

**March 2, 2009**  
**Regular Session #5**  
**Mayor and City Council**  
**Town of Ocean City, Maryland**

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**Present:**

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

**Council Members**

**James S. Hall**  
**Mary P. Knight**  
**Douglas S. Cymek**  
**Joseph T. Hall, II**

**Absent:**

**Margaret L. Pillas**

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**ATTENDANCE**

City Manager Dennis Dare, Acting City Solicitor Mark Cropper, Assistant to City Manager Kathy Mathias, Special Events Director John Sullivan, 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 6:02 p.m. in the Council Chambers of City Hall, 301 Baltimore Avenue, Ocean City, Maryland 21842.

**PRAYER & PLEDGE**

Council President Joe Mitrecic led the Prayer, and Council Member Jim Hall led the Pledge of Allegiance.

**CITY MANAGER'S REPORT ON UPCOMING WORK SESSION**

City Manager Dare listed the following items that are scheduled for discussion in the upcoming Work Session:

1. Bid Opening for Smith's Hazardous Gas and Vapor Identifier
2. Recommendation of award for Electric Supply Reverse Auction – presented by City Engineer Terry McGean
3. Discussion of the zoning classification for Jacqueline Avenue – presented by Zoning Administrator Blaine Smith
4. Report on the February 9, 2009 Tourism Commission Meeting – presented by Council Member Mary Knight

**APPROVAL OF MINUTES**

The Minutes for Regular Session #4, dated February 17, 2009, were approved as presented.

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

R. Thomas Worely, Area Director of Comcast's Government Relations gave an update on Comcast's changes to service and rate increase, effective March 1, 2009 (see Attachment A).

## **SPECIAL EVENT PERMIT REQUESTS**

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

- A. 5<sup>th</sup> Annual Battle on the Beach Tournament, May 1-3, on the beach near 1<sup>st</sup> Street. **Council Member Mary Knight moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council Member Margaret Pillas absent.**
- B. The request for the Geico Offshore Gran Prix was postponed.
- C. 2009 Play It Safe Events – various dates and locations – May through June 2009. Present for questions was Donna Greenwood of the OC Drug and Alcohol Abuse Prevention Committee. **Council Member Joe Hall moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Margaret Pillas absent.**

## **NEW BUSINESS**

Terry Steimer presented the annual Ocean City Surfrider's Association update.

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

City Manager Dare presented the following for approval:

- A. Recommendation of bid award to Foreman Construction, in the amount of \$21,845.00 (FY09 Budget Allocation = \$39,916.00) for concrete work on South Ocean Drive and Northside Park. **Council Member Jim Hall moved to approve; seconded by Council Member Joe Hall. The vote was 6-0 with Council Member Margaret Pillas absent.**
- B. Recommendation of bid award for Beach Equipment Rental Franchises as presented on Attachment C, and, to re-bid the 79<sup>th</sup>, 80<sup>th</sup> and 81<sup>st</sup> Street Parcels, and, 82<sup>nd</sup> 83<sup>rd</sup>, and 84<sup>th</sup> Street Parcels. **Council Member Jim Hall moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Margaret Pillas absent.**
- C. Request to hire Kristin Franceschi of Piper Rudnick for Bond Counsel, and Sam Ketterman of Davenport for Financial Advisor for the 2009 Bond Issue for Convention Center Improvements. **Council Member Mary Knight moved to approve; seconded by Council Member Jim Hall. The vote was 5-1 with Council Member Joe Hall opposed and Council Member Margaret Pillas absent.**

## **COMMENTS FROM CITIZENS**

Citizen Herb Pawlukewicz commented on the Performing Arts Center, the Comcast rate increase and the meters on the Ocean Block.

## **ADJOURNMENT**

**Council Member Jim Hall moved to adjourn at 6:50 p.m.; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Margaret Pillas absent.**

Comcast Bay Shore Group  
6465 Hobbs Road  
Salisbury, MD 21804  
443-523-1610

Comcast Bay Shore Group  
8301 Coastal Highway  
Ocean City, MD 21842

Comcast Bay Shore Group  
5729 W. Denney's Road  
Dover, DE 19904



January 28, 2009

Mr. Dennis W. Dare  
Town Manager  
Town of Ocean City  
301 Baltimore Avenue  
Ocean City, MD 21842

Dear Mr. Dare:

Comcast is committed to offering the best value in home entertainment, providing a wide variety of programming and an array of packages to accommodate customers' preferences. In today's challenging economic environment, Comcast like many other companies is experiencing significant stress in its business and operational activities. As a result, beginning March 1, 2009, we are adjusting our prices.

