



March 10, 2009  
Work Session  
Mayor and Council  
Town of Ocean City, Maryland

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In attendance: Mayor Rick Meehan, Council President Joe Mitrecic, Council Secretary Lloyd Martin, Council Members Jim Hall, Margaret Pillas, Doug Cymek and Joe Hall, City Manager Dennis Dare, Acting City Solicitor Mark Cropper, Assistant to City Manager Kathy Mathias, Finance Administrator Martha Lucey, General Services Director Joe Sobczak, City Engineer Terry McGean, Public Works Director Hal Adkins, Airport Manager George Goodrow, Assistant Director of Recreation and Parks Susan Petito, Zoning Administrator Blaine Smith, City Clerk Carol Jacobs, Deputy City Clerk Kelly Allmond, Members of the Press and Interested Parties.

Council President Joe Mitrecic called this Work Session to order at 12:06 p.m.; then, **Council Member Jim Hall moved to moved to convene into closed session to (1) consult with counsel to obtain legal advice; (2) to consider the acquisition of real property for a public purpose and matters directly related thereto; (3) to discuss the appointment, employment, assignment, removal or resignation of appointees, employees or officials over whom it has jurisdiction; or, any other personnel matter that affects one or more specific individuals, and; (4) 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; seconded by Council Member Doug Cymek. The vote was 6-0 with Council Member Mary Knight absent.**

1. Council President Joe Mitrecic reconvened the open meeting at 1:31 p.m.. He reported that legal, real estate, personnel and contractual matters were discussed in the Executive Session. Persons present were: Mayor Rick Meehan, Council President Joe Mitrecic, Council Secretary Lloyd Martin, Council Members Jim Hall, Margaret Pillas, Doug Cymek and Joe Hall, City Manager Dennis Dare, Acting City Solicitor Mark Cropper, Assistant to City Manager Kathy Mathias, Senior Project Manager Dick Malone and Public Works Director Hal Adkins. **Council Secretary Lloyd Martin moved to award the E.T.S. contract to Eagles Landing Golf Course for bonus point cards; seconded by Council Member Doug Cymek. The vote was 5-1 with Council Member Mary Knight absent and Council Member Margaret Pillas opposed.**

Mayor Meehan swore in the new Beautification Committee Members Eleanor Curcio and Joyce Melocik.

2. In accordance with the Town's Employee Recognition Program, General Services Director Joe Sobczak introduced Service Center Employees Erik Davis and Joe Beran.

3. Bid Openings:

A. Smith's Hazardous Gas and Vapor Identifier  
(FY09 Budget Allocation = \$40,000.000 funded by a Homeland Security Grant)

Vendor	Bid
National Safety Supply, Frederick, MD	\$46,937.88
Federal Resources Supply Co., Chester, MD	\$39,320.00
Smith's Detection, Edgewood, MD	\$28,000.00

**Council Member Jim Hall moved to accept the apparent low bid from Smith's Detection with remand to Staff for review; seconded by Council Member Doug Cymek. The vote was 6-0 with Council Member Mary Knight absent.**

B. RFP for Auditing Services (Acknowledgement only).

Vendor
SB & Company, LLC, Hunt Valley, MD
Pigg, Krahl, Stern & Co., P.A., Salisbury, MD
Reznick Group, Baltimore, MD
Trice & Geary, LLC, Salisbury, MD
Clifton Gunderson, Timonium, MD

**Council Member Jim Hall moved to acknowledge receipt from the five auditing firms; seconded by Council Member Doug Cymek. The vote was 6-0 with Council Member Mary Knight absent.**

**Council Member Jim Hall moved to appoint Finance Administrator Martha Lucey, Council Member Doug Cymek, Council Member Margaret Pillas and Citizen Gregory R. Szczeszek to the Auditor Review Committee; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Mary Knight absent.**

4. City Engineer Terry McGean made a recommendation to award the 2010 Electric Supply contract to the two lowest bidders in the internet-based reverse auction held on Tuesday, March 10, 2009. **Council Member Joe Hall moved to award the 2-year contract for large accounts to Direct Energy for the amount of \$0.08762/kwh; and, award the 2-year contract for small accounts to Washington Gas Energy, in the amount of \$0.08990/kwh; seconded by Council Member Jim Hall. The vote was 6-0 with Council Member Mary Knight absent.**

5. Airport Manager George Goodrow requested approval to extend the 3-year aviation fuel contract to Eastern Aviation Fuels, Inc.. **Council Member Jim Hall moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Mary Knight absent.**
  
