



January 27, 2008
WORK SESSION
MAYOR AND CITY COUNCIL
TOWN OF OCEAN CITY

In 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, Public Works Director Hal Adkins, City Engineer Terry McGean, Planning and Community Development Director Jesse Houston, Ocean City Police Chief Bernadette DiPino, Public Works Transportation Superintendent George Thornes, 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 Executive session to: (1) consider the acquisition of real property for a public purpose and matters directly related thereto; (2) consult with counsel to obtain legal advice; (3) discuss public security if the public body determines that public discussion would constitute a risk to the public or public security, including the deployment of fire and police services, staff and emergency plan; (3) 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; seconded by Council Member Jim Hall. The vote was unanimous.**

The Open Session reconvened at 1:50 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 legal, public safety and real estate matters. Persons present were 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, Ocean City Police Chief Bernadette DiPino, Public Works Director Hal Adkins and City Engineer Terry McGean. **Council Member Doug Cymek moved to close the Executive session; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**
2. In accordance with the Town's Employee Recognition Program, Assistant Public Works Director James Parsons introduced Wastewater Employees Linda Prestileo and Sarah Sand.
3. Special Events Director John Sullivan requested approval to extend the July 4th fireworks contract with Zambelli Internationale for three additional years, for an increase of \$7,000.00 above the previous contract price. Mr. Sullivan pointed out Zambelli's excellent performance history. **Council Member Margaret Pillas moved to put this contract out for bid; seconded by Council Member Jim Hall (then withdrawn); seconded by Council Member Joe Hall. The vote was 2 – 5 with Council President**

Mitrecic, Council Secretary Martin and Council Members Mary Knight, Doug Cymek and Jim Hall opposed.

Council Member Jim Hall moved to accept this recommendation to extend the Zambelli contract for an additional 3 years; seconded by Council Member Mary Knight. The vote was 5 – 2 with Council Members Joe Hall and Margaret Pillas opposed.

4. Public Works Director Hal Adkins addressed the Council to follow-up on the potential reduction of bus deployments on the third shift (see Attachment A). **Council Member Jim Hall moved to leave the bus system as is; seconded by Council Member Doug Cymek. The vote was 4 – 3 with Council President Mitrecic and Council Members Joe Hall and Margaret Pillas opposed.**

5. City Engineer Terry McGean, accompanied by Ocean City Fire Chief Chris Larmore, requested permission to hire Design Atlantic to perform the initial design work for Fire Station #4 renovations, in the amount of \$54,000. [Council Secretary Lloyd Martin's motion to accept this recommendation failed for lack of a second, but debate continued.]

Council Member Mary Knight moved to hire Design Atlantic for Phases I & II (design) of Fire Station #4; seconded by Council Secretary Lloyd Martin. The vote was 4 – 3 with Council Members Joe Hall, Jim Hall and Margaret Pillas opposed.

6. City Engineer Terry McGean requested permission to contract with APPI/Word Energy to conduct reverse auction procurement for the Town's electrical supply beyond June 30, 2010 (which is when the current contract with Direct Energy expires). **Council Member Joe Hall moved to proceed with the reverse auction process; seconded by Council Member Jim Hall. The vote was 6-0 with Council Secretary Lloyd Martin out of the room.**

7. Planning and Community Development Director Jesse Houston presented a draft ordinance to amend the zoning code to allow small wind energy systems (see Attachment B). **Council Secretary Lloyd Martin moved to proceed with the First Reading of this ordinance in the next Regular Session; seconded by Council Member Joe Hall. The vote was unanimous.**

8. Ocean City Police Chief Bernadette DiPino reported on **cost reduction measures** instituted by the Police Department. She advised that efforts are underway to reduce overtime, consolidate travel for training, planned scheduling, reduce dual-officer radar operations (to reduce Court overtime), segway and bicycle patrol to reduce fuel consumption, team up patrol officers and consolidate court cases.

9. **Recommendation to adjust fees:**

City Engineer Terry McGean recommended:

- A. Increasing the **vehicle boardwalk permit fees** to \$50.00; and,
- B. Increasing the **construction staging permit fees** to \$50.00;
- C. City Manager Dennis Dare presented a proposed increase to business license fees;

Council Member Jim Hall moved to accept the recommendation for the vehicle boardwalk fees and the construction staging permit fees, effective immediately; and, to postpone discussions on the recommendation to raise the business license fees until the budget hearing; seconded by Council Secretary Lloyd Martin. The vote was unanimous.

