised that, according to the Baltimore County Liquor Board, his 2008 alcoholic beverage license reflects a Linthicum Heights, Maryland address. Mr. Steiner identified this address as his daughter’s.

For Mayor

<i>Name</i>	<i>Address</i>	<i>Phone No</i>
Richard W. Meehan	405 14th Street #18	410 289 7340

For Council

<i>Name</i>	<i>Address</i>	<i>Phone No</i>
Herbert Brent Ashley	901 Philadelphia Ave #206	410 289 6909
Douglas S. Cymek	156 Winter Harbor Drive	410 723 0100
James S. Hall	605 Bayshore Drive #28	443 235 4407
Joseph T. Hall II	403 6th Street Apt 4	443 783 1354
James W. Hancock III	427 14th Street M301	410 289 7325
Mary P. Knight	1556 Teal Drive	410 289 0515
Sean Rox	1406 Chicago Avenue #102	410 289 7699
William J. Steiner	1209 Atlantic Avenue Unit 201	410 289 4399

Council Member Lloyd Martin moved to approve the list of Candidates with the exception of William J. Steiner; seconded by Council Secretary Nancy Howard. The vote was 4-0. Council Member Jim Hall, Council Member Mary Knight and Council Member Jay Hancock abstained. City Solicitor Ayres advised that the Town’s Charter empowers all Council Members, including incumbents, to vote without conflict of interest.

- Ocean City Fire Chief Chris Larmore presented, for approval, the Training, Education and Professional Development Program Proposal, prepared by Ocean City Fire Lieutenant Eric Peterson. **Council Secretary Nancy Howard moved to approve; seconded by Council Member Mary Knight. The vote was unanimous.**

Secondly, Chief Larmore asked for approval to establish the Ocean City Fire Department Offices in the 14th Street Fire Headquarters. He advised that the Ocean City Volunteer Fire Company’s Board

of Directors voted to contribute \$10,000.00 towards the \$25,000.00 to renovate for, and furnish, the offices. He proposed to fund the balance by delaying an FY09 equipment purchase. **Council Member Jim Hall moved to approve; seconded by Council Member Mary Knight. The vote was unanimous.**

Added
Item

Council President Joe Mitrecic asked City Solicitor Ayres about the feasibility of invoking penalties on night swimmers. [*Recently, two Paramedic/Fire Fighters were injured as a result of a 2:00 a.m. surf rescue*]. City Solicitor Ayres said that municipalities are empowered to make this offense a misdemeanor (criminal penalty) or municipal infraction (monetary penalty). **Council Secretary Nancy Howard moved to ask City Solicitor Ayres and the Fire Company to collaborate and explore possible penalties to deter night swimmers; seconded by Council Member Mary Knight. The vote was unanimous.** Mayor Meehan asked that Beach Patrol and the Police Department be involved. The motion and second were so amended.

7. Special Events Director John Sullivan, accompanied by Bryan Lilley, presented the Council with a summary finance report on the 2008 Air Show. Mr. Lilley reported that his organization incurred a net operating loss of \$22,626.75. City Solicitor Ayres asked if all debt from the 2008 Air Show was satisfied. Mr. Lilley advised in the affirmative.

Next, Mr. Lilley requested permission to schedule the upcoming Air Show on June 13-14, 2009. He also requested the following: (1) reserve the 14th – 17th Street beach for the Show-center area; (2) permission to serve beer, wine, food and soft drinks in the restricted Show-center beach area, from 11:00 a.m. to 4:00 p.m.; (3) reserve a beach area for a free-access exhibit; (4) close 15th, 16th and 17th Street for exhibit areas and parking for performers, from Thursday, June 11-14, 2009; (5) reserve area at the Ocean City Airport for the landing and temporary housing of civilian aircraft; (6) Public Safety support; (7) fencing and generators for the Show-center beach; (8) integrate Air Show advertisements into Town advertising publications as much as possible; (9) a \$50,000.00 advance to pay upfront (mutually agreed-upon) air show expenses; (10) a 150 square foot area at the Inlet Parking Lot for the United States Army, from June 6-21, 2009, and, another 150 square foot area, from June 10 – 14, 2009, for the United States Air Force; (11) permission to hold a hospitality event in the Show-center beach area, from 7:00 p.m.-10:00 p.m. on Friday, June 12, 2008. **Council Secretary Nancy Howard moved to proceed with this event as presented; seconded by Council Member Jay Hancock. The vote was unanimous.** Mayor Meehan emphasized the necessity for contributions from the business community to ensure the success and continuance of this event.

