



October 28, 2008
WORK SESSION
MAYOR AND CITY COUNCIL
TOWN OF OCEAN CITY

In attendance: Mayor Rick Meehan, 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, City Engineer Terry McGean, Public Works Director Hal Adkins, Planning and Community Development Director Jesse Houston, Ocean City Fire Chief Chris Larmore, Chief Building Official Mike Richardson, Public Works Maintenance Superintendent Bruce Gibbs, Public Works Transportation Superintendent George Thornes, Ocean City Fire/EMS Lieutenant Chris Shaffer, City Planner Robert Nelson, Deputy City Clerk Kelly Allmond, Members of the Press and Interested Parties. Council President Joe Mitrecic was absent.

Council Secretary Lloyd Martin called this work session to order at 12:04 p.m.; then, **Council Member Jim Hall moved to convene into closed session to discuss legal and contractual matters; seconded by Council Member Doug Cymek. The vote was unanimous.**

The Open Session reconvened at 1:26 p.m..

1. Council Secretary Lloyd Martin 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 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, (3) Internal Audit - is administrative, which is an exception to open meetings pursuant to Section 10-503(a)(i). Persons present were: Mayor Rick Meehan, Council Secretary Lloyd Martin, Council Members Jim Hall, Margaret Pillas, Mary Knight, Doug Cymek and Joe Hall, City Manager Dennis Dare, Assistant to City Manager Kathy Mathias and Internal Auditor Susan Childs.

Mayor Meehan announced the passing of Charles Elliott and former Mayor Granville D. Trimper.

2. In accordance with the Town's Employee Recognition Program, Public Works Transportation Superintendent George Thornes introduced Transportation Department Employees Wayne Collins and Joe DeZarn.
3. Mayor Meehan issued a proclamation to honor retiring Chief Building Official Mike Richardson's 25 years of service. Mr. Richardson was present to accept the Proclamation.

4. Bid openings:

**A. Front Load Refuse Collection Truck
(Budget Allocation = \$202,000.00)**

Council Member Mary Knight moved to reject one late bid; seconded by Council Member Doug Cymek. The vote was 6-0 with Council President Joe Mitrecic absent.

Vendor	Truck Body only	Cab/Chassis Only	Combined Unit
Barr International, Inc., Salisbury, MD	No Bid		
Elliott Equipment Co., Inc., Easton, MD		\$121,950	
Harvey Truck Center, Delmar, MD		\$119,726.62	
Waste Equipment Sales & Service, LLC Denton, MD	\$75,910		
Kann, Gutterburg, IN	\$78,135		
McNeilus Truck Manufacturing, Morgantown, PA	\$88,101		
Ingolds, Inc., Bel Air, MD	\$84,948		\$210,767
Mid-Atlantic Equipment, Easton, MD	\$85,905		
Mid-Atlantic Equipment, Easton, MD Bid #2	\$78,846		

Council Member Joe Hall asked General Services Director Joe Sobczak to explore and report on the feasibility of a short-term lease option. **Council Member Mary Knight moved to acknowledge the apparent low bids from Ingolds, Inc. for the Truck Body only and Harvey Truck Center for the Cab/Chassis only with remand to Staff for review; seconded by Council Member Margaret Pillas. The vote was 6-0 with Council President Joe Mitrecic absent.**

**B. Cab Chassis for Recycling
(Budget Allocation = \$44,100.00)**

Vendor	Bid
Bob Bell Automotive ,<location not stated>	\$44,047
Hertrich Fleet Services, Milford, DE	No Bid
Criswell Chevrolet, Gaithersburg, MD	\$46,000
Wantz Chevrolet, Tawneytown, MD	\$44,960
Elliott Wilson Trucks, Easton, MD	\$47,949
Barr International, Salisbury, MD	\$53,643
Barr/Isuzu, Salisbury, MD	\$45,300

Council Member Mary Knight moved to acknowledge the apparent low bid from Bob Bell Automotive; seconded by Council Member Doug Cymek. The vote was 6-0 with Council President Mitrecic absent.

**C. Caroline Street Comfort Station
(Budget Allocation = \$1,000,000.00, *Bid Bond Required)**

Vendor	Bid
Mason Construction, Salisbury, MD	\$1,204,245
Gillis Gilkerson, Salisbury, MD	\$1,165,000
Southern Builders, Inc., Salisbury, MD	\$1,225,000
Willow Construction, Easton, MD	\$1,424,000
Miken Builders, Millville, DE	\$1,327,750

Seeing that all bids were well above the budget allocation and staff estimate, **Council Member Mary Knight moved to postpone acknowledgement of these bids; seconded by Council Member Margaret Pillas. The vote was 6-0 with Council President Joe Mitrecic absent.**

Council Member Pillas asked City Manager Dare to assign skilled staff to routinely inspect and care for the restrooms if the project is postponed.

