

July 20, 2009
Regular Session #14
Mayor and City Council
Town of Ocean City, Maryland

Present:

Mayor Richard W. Meehan

Council President Joseph M. Mitrecic

Council Secretary Lloyd E. Martin

Council Members

James S. Hall

Margaret L. Pillas

Mary P. Knight

Douglas S. Cymek

Joseph T. Hall, II

ATTENDANCE

Mayor Rick Meehan, Council President Joe Mitrecic, 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, 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 6:00 p.m., in the Council Chambers of City Hall, 301 Baltimore Avenue, Ocean City, Maryland 21842.

PRAYER & PLEDGE

City Arborist Gregory Purnell led the Prayer, and Council Secretary Lloyd Martin led the Pledge of Allegiance.

OATH OF OFFICE

Mayor Meehan administered the oath of office to Noise Board Member Betty Phillips.

CITY MANAGER'S REPORT ON UPCOMING WORK SESSION

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

1. Presentation of Maryland Chiefs of Police Scholarship to Daniel Kirstein – presented by Ocean City Police Chief Bernadette DiPino
2. Bid Openings:
 - A. Worcester Street Water Tank Renovations
 - B. South Wellhouse Renovations and East Primary Clarifier Painting
3. Report on the 2009 Ocean City Air Show – presented by Special Events Director John Sullivan and Bryan Lilley, Ocean City Airshow

CITY MANAGER'S REPORT ON UPCOMING WORK SESSION CONTINUES...

4. Request approval for sole source purchase of a surf rake – presented by Public Works Maintenance Assistant Superintendent John Van Fossen
5. Review and approval of the 2010 Council Meeting schedule – presented by Assistant to City Manager Kathy Mathias
6. Discussion concerning the bidding of Hangar J – presented by Public Works Director Hal Adkins

APPROVAL OF MINUTES

The minutes for Regular Session #13, dated July 6, 2009 were approved as presented.

SPECIAL EVENT PERMIT REQUESTS

Special Events Director John Sullivan presented the following for approval:

- A. **Awareness for Missing and Unidentified Adults and Children**, on Saturday, July 25, 2009, from 8:00 am to 11:00 pm on 5th Street and the Boardwalk. Present for questions was Beverly Brown of the Maryland Task Force for Missing and Unidentified Adults and Children. Special Events Director John Sullivan pointed out that the applicants are requesting permission to distribute flyers and a waiver to the insurance certificate requirement. **Council Member Mary Knight moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**
- B. **Lieutenant Mitch Maiorana Memorial Run-Swim-Run**, on Saturday, July 25, 2009, from 5:00 pm to 9:00 pm on the 7th Street beach. Present for questions was Ben Davis of the Ocean City Beach Patrol Chapter of the United States Lifesaving Association. **Council Member Jim Hall moved to approve; seconded by Council Member Mary Knight. The vote was unanimous.**

NEW BUSINESS

Dr. Carl E. Ortman of RE/MAX Properties requested permission to erect the RE/MAX Balloon on their 62nd Street parking lot, from August 3rd-5th, during the White Marlin Open, and, from September 13th-15th during the Maryland Association of Realtors Convention. **Council Member Doug Cymek moved to approve; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

City Solicitor Ayres presented the following for approval:

- A. First Reading of Ordinance 2009-17, authorizing the Mayor and City Council to purchase certain real property by way of private negotiations or eminent domain, to allow for the condemnation of the property between 64th and 65th Streets adjacent to the Wastewater Treatment Plant. **Council Member Jim Hall moved to approve Ordinance 2009-17 on First Reading; seconded by Council Member Mary Knight. The vote was 6-1 with Council Member Margaret Pillas opposed.**
- B. First Reading of Ordinance 2009-18, amending Chapter 1, entitled *General Provisions*, and enacting Article V-A of Chapter 90, entitled *Vehicles and Traffic* requiring helmets to be worn when renting scooters and mopeds. **Council Member Jim Hall moved to approve Ordinance 2009-18 on First Reading; seconded by Council Member Doug Cymek. The**

vote was unanimous. Solicitor Ayres advised that he would like to add the definition of a “helmet” before Second Reading.

- C. First Reading of Ordinance 2009-18, amending Chapter 90, entitled *Vehicles and Traffic*, allowing three-wheeled scooters on City streets. **Council Member Jim Hall moved to approve Ordinance 2009-18 on First Reading under the conditions that (1) they are only permitted on Baltimore Avenue between 15th and 32nd Streets; (2) helmets, shoes and seatbelts are required; (3) the flag must stand 8 feet high; (4) this ordinance will sunset on September 30, 2009; seconded by Council Member Margaret Pillas. The vote was 3-4 with Council Members Cymek, Mitrecic, Knight and Martin in opposition. The motion failed.**
- D. Resolution 2009-7 to amend the Qualified Defined Benefit Plans to reflect the requirements of the IRS Code and Treasury Regulations. **Council Member Jim Hall moved to approve Resolution 2009-7; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

- A. City Manager Dare made a recommendation for bid award to **Labe Sales**, for the amount of \$22,700.00, for hot water heaters for the Convention Center Kitchen. **Council Member Doug Cymek moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**
- B. Mr. Dare requested permission to sole source purchase 3 Zoll Monitor Defibrillators and 2 Zoll AED's (Automatic External Defibrillators) for the sum of \$60,252.50. **Council Member Doug Cymek moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**

COMMENTS FROM CITIZENS

Vicky Barrett commented on the allowance of amplification on the Boardwalk by street performers as related to Boardwalk merchants.

Dimensions Owner Dan Troiano said he has an issue about another merchant's sign that directs customers away from his business. City Solicitor Guy Ayres said that, per Zoning Administrator Blaine Smith, the sign is in compliance.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

Council Member Margaret Pillas advised that she received complaints about brown water. City Manager Dare explained that the problem was fixed by changing the chlorine levels.

Mayor Rick Meehan expressed condolences for the families of Maryland State Trooper Craig Sutka, Jim Whittemore and Dart Way.

ADJOURNMENT

Council Member Jim Hall moved to adjourn at 7:20 p.m.; seconded by Council Secretary Lloyd Martin. The vote was unanimous.