While we have been highly focused on controlling our costs for the benefit of our customers, price adjustments are a necessity in view of the impact of the economy and increased costs of doing business. Comcast spends about \$6 billion a year on programming to give our customers the best content and the most video choices. While we have been aggressive in restraining these costs, we expect to receive continued increases in the cost to acquire programming, particularly for sports. As a result of these pressures, our average customer will pay 4.5 percent more with this adjustment.

Comcast is also giving customers more choice with bundled discounts and new, more economical tiers for video, phone and high-speed Internet services. In fact, we offer the lowest-priced basic video service among our competitors with our Limited Basic service.

We are also continuing to increase the value of our services by making investments to offer our customers the largest VOD library, the most HD choices, a faster high-speed Internet and the newest technologies for our Comcast Digital Voice service – a low-cost, feature-rich digital phone service.

And we are redoubling our efforts to improve the customer experience. We are investing in hiring and training personnel and in new technology more than at any other time in our 45-year history. We have hired over 15,000 customer service representatives and technicians in the past two years, rolled out smart handheld devices and laptops to field technicians to improve on-time reliability, and developed new customer care technologies to help improve trouble-shooting and repairs.

Enclosed please find a copy of the Notices we are sending to our customers which will provide you with further detailed information regarding the scheduled price adjustment.

Comcast continues to be one of the best values for consumers' entertainment dollars. An entire month of Comcast cable television is about the same price as only one night at the movies for a family of four, and a third of the cost for the same family to attend a professional football game, concert, or live stage show.

As always, if you should have any questions or concerns regarding this matter, or any matter, please feel free to contact me at 302-672-5936.