8. Ocean City Development Corporation Director Glenn Irwin requested permission to install an Ocean City Entrance Way Sign, on the corner of Philadelphia Avenue and Caroline Street, with lights and fenced landscaping. **Council Member Mary Knight moved to approve; seconded by Council Member Margaret Pillas. The vote was unanimous.**
9. Chief Building Official Mike Richardson and Deputy Building Official Kevin Brown presented a list of proposed amendments to the Building Code (See Attachment A). **Council Member Jim Hall moved to accept the amendments as recommended; seconded by Council Member Jay Hancock. The vote was 6-0 with Council Member Lloyd Martin out of the room.**
10. City Planner Robert Nelson presented a report on the upcoming census in April 2010 (See Attachment B). Citizen Herb Pawlukewicz commented on the type of information required on the Census forms.

11. City Planner Robert Nelson gave an update on the Community Rating System for hazard mitigation (See Attachment C). Citizen John Medlin said the Town should focus more on Project Open Space.
12. City Engineer Terry McGean advised that incorporating wider sidewalks and a shared bike lane will be feasible for St. Louis Avenue. He recommended approval for the design of St. Louis Avenue as follows: 6-foot sidewalks with a 6-inch curb; a 7-foot, 6-inch parking lane; a 5-foot dedicated bike lane; and, an 11-foot travel lane. **Council Member Margaret Pillas moved to accept the recommendation; seconded by Council Member Mary Knight. The vote was unanimous.**
13. Council Member Jim Hall reported on the Recreation and Parks Committee Meeting of September 9, 2008. **He moved to accept the Committee's recommendation to increase golf rates, effective January 1, 2009; seconded by Council Member Mary Knight. The vote was unanimous.**

Council Member Jim Hall moved to adjourn at 4:20 p.m.; seconded by Council Member Lloyd Martin. The vote was unanimous.

Town of Ocean City Code Updates summary

- 1) Article III Electrical Code Updated to the 2005 edition & NFPA 70.**
Electricians must meet the requirements of the Worcester County Electrical Board.
 - 2) Article 2 Division 2 International Building code Updated to the 2006 IBC Code**
New: Adopted impact resistant window requirements
Stair requirements amended
 - 3) Article 4 Division 2 Critical Areas**
New: Added exception for structure foundations that contain sprinkler systems for retrofitting High Rise Buildings.
 - 4) Article 2 Division 3 Energy Conservation Standards**
Adopt the 2006 edition of the International Energy Conservation Code.
 - 5) Article 2 Division 4 Standard Housing Code**
Code remains the same as the 1994 edition but will omit 1121 Guards from this section.
 - 6) Article 2 Division 5 Existing Building Code**
Adopt the 2006 edition of the Existing Building Code except section 105.2.
 - 7) Article 2 Division 6 Unsafe Building Code**
Adopt The Existing Building Code 2006 Edition Section 115.
 - 8) Article 2 Division 7 Property Maintenance Code**
Adopt the 2006 edition of the International Property Maintenance Code.
 - 9) Article 2 Division 8 International Residential Code**
Adopt the 2006 edition of the International Residential Code except chapter 12 thru 32 and appendix E,N,O,P,Q
Change the Wind speed to meet State requirement of 120 in lieu of 110 mph
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**COMPLETE COUNT COMMITTEE
U.S. CENSUS BUREAU
FOR THE 2010 CENSUS**

The 2010 Census is coming to Ocean City, Maryland. To ensure we get as many full-time residents to respond to the questionnaire, the Census Bureau has a program called the Complete Count Committee, comprised of a diverse group of Ocean City residents and various groups who will decide how to educate our residents about the importance of responding to the Census.

A second method (preferred by staff) would be for the Town staff to disseminate information about the upcoming Census through local media and placing Census materials around Town.