License Inspector Rich Mason recommended eliminating the **rental license decal**. **Council Member Joe Hall moved to eliminate the rental decals; seconded by Council Member Jim Hall. The vote was unanimous.** Also, Inspector Mason recommended keeping the color of the business licenses the same, which will reduce paper costs. **Council Member Joe Hall moved to change the business license forms to one single color; seconded by Council Member Doug Cymek. The vote was unanimous.**

10. City Manager Dennis Dare summarized the cost reduction measures and revenue enhancement recommendations to date.
11. Council Member Margaret Pillas reported on the January 8, 2009 Tourism Commission Meeting (see Attachment C).
12. Council Member Jim Hall advised that all topics, covered in the Parks and Recreation Committee Meeting of January 12, 2009, were addressed by City Manager Dare in his budget report (See Attachment D).

ATTACHMENT A

To: Dennis W. Dare, City Manager
 From: Hal O. Adkins, Public Works Director
 Re: Follow Up To Public Hearing Of January 05, 2009
 Potential For Bus Deployment Reduction
 3rd Shift
 Date: January 21, 2009

As you will recall, the Mayor and City Council requested a follow up meeting to the Public Hearing held on January 05, 2009. That Public Hearing was held to discuss potential modifications to the bus deployment relative to reducing the deployments.

As a result of the meeting, and the subsequent email that evening from Kathy Mathias which summarized comments from the evening, I walked away with the following understanding of what the Council wished to discuss in further detail, as follows:

- (A) What is the actual cost of the 3rd Shift.
- (B) If we were to reduce the 3rd Shift Deployment from the current 3 bus allocation to a two bus allocation how would we assure the drivers were provided with a "lunch break."
- (C) Would we be able to assure a 30 minute headway is maintained at all times regardless of the potential deployment reduction.

In an effort to address these additional items in the simplest format possible, I offer the following answers below in corresponding alpha order:

(A) Drivers Wages (inclusive of FICA and Insurance) equates to roughly: \$157.00 per 8 hour shift
 Bus Fuel Usage (calculated from historical data average of \$2.85/gallon) equates to: \$7.00 per 8 hour shift
 Thus the total cost per "Bus Deployment Per Shift" is \$214.00
 Please note these numbers do not include a "maintenance cost" factor.

Other Ways To View The Cost:
 - Current 3 Bus Deployment Cost Per Shift \$ 542.00
 - Current 3 Bus Deployment Cost Per Week \$ 4,494.00
 - Current 3 Bus Deployment Cost Per "November thru March" \$ 94,374.00

(B) The "Third Shift" runs from 10 P.M. to 6 A.M. During those hours of operation the three bus drivers currently being deployed are the only staff members working for the entire Transportation Department. To provide a single half hour lunch break for a two bus deployment scenario would require one of two options:

Option 1: We shut the entire system down at roughly 3 A.M., when ridership has historically decreased, we have the drivers "stage" at each end of the system to take their break. We resume service at 3:30 A.M. Under this scenario, the worse case scenario of a waiting customer will result in a one hour wait (assuming they were located mid Town and had just missed the passing bus that was heading into their respective break)

Option 2: We bring in a seasonal staff member to provide the two lunch breaks. The driver would be compensated for a "3 hour call out" at a total wage cost of roughly \$59.00 per evening. Please note: This "cost" will need to be deducted from the anticipated "savings" denoted above in Item A thus resulting in a Net Savings of \$155.00, not \$214.00.

(C). As I have discussed in both of the preceding meetings on this issue, though monitoring of the bus activity has proven that "on average" the bus, at this time of the year, can in fact travel the length of the route in 30 minutes, I cannot and will not be able to assure anyone that a two bus deployment will maintain a 30 minute headway. To do so would be a lie. There are far too many factors that can play into this scenario which could delay the travel time by 2, 3, 4, 5, 6, etc minutes. Factors such as traffic signal delay, boarding delay, restroom use, smoking break (for lack of a better word), etc. Once this occurs, the headways will not be "on the hour and half hour" but will in fact be a "rolling time frame". Additionally, I would never suggest the driver increase their speed to make up for lost time. Though the posted speed limit for the majority of the route is 40, our instructions to the drivers are to drive 25 mph. It is our personal opinion increasing the speed beyond that will increase our exposure to accidents (keep in mind most our efforts are "defensive driving" related).

I hope this memo will suffice to answer the pending questions of the Mayor and City Council. Looking forward to the discussion at the Work Session on January 27, 2009.

cc. Jim Parsons, Assistant Public Works Director
George Thomas Superintendent of Transportation
File: Cost Reduction Measures

River Route

ATTACHMENT B

SMALL WIND ENERGY SYSTEMS – DRAFT ORDINANCE

Town of Ocean City, MD 11/6/08, Revised 12/2/08

Section 1: Purpose

The purpose of this ordinance is to permit the installation and construction of small wind energy systems (systems) in the Town of Ocean City, subject to reasonable regulations to preserve the public health and safety.