Inserted Discussion

Council Member Joe Hall then moved to postpone all capital improvements projects for six months for review and prioritization; not seconded – the motion failed.

Council Member Joe Hall moved to ask City Manager Dare to compile a list of capital projects for review and prioritization in the next work session; seconded by Council Member Margaret Pillas. The vote was 6-0 with Council President Joe Mitrecic absent.

City Manager Dennis Dare recommended that the bids be accepted and remanded to City Engineer McGean for review. Council Member Margaret Pillas recommended that he explore, and render an opinion on, removing the “green” features from the bid specifications. **Council Member Mary Knight moved to acknowledge the bids for the Caroline Street Comfort Station with remand to Staff for review; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Joe Mitrecic absent.**

**D. Arctic Avenue Wastewater Pumping Station Improvements
(Staff Estimate: \$630,000.00, *5% bid bond required)**

Vendor	Bid
Bearing Construction, Sudlersville, MD	\$769,905
Southern Builders, Inc., Salisbury, MD	\$543,955
Lee Foundation Co., Inc., White Marsh, MD	\$667,249
JJID, Bayer, DE	\$922,230
George & Lynch, Inc., Dover, DE	\$672,644

Council Member Mary Knight moved to acknowledge the apparent low bid from Southern Builders, Inc. with remand to Staff for review; seconded by Council Member Doug Cymek. Council Member Joe Hall asked Public Works Director Hal Adkins if the current station is operational. Director Adkins replied that it is operational but has no emergency back-up power. He advised that, if the Council decides to delay this project for six months, it must be delayed until this time next year because the he can not take the station

ARCTIC AVENUE DISCUSSION CONTINUED...

offline during the summer season. **The vote was 4-2 with Council Members Joe Hall and Council Member Margaret Pillas opposed and Council President Joe Mitrecic absent.**

5. Ocean City Fire Chief Chris Larmore, accompanied by Lieutenant Chris Shaffer, gave a presentation on the Fire Company's bid review process for two fire engines. He recommended an award to KME for the purchase of both engines. **Council Member Doug Cymek moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Joe Mitrecic absent.**
6. [The recommendation of the MGH website proposal was removed from the agenda.]
7. Joseph Harrison, Esquire requested a building permit extension for 1111 Edgewater Avenue. Also present was Robert Warfield, Owner and Developer of 1111 Edgewater Avenue. Counselor Harrison explained that, due to the down-turn of the real estate market, construction is financially unfeasible for his client. **Council Member Jim Hall moved to grant this extension for one year; seconded by Council Member Mary Knight.** Mayor Meehan recommended allowing this permit extension and grandfather in the impact fees. The impact fees, he continued, should be payable when 50% of the units are sold. Counselor Harrison and Mr. Warfield agreed to this condition. **The motion and second were so amended.**

Neighboring Property Owner Sean Coughlin voiced opposition to this permit extension.

Neighboring Property Owner Jim Bees gave a historical account of this property's development. He expressed concern that the appearance of the incomplete construction and adverse affect on neighboring property values.

Chief Building Official Mike Richardson and City Engineer Terry McGean advised that Mr. Warfield satisfied all corrective actions as required by their Departments.

Council Member Jim Hall amended his motion to grant this extension for one year with conditions: (1) the owner agrees to pay the applicable impact fees when 50% of the units are sold; (2) the owner must maintain the lot in accordance with the Town Code (3) the property owner understands that this extension may be revoked if said conditions are not met; Council Member Mary Knight amended her second. The vote was 5-1 with Council Member Margaret Pillas opposed and Council President Joe Mitrecic absent.

8. City Planner Robert Nelson recommended that the Council appoint a Complete Count Committee consisting of community leaders, faith-based groups, schools, businesses, media outlets and others to educate Town residents about the importance of responding to the 2010 Census. **Council Member Mary Knight moved to accept this recommendation; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Joe Mitrecic absent.**
9. Finance Administrator Martha Lucey requested that the Council introduce an ordinance authorizing a bond sale for additional Convention Center financing (see Attachment A).

City Engineer Terry McGean advised that, on Thursday, October 30, 2008, he will meet with the Stadium Authority, Economic and Marketing Consultants and Cost Estimators to discuss the feasibility of the Convention Center expansion. He said that, until this meeting, he can only offer

CONVENTION CENTER FINANCING DISCUSSION CONTINUED...

conjecture on how this project will proceed. He suggested that, if the Stadium Authority finds that expansion is not warranted, the Town can use that extra borrowing authority for improvements to the existing structure.

Council Member Mary Knight moved to proceed with the preparation of an ordinance (for First Reading in the November 3, 2008 Regular Session, and Second Reading in the November 12, 2008 Regular Session) authorizing a bond sale to finance Convention Center improvements; seconded by Council Member Doug Cymek. The vote was 3-3 with Council Members Jim Hall, Pillas and Joe Hall opposed and Council President Joe Mitrecic absent. The motion failed.

