

July 6, 2009
Regular Session #13
Mayor & City Council
Town of Ocean City

Present

Council President Joseph Mitreic

Council Member James S. Hall

Council Member Margaret L. Pillas

Council Secretary Lloyd Martin

Council Member Mary P. Knight

Council Member Douglas S. Cymek

Absent

Mayor Richard W. Meehan

Council Member Joseph T. Hall, II

ATTENDANCE

Council President Joe Mitreic, Council Secretary Lloyd Martin, Council Members Jim Hall, Margaret Pillas, Mary Knight, and Doug Cymek, City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathy Mathias and Finance Administrator Martha Lucey, Public Works Director Hal Adkins, City Clerk Carol Jacobs, Members of the Press and Interested Parties.

CALL TO ORDER

Council President Joe Mitreic 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

Bill DeBloom of the Ocean City Baptist Church led the Prayer, and Council Member Mary Knight led the Pledge of Allegiance.

REPORT FROM CITY MANAGER ON UPCOMING WORK SESSION

City Manager Dare advised that the following items will be discussed in the upcoming Work Session:

1. Ocean City Fire Department Quarterly Report – presented by Ocean City Fire Chief Chris Larmore
2. Review and Approval of General Order 400 L-1, entitled Handling and Transport of Arrestees and Detainees – presented by Communications Division Supervisor Janet Guiton
3. Discussion of the RFP for the Advertising Agency – presented by Tourism/Convention Center Assistant Director Debbie Travers

APPROVAL OF MINUTES

Minutes of Regular Session #11, dated June 1, 2009, and, Regular Session #12 as amended, dated June 15, 2009, were approved as presented.

ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL

- A. Council President Joe Mitrecic presented a Key to the City to Hank Westfall for his many years of volunteer service.



Council President Mitrecic presented a gift of appreciation to former Council Member Jay Hancock for his service to the Town.

- B. Assateague Island National Seashore Superintendent Trish Kicklighter introduced herself and presented the Assateague Island National Seashore's upcoming management plan and public hearings they will be conducting.
- C. Council Secretary Lloyd Martin reported on the Police Commission Meeting of May 13, 2009 (see Attachment A)
- D. Council Member Mary Knight reported on the Tourism Commission Meetings of May 7, 2009 and June 4, 2009 (see Attachment B).

NEW BUSINESS

Jay Hancock, Vice President of the OC Assateague Democratic Club asked for permission to serve beer to members and invited guests at their annual picnic at Fiesta Park on Saturday, July 22, 2009.

Council Member Doug Cymek moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council Member Joe Hall absent.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

City Solicitor Ayres presented the following for approval:

- A. Second Reading of Ordinance 2009-13, empowering the Mayor and Council to refund 2001 general obligation bonds not to exceed Fourteen Million Dollars. **Council Member Mary Knight moved to approve the Second Reading of Ordinance 2009-13; seconded by Council Member Jim Hall. The vote was 6-0 with Council Member Joe Hall absent.** Council Member Pillas asked City Solicitor Ayres how the excess funds will be allocated. Solicitor Ayres advised that, if or when that time comes, the Mayor and Council will vote on how the funds are allocated.
- B. Second Reading of Ordinance 2009-14, amending Chapter 58, entitled *Offenses and Miscellaneous Provisions*, prohibiting the sale or possession of electronic weapons with certain exceptions. **Council Member Jim Hall moved to approve the Second Reading of Ordinance 2009-14; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Joe Hall absent.**
- C. Second Reading of Ordinance 2009-15, amending Chapter 110, entitled *Zoning*, allowing through lots in Mobile Home Residential Districts to have one front yard. **Council Member Doug Cymek moved to approve the Second Reading of Ordinance 2009-15; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Joe Hall absent.**
- D. Second Reading of Ordinance 2009-16, amending Chapter 10, entitled *Buildings and Building Regulations*, requiring NFPA separation requirements in mobile home parks. **Council Member Doug Cymek moved to approve the Second Reading of Ordinance**

2009-16; seconded by Council Member Jim Hall. The vote was 6-0 with Council Member Joe Hall absent.

CITY SOLICITOR CONTINUES...

- E. Resolution 2009-6 supporting the Community Legacy Program Application (see Attachment C). Ocean City Development Corporation Director Glenn Irwin was present for questions. **Council Member Jim Hall moved to approve; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Joe Hall absent.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

City Manager Dare presented revisions to the aviation hangar lease and the operations/revenue license agreement for approval. Public Works Director Hal Adkins was present for questions. **Council Member Jim Hall moved to approve the formats; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Joe Hall absent.**

City Manager Dare advise that the Town received \$200,000.00 from the Estate of Virginia Murray to be used for the acquisition and training of the OCPD equestrian unit.