Section 2: Findings

The Town of Ocean City finds that wind energy is an abundant, renewable, and nonpolluting energy resource and that its conversion to electricity will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. Distributed small wind energy systems will also enhance the reliability and power quality of the power grid, reduce peak power demands, and help diversify the energy supply portfolio.

Section 3: Definitions

Small Wind Energy System: A wind energy conversion system consisting of a wind turbine (rotor, blades, generator, alternator, tail), a tower, and associated control or conversion electronics, and which is intended to primarily reduce on-site consumption of utility power.

Total Height: The distance measured from ground level to the blade extended at its highest point. For a rooftop installation, height is measured from the point on the roof where the base of the system is fixed to the blade extended to its highest point.

Section 4: Accessory Use

Small wind energy systems shall be allowed as an accessory use in all zoning districts except within R-1, Single Family Residential and MH, Mobile Home Residential, districts subject to the requirements of Section 5 below. More than one turbine may be placed on a property as long as all meet the requirements of this ordinance and all together do not exceed 100 kW.

Section 4A: Special Exception

Small wind energy systems are permitted by special exception within R-1, Single Family Residential and MH, Mobile Home Residential, districts subject to the requirements of Section 5 below. More than one turbine may be placed on a property as long as all meet the requirements of this ordinance and all together do not exceed 10 kW.

Section 5: Standards for Small Wind Energy Systems

Setback: The base of the tower shall be set back from all property lines, public rights-of-way, and public utility lines a distance equal to 1.1 times the total height. A turbine may be located closer to a property line if the abutting property owner grants appropriate easements. A variance to the setback from property lines may be granted by the Board of Zoning Appeals in appropriate circumstances. In no event shall the system be located closer than 1.1 times the total height to public utility lines or public roads.

Total Height: There shall be no specific height limitation, except as may be imposed by Federal Aviation Administration regulations, as long as the total height meets setback requirements.

Noise: Sound produced by the system under normal operating conditions, as measured at the property line, shall not exceed fifty-five (55) dBA. This sound level may be exceeded during short-term events such as utility outages and/or severe windstorms.

Appearance: Wind turbines shall be painted in a non-obtrusive color such as the manufacturer's default color option or a color that conforms to the environment and architecture of the community.

Compliance with Building Code: Systems must obtain a building permit and must comply with all applicable requirements of the International Building Code. A manufacturer's specification sheet including a photograph of the system shall accompany the application for the building permit.

Inspections: A final inspection of the installation, including an electrical inspection, is required before a system may be activated.

Requirement for Engineered Drawings: Building permit applications for small wind energy systems shall be accompanied by standard drawings of the system and stamped engineered drawings of the tower, base, footings, and/or foundation (with consideration given to specific soil conditions) as provided by the manufacturer. Wet stamps shall not be required.

Compliance with Federal Aviation Administration Regulations: Small wind energy systems must comply with FAA regulations described in FAR Part 77 of the FAA guidance on airspace protection.

Compliance with National Electric Code: Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components, as supplied by the manufacturer, in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical

Code. Wiring and power lines shall be wireless or underground whenever possible.

Net Energy Metering: Small wind energy systems connected to the utility grid must comply with the Maryland Net Metering Laws (Maryland Code, Utility Companies Article Sec. 7-306).

Public Service Commission: A property owner seeking to install a small wind energy system must comply with all requirements of the Maryland Public Service Commission and provide written documentation of such with the building permit application.

Unsafe or Abandoned Systems: If a system is found to be unsafe by the Building Official, the system must be repaired and made code compliant within 30 days of notification of the property owner. A system that is unused or abandoned for a period of more than 12 months shall be ordered by the Building Official to be made operational or removed within 30 days of such order.

Signage: No signs or advertising shall be displayed on any part of a system, other than the manufacturer or installer's identification and appropriate safety warning signs.

Lighting: No illumination of the system shall be permitted unless required by the FAA, or unless the tower is also used for street or parking lot lighting, or some similar compatible use.

Safety: Towers shall not be climbable up to 12 feet above ground level. Appropriate warning signs shall be displayed on the system.

ATTACHMENT C

OCEAN CITY TOURISM COMMISSION MEETING
JANUARY 8, 2009 – 3:00 PM
ROLAND E POWELL CONVENTION CENTER
ROOM 214

CALL TO ORDER

Margaret Pillas called the meeting to order. Members present included: Margaret Pillas, Mary Knight, Lloyd Martin, Susan Jones, Melanie Pursel and Mayor Meehan. Members absent included: Dr. Berger. Staff present included: Dennis Dare, Mike Noah, Deb Travers, Donna Abbott and Tom Shuster. Guests present included: Doug Cymek, Councilman, Andy Malis, Dennis Cashen and Allison Fiorelli representing MGH Advertising Agency, Ruth Waters representing OC Chamber of Commerce, G Hale Harrison representing OC Hotel-Motel-Restaurant Association, Greg Shockley representing Maryland Tourism Development Board, Lisa Challenger representing Worcester County Tourism and Christine Cullen representing Ocean City Today.