10. Council Secretary Lloyd Martin asked to enter the Police Commission Meeting Minutes of August 18, 2008 into the record (See Attachment B).

Council Member Jim Hall moved to adjourn at 4:25 p.m.; seconded by Council Member Doug Cymek. The vote was 6-0 with Council President Joe Mitrecic absent.

AGENDA
POLICE COMMISSION MEETING
OPEN SESSION

August 18, 2008 4:30 P.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, Lt. Robert Noll, City Engineer Terry McGean, Transportation Director George Thomes, Sgt. Todd Wood, DFC Shawn Jones, City Solicitor Guy Ayres.

1. Traffic and Parking Commission Matters

A. Discussion of 26th Street dead end

Since the median was installed from 9th to 26th Streets, the City has been receiving complaints from the residents at the west end of 26th Street regarding the volume of vehicles that turn around at the end of the street. In response to these complaints, the City has installed numerous dead end and directional signs, however the problem persists. During a recent visit to the site, City Engineer Terry McGean observed that one out of every five vehicles that entered 26th Street still continued to the end and turned around. Most of those vehicles after turning around then went north on Judlee Ave. The residents have asked for barricades in the street at 26th and Judlee Ave. which he does not believe is a prudent reaction. Mr. McGean proposes a three phased approach to the problem.

Phase 1 would create a right turn lane at Judlee Ave. and add pavement marking directing westbound traffic to the right for Judlee Ave. and straight for DEAD END. This would assist drivers in making it clear that traffic headed for Bayshore Drive needs to turn at Judlee Ave.

If Phase 1 does not significantly improve the problem, then the recommendation is to install a multi-way stop at the intersection. This would force westbound traffic at 26th street to stop and give them time to make the decision to turn.

Finally, the last option would be to add some center islands on either side of the intersection to really make it stand out. However, this would require significant parking removal from 26th street and would only be recommended as a last resort.

Councilman Jim Hall made the suggestion to add a street sign under the Bayshore Drive street sign labeled "27th Street".

Councilman Hancock made the motion to accept the above proposals and the motion was seconded by Councilmember Jim Hall.

B. Ban on use of POD storage containers on City streets

City Engineer Terry McGean recommended that POD storage units be prohibited on the street. Currently they are allowed for six months with a \$50 permit. Councilman Hancock recommends relaxing the terms on private property to make up for prohibiting the units on the street. He believes it is a good alternative to the dumpsters.

Councilman Hall believes 5-7 days time limit is enough for the PODS. They are traditionally used for construction renovation. He suggests a deposit of \$500 to cover any damage done to the street and to promote immediate removal. Seventy-two hours notice should be given for removal. Everyone agreed that Mr. McGean should get additional information on how Miami handles PODS and present it at a future Police Commission Meeting.

2. Review of General Orders

A. C.O. 500 S-1 Secondary Employment Section VIII, B2 amended by adding words “by the employer” Motion to approve made by Mayor Meehan and seconded by Councilman Hancock and approved. Vote was unanimous.

3. New Business

A. Hybrid vehicles and fuel economy study – Presented by Lt. Robert Noll
Lt. Noll informed those present there is a three year wait for hybrid vehicles. FORD is not accepting any vehicle orders. There are concerns about the batteries ability to support the emergency lights and equipment. Current vehicles usually need ninety minutes to backup data at the end of a shift. Chief DiPino raised the concern regarding the additional cost of the hybrid vehicles vs. the fuel savings. Councilman Hancock and Mayor Meehan felt that environmental issues need to be considered. Councilman Hancock believes we should assess hand me down strategies. Mayor Meehan wants to look at working hybrid vehicles into the fleet.

B. DFC Shawn Jones and D/Sgt. Todd Wood-petition the Police Commission for reward money (per City Code 58-1) for the violent May rape at Secrets Nite Club. Investigators believe if the suspect is not apprehended he may return and repeat his savage attack on another vulnerable victim. The victim may not have survived her injuries if the suspect had not been interrupted during the attack. Councilman Jim Hall made a motion to offer a \$5,000 reward for information leading to the arrest and conviction of the perpetrator of the rape and vicious beating of the victim. Councilman Hancock seconded the motion. The vote was unanimous.

8. Old Business

A. Councilman Hancock inquired if there had been undercover officers placed in taxis. Captain Colbert stated the buses were a priority and overtime was an issue. He indicated the Traffic Safety Unit was monitoring the taxis for enforcement but did not do so while the taxis were transporting patrons. Mayor Meehan believed after the summer would be a better time to address his concerns. Councilman Hancock disagreed, stated that summer was the time when the problem taxis were operating.