CITIZEN COMMENTS

Ralph Frazier, representing the Faith Baptist Church in Berlin, Maryland, read a letter from Pastor John Abent requesting permission for his youth group to use an 80-Watt amplifier to sing Gospel music on the boardwalk.

Ted Sensor said he was thankful to see the lights fixed on the Route 50 Bridge, and, expressed concerned about bike and pedestrian safety on the bridge. He suggested that the Town seek a corporate sponsor to pay for a sign that says "Yield to Pedestrians."

Bob Melvin commented on the dangers of cars stopping at crosswalks.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

Council Member Jim Hall moved to grant a disabled citizen's request to use an amplifier in accordance with the Americans with Disabilities Act upon receipt of a physician's note verifying the need for accommodation; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Joe Hall absent.

Council Member Margaret Pillas asked City Solicitor Guy Ayres if the Town is able to impose restrictions on the sale of Salvia. City Solicitor Ayres advised that in order to enforce such restrictions the State of Maryland must change the law.

Council Member Doug Cymek commented on the loud music coming from boardwalk shops. Council Member Margaret Pillas said that there is an ordinance in place to regulate amplification for shops north of 3rd Street. **Council Member Margaret Pillas moved to request the Planning Commission to hold a public hearing to change the amplification requirements for the entire boardwalk; seconded by Council Member Doug Cymek. The vote was 5-0 with Council Member Jim Hall out of the room and Council Member Joe Hall absent.** City Solicitor Ayres said that he will review the Code for other ways to address and enforces this issue.

ADJOURNMENT

Council Secretary Lloyd Martin moved to adjourn at 7:15 p.m.; seconded by Council Member Mary Knight. The vote was 5-0 with Council Member Jim Hall out of the room and Council Member Joe Hall absent.

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Minutes prepared by Deputy City Clerk Kelly Allmond _____

Minutes certified by City Clerk Carol Jacobs

Minutes approved on:

POLICE COMMISSION MEETING
OPEN SESSION
May 13, 2009 3:00 P.M.

Present: Mayor Richard Meehan, City Manager Dennis Dare, Chief Bernadette DiPino, Chairman Lloyd Martin, Councilman Doug Cymek, Captain Bokinsky, Captain Colbert, Captain Bunting, Lt. Cardamone

1. Review of the minutes of April 8, 2009 Police Commission Open Session Minutes – Motion by Mayor Meehan to approve, motion seconded by Councilman Cymek
2. Review of General Orders
 - A. General Order 400 D-2 Dealing with Individuals With Disabilities and ADA Requirements- Motion by Councilman Cymek to approve, motion seconded by Mayor Meehan
3. New Business
 - A. Discussion of purchase of In-Car Cameras-presented by Lt. Guiton Sole Source purchase- Seven vendors were considered and two were selected which met the needs of the department. The two systems, Panasonic and Integrian were field tested. Integrian has since gone out of business. The cost of the system is \$6,000 per car for the camera and warranty. The total amount of grant funding is \$65,000. Additional costs will be incurred for training, server, etc. Specific vehicles have not been designation for installation of the cameras. Funding may be available next year to expand the project. A General Order will be drafted and presented to the Police Commission and the Mayor and City Council for approval prior to implementation of the program.
 - B. Request for Taser (Electronic Weapon) Ordinance Chief DiPino requested the Commission's support of an ordinance to prohibit the sale and possession of tasers with exemptions for law enforcement officers, corrections officers, etc. She was concerned that criminals would use the tasers for criminal uses and to immobilize police officers.

Councilman Cymek asked if an exception could be made for persons with a permit to carry a gun. He said that some bail bond companies were looking at tasers as an option to protect themselves. He suggested an exemption to the ordinance, to permit bail bondmen with a gun permit to purchase and possess an electronic weapon. Chief DiPino did not feel that a permit to carry a gun was relevant to carrying an electronic weapon. Chief DiPino said that law enforcement officers received a higher level of training in the use of electronic weapons. Mayor Meehan made a motion for the OCPD to work with the city solicitor to draft legislation for review and approval. The motion was seconded by Councilman Cymek.
 - C. Councilman Cymek asked the OCPD to consider providing an interview room for bail bondsmen and attorneys to meet with arrestees.