Sincerely,



R. Thomas Worley  
Area Director of Government Relations

**Ocean City Service Prices**

Effective March 1, 2009

	Current Price	New Price	Current Price	New Price
<b>Monthly Cable Packages*</b>				
Standard Service (includes Limited Service and Expanded Service)**	\$ 49.95	\$ 53.50	\$ 40.00	\$ 42.50
Digital Starter (includes Limited Service, Expanded Service, On Demand and Digital equipment)	50.95	53.50	46.00	48.00
Family Tier (includes Limited Service, Family Tier and Digital equipment)	37.85	No Change	12.99	No Change
CableLatino (includes Limited Service and 12 Hispanic Language Channels)	24.95	No Change	7.99	No Change
Digital Preferred (includes Standard Service, over 130 digital channels)	69.60	74.15	10.99	No Change
Digital Preferred/HD (includes Standard Service, over 130 digital channels)	73.40	77.95	11.99	No Change
Digital Preferred/DVR (includes Standard Service, over 130 digital channels)	79.85	86.40	18.95	20.99
Digital Preferred/HDDVR (includes Standard Service, over 130 digital channels)	79.85	86.40	7.99	No Change
Digital Preferred with one premium service (discount package includes Standard Service, Digital Preferred and one premium service with multiple channels)	83.60	89.15	12.99	No Change
Digital Preferred with two premium services (discount package includes Standard Service, Digital Preferred and two premium services with multiple channels)	93.60	99.65	1.10	No Change
Digital Preferred Plus (discount package includes Standard Service, Digital Preferred and choice of three premium services (pick from: HBO, SHO, MAX, TMC or STARZ) with multiple channels)	101.60	108.15	3.40	No Change
Digital Preferred with four premium services (discount package includes Standard Service, Digital Preferred and four premium services with multiple channels)	106.60	116.65	0.30	No Change
Digital Premier (discount package includes Standard Service, Digital Preferred and five premium services with multiple channels)	115.60	123.15	No Change	No Change
Digital Premier and Sports Entertainment Package (includes Digital Premier and Sports Entertainment Pack)**	120.55	128.15	2.00	No Change
<b>Monthly a la Carte Cable Services, Additional Tiers and Other*</b>				
Limited Basic Service	19.20	No Change	2.00	No Change
Expanded Service	30.75	34.30	7.50	No Change
Digital Classic (previously Digital Preferred) (includes over 45 additional digital channels)	15.95	16.95	2.00	No Change
Sports Entertainment Package	4.95	5.00	39.95	40.95
Digital Video Recorder (DVR) Service (primary outlet)	13.95	15.95	57.95	59.95
Digital Video Recorder Additional Outlet (each outlet on each additional set)	18.90	20.90	59.95	No Change
Digital Starter or Select-to-Additional Outlet (service on each additional set)	3.95	4.99	67.95	69.95
Digital Preferred Additional Outlet (service on each additional set)	7.95	8.99	3.00	No Change
Select-to	9.95	No Change	5.00	No Change
Digital HD Additional Outlet (each outlet)	12.95	12.79	2.00	No Change
<b>Monthly Premium Services*</b>				
Premium Services (HBO, Showtime, The Movie Channel, Cinemax, Starz)	14.00	15.00	No Change	No Change
1 Premium	24.00	25.50	17.75	No Change
2 Premiums	32.00	34.00	23.70	No Change
3 Premiums			27.45	No Change
4 Premiums				
5 Premiums				
Bollywood On Demand				
Filipino On Demand				
Here! On Demand				
Howard Stern On Demand Monthly				
Annual Prepayment Plan (automatically renewed annually at the prevailing service price)				
Playboy				
WWE 24/7 On Demand				
100Mightor TV				
<b>Limited Equipment Rental*</b>				
(for Limited Service Only-converter)				
Remote Control				
CableCARD				
HD PVRs (dual CableCARDs for non-Comcast)				
HDTV Digital Converter				
<b>Monthly Comcast High-Speed Internet Services*</b>				
Online Service with another Comcast service				
a. Economy (downstream speed up to 768 Kbps/ upstream speed up to 384 Kbps)	24.95	No Change	No Change	No Change
b. Performance (downstream speed up to 6 Mbps/ upstream speed up to 1 Mbps)	42.95	No Change	No Change	No Change
c. Performance Plus (downstream speed up to 8 Mbps/ upstream speed up to 1 Mbps)	52.95	No Change	No Change	No Change
<b>Online Service Only</b>				
a. Economy (downstream speed up to 768 Kbps/ upstream speed up to 384 Kbps)	39.95	40.95	39.95	40.95
b. Performance (previously Performance Lite) (downstream speed up to 6 Mbps/ upstream speed up to 1 Mbps)	57.95	59.95	57.95	59.95
c. Performance (downstream speed up to 6 Mbps/ upstream speed up to 1 Mbps)	59.95	No Change	59.95	No Change
d. Performance Plus (downstream speed up to 8 Mbps/ upstream speed up to 1 Mbps)	67.95	69.95	67.95	69.95
Modem Rental	3.00	No Change	3.00	No Change
Additional IP Address (per IP address)	6.95	No Change	6.95	No Change
Comcast-Certified Home Networking Device rental (Cable modem required)	5.00	No Change	5.00	No Change
<b>Installation Prices*</b>				
Hourly service charge for non-standard work (per technician, per hour)	93.80	No Change	93.80	No Change
Standard cable installation	47.10	No Change	47.10	No Change
Standard cable installation or reconnection of previously serviced home	32.45	No Change	32.45	No Change
Change of service upgrade - trip required	11.90	No Change	11.90	No Change
Change of service - electronic	1.99	No Change	1.99	No Change
Video Reactivation Fee	1.99	No Change	1.99	No Change
High-Speed Internet Reactivation Fee	4.00	No Change	4.00	No Change
Comcast Digital Voice Reactivation Fee	3.00	No Change	3.00	No Change
New additional cable outlet - initial install per outlet	17.75	No Change	17.75	No Change
New additional cable outlet - separate trip per outlet	23.70	No Change	23.70	No Change
Relocate additional cable outlet - initial or separate trip	27.45	No Change	27.45	No Change
Activate Pre-Existing Additional Outlet (initial installation)				
Connect DVD/VCR - initial install per outlet				
Connect DVD/VCR - separate trip per outlet				
Comcast High-Speed Internet standard installation				
Includes installation of standard additional outlet, software and NIC or USB device and cabling from cable modem to personal computer)				
(laptop PC users must provide own NIC)				
Home Networking standard installation (up to 5 computers) (within 150 feet of the Comcast-Certified Home Networking device)				
Includes installation of modem/router, software, PC Cards or USB adapters, computer set-up and help/printer sharing, Home Plug Set may be required.)				
<b>Service Prices/Administrative Charges*</b>				
Service Call (Video Only)	29.70	No Change	29.70	No Change
Service Call (High-Speed Internet or Digital Voice)	39.70	No Change	39.70	No Change
Service Protection Plan (Monthly)	3.95	No Change	3.95	No Change
FCC Regulatory Fee (Monthly)	0.07	No Change	0.07	No Change
Channel Guide Magazine	2.75	No Change	2.75	No Change
Payment by phone processing fee via customer account executive	4.95	No Change	4.95	No Change
Payment by phone processing fee via automated response unit	No Charge	No Change	No Charge	2.00
Returned Check Fee (NSF)	30.00	No Change	30.00	No Change
Late Payment administration charge - DE	7.00	No Change	7.00	No Change
Late Payment administration charge - MD	10% past balance	No Change	10% past balance	No Change
Name Change Fee	5.95	No Change	5.95	No Change
Field Collect Fee	20.00	No Change	20.00	No Change
High-Speed Self-Install Kit Shipping & Handling	9.95	No Change	9.95	No Change
Purchase Modem	43.00	No Change	43.00	No Change
Purchase Gateway	139.00	No Change	139.00	No Change
Purchase of Home Networking network cards (per card)	30.00	No Change	30.00	No Change
Replacement of lost, stolen or damaged equipment	Actual Full Replacement Cost			