Following is a brief description by the Census Bureau of the Complete Count Committee program. *This is an intensive process that staff believes is beyond our needs and beyond our ability to effectively implement at existing staffing levels, considering the other projects we are trying to complete.*

The 2010 Census is on the horizon and the U.S. Census Bureau wants to ensure that everyone is counted. They are developing partnerships with state, local, and tribal governments, community-based organizations, faith-based groups, schools, businesses, the media, and others. Through these collaborative relationships, they hope to reach the shared goal of counting **all** residents in the 2010 Census. By being informed about the census and better understanding the census process, residents are more likely to respond to the census questionnaire.

The Complete Count Committee (CCC) Program is key to making this happen in communities all across the country. CCCs incorporate local knowledge, influence and possible resources to educate residents and promote the census through a locally-based and targeted outreach and promotion effort.

CCCs provide a vehicle for coordinating and nurturing a cooperative effort between local governments, communities, and the U.S. Census Bureau.

Early Involvement of Local Governments is Crucial.

WHY CCC? - a team of community leaders appointed by the highest-elected official to:

develop and implement a locally-based outreach and awareness campaign for the 2010 Census.

primary focus is to promote the 2010 Census in a particular community and to ensure that **every resident in that area is counted**. Community leaders are most qualified to understand the best way to reach all populations that reside in their area.

mobilize community resources in the most efficient and cost-effective manner.

WHEN? The process starts **now**.

Identify CCC leaders and budget resources where possible to promote the census locally.

Identify CCC leaders and members and establish your work plan.

HOW? You know the best way to reach your community. Some activities could include: • Census rally or parade • Ethnic media luncheon • Census unity forum for youth • Interfaith breakfast and weekend events

2008 • Local Census Offices begin opening
Highest Elected Official or community leader determines Complete Count Committee (CCC) membership

2009 • CCC is established
CCC receives census training
CCC develops strategy and work plan
CCC spreads word about census jobs

2010 • Questionnaires are delivered to every address
CCC begins community organization mobilization
CCC begins 2010 Census publicity campaign
Households return completed questionnaires
CCC urges nonresponding households to cooperate with census takers
CCC thanks the community for their participation in the 2010 Census
Census delivers population counts to the President

In summary, it is the belief of the Department of Planning and Community Development that we can promote the 2010 Census using our media outlets and businesses.

Town of Ocean City
Recreation and Parks Committee
September 9, 2008

1. Call to Order: The meeting was called to order at 9:33 AM at Northside Park. Present were Jim Hall, Lloyd Martin, Joe Mitrecic, Dennis Dare, Susan Petito, Bob Croll and Tom Shuster.
2. Approval of Minutes: The minutes of July 15, 2008 were approved as presented.
3. Eagle's Landing Golf Rates: Bob Croll presented changes for the Eagle's Landing golf rates for 2009. The weekday rates for play increase by \$3.00 and cart rates by up to \$2.00. Bob also presented the proposed rates for the Talon Club for 2008/2009 that includes no increase to the base membership rate of \$179 but includes a rate increase for carts and a walking rate. Bob reported that the increase would produce an estimated \$29,500 in additional revenue that could offset some of the cost of the new GPS system.

The Committee approved the rate changes as presented for 2009.
4. Bayside Park Update: Tom Shuster reported that Slater Associates has prepared the Bayside Park construction documents at 90% completion and forwarded them to Terry McGean for review. The Committee discussed when the plans should be presented to the Mayor and Council for review and approval to bid the project.

The Committee noted that the Town still needs to reach agreement with Worcester County on a long-term lease for the property.
5. Northside Park Concession/Restrooms/Press Box Update: Tom gave an update on the Concession/Restroom/Press Box construction at Northside Park. The bid was awarded to Miken Builders for \$347,393. The concession equipment contract was awarded to Chessie Sales for \$78,542. The demolition begins November 10 and construction starts November 17. The project should be completed by spring 2009.
6. Next Meeting: The next meeting was scheduled for Wednesday, November 12, 2008 at 9:30 AM at Northside Park.

The meeting adjourned at 10:17 AM.