4. Taxi Issues
 - A. Appeal of taxi license denial
 - Narek Hovannisyan – appeal denied based on the number of traffic convictions in the past 47 months. He may reapply for a taxi driver permit in eight months if he has not received any new violations.
 - Andrei Brezhneu- approved for probationary license contingent upon no new violations through the end of 2009.
5. Traffic and Parking Commission Matters
 - A. Request for directional sign on 66th St for VFW Post #8296 (similar to Art League on 94th Street) The request was granted to have a sign posted at 66th St. which reads “VFW”. City Manager Dennis Dare will facilitate this.
 - B. Discussion of new three wheel cars – Safety concerns, operating in the bus lane. OCPD will research legal issues and get a ruling from the State’s Attorney and report back to the Police Commission on June 10, 2009. Lt. Cardamone will research as the TSU coordinator.
6. False Alarm Hearings
 - A. Discussion of additional Burger King False Alarms
Repairs made on March 19, 2009 to alarm system – approved request for forgive all false alarm charges prior to March 19 when the system was repaired. Motion to approve made by Mayor Meehan, seconded by Councilman Cymek.
 - B. Discussion of False Alarms at 70th St Post Office – Postmaster Ken Carter
Councilman Cymek suggested “tabling” this request until the postmaster researches the contact procedures for notifying the postmaster when an alarm goes off. He said he has never been called when the alarm goes off nor has he been requested to turn off or reset the alarm when it does go off. (Communications does not contact the business. It is the responsibility of the alarm company). Postmaster Carter will return to the June 10, 2009 meeting to report on his findings.
7. Budget Reports
8. Old Business
 - A. Police Commission asked for the cost of items in the JAG Grant
LaserFische System - \$30,000
On-Line Training Software License-\$20,000
6 to 8 Toughbooks-\$47,338

OCEAN CITY TOURISM COMMISSION MEETING
THURSDAY, JUNE 4, 2009 – 3:00 PM
ROLAND E POWELL CONVENTION CENTER
ROOM 214

CALL TO ORDER

Mary Knight called the meeting to order. Members present included: Mary Knight, Margaret Pillas, Susan Jones, Melanie Pursel, Mayor Meehan and Michael James. Members absent included: Lloyd Martin. Staff present included: Deb Travers, Donna Abbott and Wayne Pryor. Guests present included: Jon Tremellen representing OC Hotel-Motel-Restaurant Association, Greg Shockley representing Maryland Tourism Development Board, Bryan Russo representing The Dispatch, Todd Ferrante representing the OC Chamber of Commerce, Christine Cullen representing Ocean City Today, Scott Lennox and Dave Messick representing Hooked on OC.

APPROVAL OF MINUTES

Mary Knight called for corrections or changes of the minutes of the May 7, 2009 meeting. The minutes were approved as submitted.

SPONSORSHIP REQUEST

Dave Messick and Scott Lennox representing Hooked on OC TV show gave an update on the show and requested sponsorship for another year. Hooked on OC is televised nationally (20 million households/4 times a week), televised locally, as well as on the Internet through YouTube, facebook and twitter.

Deb Travers presented a sponsorship request on behalf of the White Marlin Open. Deb stated last year \$5,000 was granted to the White Marlin Open and MGH Advertising Agency produced on-line banner ads for the tournament. This sponsorship would be charged to FY10 budget.

Motion by Todd Ferrante, Seconded by Susan Jones to sponsor Hooked on OC TV show in the amount of \$25,000 and to sponsor the White Marlin Open in the amount of \$5,000. The motion was unanimous.

UPDATES

AD AGENCY REVIEW: Mary Knight gave an update on the request for an ad agency review. Mary stated Deb Travers and Wayne Pryor have begun writing the RFP for the agency review and should be ready for distribution by the end of summer and hence the decision made by December 31, 2009.

DEPARTMENT OF TOURISM: Deb Travers announced the advertising campaign is in full swing, traffic to the website average 7,000 unique visitors a day with over 1,000 using the travel planner tool, mid June phase II of the website goes into affect and June would be a very busy month with the Fireman, Beachfest and the Air Show. Mayor Meehan read a thank you letter received from the State Firemen's Association for

assistance in selling ads in the annual convention program and the firemen are very optimistic about attendance at this year's convention, June 14-17, 2009. Donna Abbott reported very positive news about Ocean City over the past two weeks based on our news release on record-breaking numbers in May. Donna stated a media blitz/promotional tour with Rodney is scheduled for June 23-24, 2009 in Baltimore, Washington DC and Philadelphia.

DEPARTMENT OF REC & PARKS/SPECIAL EVENTS: No report.

WORCESTER COUNTY TOURISM: Written report attached to agenda packet.

OC CHAMBER OF COMMERCE: Written report attached to agenda packet. Melanie Pursel distributed copies of the Air Show program and displayed the Air Show t-shirts that would be available for purchase.

ECONOMIC DEVELOPMENT COUNCIL: Michael James reported approximately 300 seasonal employees attended the annual customer service seminar.

OC HOTEL-MOTEL-RESTAURANT ASSOCIATION: Written report attached to agenda packet.

MD TOURISM DEVELOPMENT BOARD: No report.

ADJOURNMENT

Motion by Melanie Pursel, Seconded by Michael James to adjourn the meeting. The motion was unanimous.