\* Certain services are available separately or as part of other levels of service. Service is subject to terms and conditions of Comcast Subscriber Agreement. Prices shown do not include state and local taxes, state or local sales taxes or the FCC Regulatory fee. These fees appear on separate line on your monthly statement. ©2009 Comcast Cable Communications, Inc. All rights reserved. Comcast and the Comcast logo are registered trademarks of Comcast Corporation. All other trademarks are the property of their respective owners. Please refer to your billing statement for your local franchise authority's rules and address.

\*\*\* No longer available for new subscription.



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MEMORANDUM

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To: Mayor & City Council

From: Carol L. Jacobs, City Clerk

Date: February 25, 2009

Subject: Approval of Beach Equipment Bids

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Financial references and credit reports have been received from Patrick McLaughlin, Morris V. Spicci and Ron Steen for the following eleven parcel groups bid during the December 3, 2008 auction. All are in order and Council's approval is requested at this time. The 140, 141 & 142<sup>nd</sup> parcel group is for a one-year contract; all others are for three with an option to renew for an additional three-year term with a 10% increase in annual fee.

Parcel	Bidder 12/03/08	Bids 12/03/08	Prior Annual
28th 29th 30th Streets	Patrick McLaughlin	\$ 40,000.00	\$ 42,000.00
34th 35th & 36th Streets	Patrick McLaughlin	\$ 2,600.00	\$ 2,200.00
38th 39th 40th 41st Streets	Patrick McLaughlin	\$ 5,400.00	\$ 7,800.00
42nd 43rd 44th Streets	Patrick McLaughlin	\$ 1,200.00	\$ 3,850.00
54th 55th 56th Streets	Patrick McLaughlin	\$ 8,400.00	\$ 6,300.00
57th 58th 59th Streets	Patrick McLaughlin	\$ 7,400.00	\$ 6,400.00
69th 70th 71st Streets	Morris V. Spicci, Jr	\$ 850.00	\$ 300.00
72nd 73rd 74th Streets	Patrick McLaughlin	\$ 100.00	\$ 1,600.00
75th 76th 77th & 78th Streets	Patrick McLaughlin	\$ 100.00	\$ 500.00
140, 141, 142nd Streets	Ron Steen	\$ 1,100.00	\$ 5,200.00
		\$ 67,750.00	\$ 77,470.00

Council approval is also requested to rebid the 79 80 & 81<sup>st</sup> and 82 83 & 84<sup>th</sup> parcel groups for a three year term. I recommend that these parcel be quickly advertised for sealed bids with a due date of March 18<sup>th</sup>.

Although Patrick submitted the high bid for these groups during the auction, he would exceed the 50% ownership allowed under Section 39.28. Both Patrick and I miscalculated the total the day of the auction.