APPROVAL OF MINUTES

The minutes of November 6, 2008 were approved as submitted.

SPECIAL PRESENTATION

Dennis Dare displayed the new license plate and it is available on line and through the City Clerk's office at City Hall.

UPDATES

O C Chamber of Commerce: Written report attached to agenda packet. Melanie Pursel added the annual Chamber Job Fair is scheduled for March 7, 2009 at the Convention Center and distributed fliers on the event. Melanie reported the new Chamber sign is under construction and should be finished in a few weeks. Melanie stated the Chamber Guide was submitted to the printer and should be available for distribution in Mid-January 2009.

O C Hotel-Motel-Restaurant Association: Written report attached to agenda packet. Susan Jones added the National Restaurant Association would opening the annual Trade Show Expo (March 8-9, 2009) with a key note presentation on green initiatives.

Worcester County Tourism: Lisa Challenger reported the Spring Arts Calendar and Art Guide would be available soon. There are two new exhibits (aquarium and steam ship) at the Delmarva Discovery Center.

Department of Rec and Parks/Special Events: Tom Shuster reported Winterfest concluded last week and offered the following statistics: operated 42 days, 80,950 passengers and estimated revenue \$33,293.70.

PRESENTATION ON 2009 MEDIA PLAN

Andy Malis representing MGH Advertising Agency distributed a plan and time line for the development of the ococean.com web site. The web site would be up and running one week prior to the spring media advertising and a few features would be added by the end of Summer 2009. Andy stated at the February Tourism Commission Meeting MGH would present the Public Relations and Word of Mouth Campaign for 2009. Andy distributed the 2009 media plan. Andy stated January through April 2009 media schedule includes print advertising (expanded from 1/3 page to 2/3 page), May through June 2009 includes TV, cable, outdoor billboards and online advertising, July through August 2009 includes radio, cable, outdoor billboards and online advertising. Andy stated July through August 2009 advertising would be funded by the FY10 budget.

ADJOURNMENT

The meeting was adjourned. The next meeting was scheduled for Thursday, February 5, 2009.

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ATTACHMENT D

Recreation and Parks Committee
January 13, 2009

1. Call to Order: The meeting was called to order at 9:35 AM at Northside Park. Present were Joe Mitrecic, Lloyd Martin, Jim Hall, Bob Croil, John Sullivan, Dennis Dare, Susan Petito and Tom Shuster.
2. Minutes: The minutes of November 12, 2009 were approved.
3. Golf Program Proposals: Bob Croil proposed a new "Local Rewards Program" for 2009. Participants would be given a rewards card and would earn points redeemable for benefits in the future. The locals included would be residents of Worcester, Wicomico, Sussex and Somerset County. Bob estimates the program could produce 2,000 additional rounds and \$90,000 in revenue. The Committee approved the proposal and directed Bob to proceed to implement the program.

Bob Croil also presented the Golden Eagle Partner Program. The program is an advertising opportunity priced at \$2,500. The Committee approved the proposal as amended by deleting the golf car coupon advertising and directed Bob to implement the plan.

Tom Shuster also reported that Hunt Crosby of Pam's OC Asset Acquisition responded to the Town's request for a participation proposal for 2009. Tom reported that the proposal was not acceptable to the Town or Eagle's Landing at this time.
4. Winterfest Report: Tom Shuster presented the Winterfest 2008/2009 Report. (Attached). Tom reported that there were 80,915 riders in 42 days of operation. The total revenue for the season was \$339,793.07.

The Committee discussed the advisability of continuing the light display at the Inlet Lot. The staff will prepare a recommendation for a future meeting.

The Committee discussed and then agreed to charge the riders 10 years old and older \$4.00 for a Winterfest train ride.
5. Special Events Schedule: Tom presented the proposed Special Event Schedule for 2010. The Committee approved the schedule. Tom also presented the amended schedule for 2009. The Committee approved the amended 2009 schedule.
6. 2009 Meeting Schedule: Tom Shuster presented the Committee meeting schedule for 2009. The Committee approved the schedule. (Attached)
7. Other Business: John Sullivan discussed the proposal to review the special events permit and fee process that will be presented at the Council Work Session of January 13, 2009.

The meeting adjourned at 11:27 AM.