6. Bryan Lilley of OC Air Show, LLC, accompanied by Assistant Director of Recreation and Parks Susan Petito, gave an update on the progress of the 2009 Air Show June 12<sup>th</sup> – 14<sup>th</sup>, 2009 (see Attachment A). Mr. Lilley requested approval to allow the US Army to situate their Virtual Army Experience exhibit at the inlet parking lot from June 6<sup>th</sup>- 21<sup>st</sup>, 2009. **Council Member Jim Hall moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Mary Knight absent.**

Mr. Lilley requested a variance on the 75 foot rule that prohibits the sale of merchandise within 75 feet of the boardwalk. He explained that the allowance to sell merchandise, on 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup> Streets during the event, will draw greater corporate sponsorship. **Council Member Joe Hall moved to refer Mr. Lilley to Acting City Solicitor Mark Cropper to discuss this matter; seconded by Council Member Jim Hall. The vote was 6-0 with Council Member Mary Knight absent.**

7. Zoning Administrator Blaine Smith advised that a revision to Ordinance 2007-13 (which reduces the building limits in certain sections of the downtown area) is necessary to clarify the height limits in an area between 13<sup>th</sup> and 15<sup>th</sup> Streets. **Council Member Jim Hall moved to proceed with First Reading in the next Regular Session; seconded by Council Member Margaret Pillas. The vote was 5-1 with Council Member Joe Hall opposed.**
  
8. Mayor Rick Meehan explained his reason for vetoing Ordinance 2009-3, amending the Zoning Code to allow Small Wind Energy Systems (see Attachment B). **Council Secretary Lloyd Martin moved to accept the Mayor's recommendation to prepare "a new ordinance that would permit free-standing turbines in all zoning districts by Conditional Use, and permit the Planning Commission and Mayor and City Council to allow a property with frontage on the Isle of Wight or Assawoman Bay to place a turbine no closer to the water than the minimum setback"; seconded by Council Member Jim Hall (withdrawn); seconded by Council Member Doug Cymek.** This motion and second were withdrawn.

**Council Member Joe Hall moved to permit all requests for small wind energy systems by Conditional Use; seconded by Council Secretary Lloyd Martin. The vote was 5-1 with Council Member Mary Knight absent, and Council Member Jim Hall opposed.**

City Engineer Terry McGean advised that, since the vote, Washington Gas Energy withdrew their bid because they made a mistake, and recommended award the two-year contract to Direct Energy for all accounts, for the amount of \$.08908/kwh. **Council**

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

9. Council President Joe Mitrecic proposed to offer Council Meeting Guidelines to meeting attendees. **Council Member Doug Cymek moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Mary Knight absent.**

10. Council Secretary Lloyd Martin reported on the Tourism Commission Meeting held on February 9, 2009 (see Attachment C).

**Council Member Doug Cymek moved to adjourn at 3:16 p.m.; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Mary Knight absent.**

ATTACHMENT A

**OC Air Show Update  
Tuesday, March 9, 2009  
Mayor & City Council Read-Ahead**

 Additional Performers Secured for 2009

- ★ USMC Harrier Demo
- ★ USN F-18 Hornet Demo
- ★ USN Seals Leap Frogs Parachute Team
- ★ USAF A-10 Warthog Demo
- ★ GEICO Skytypers
- ★ USAF Reserve Bi-Plane piloted by Ed Hamill
- ★ Oakley Viper Pitts piloted by Jason Newburg

 Sponsorship Commitments

\* Returning Sponsors

- ★ Virtual Army Experience
- ★ Carey Distributors
- ★ Phillips Crabhouse
- ★ Parkplace Jewelers
- ★ Shenanigan's
- ★ Kite Loft

\* New Sponsors

- ★ Seacrets
- ★ Taylor Bank
- ★ Layton's Family Restaurant
- ★ Ocean View Grill
- ★ Pepper's Tavern

\* Performer Host Hotel Commitments for 2009

- ★ Quality Inn Boardwalk - HQ Hotel
- ★ Marriott Courtyard
- ★ Princess Royale
- ★ Francis Scott Key
- ★ Phillips Beach Plaza
- ★ Carousel Hotel
- ★ Parkplace Hotel
- ★ Sleep Inn

 Special Exhibits

- ★ America's Army Virtual Army Experience (June 6-21)
- ★ USAF "Be Inspired" Tour with Thunderbird F-16
- ★ NASA Exploration Experience

 Request for Variance on 75 foot Rule Under MOU Addendum

- ★ Food & Beverage served on Show Center Beach (14th to 17th Streets)
- ★ Official OC Air Show merchandise stands at the following locations
  1. 15th, 16th, 17th streets adjacent to the boardwalk
  2. On the beach at 17th street
  3. In the inlet parking lot next to the Thunderbird F-16

ATTACHMENT B

March 3, 2009

City Clerk Carol Jacobs and  
Council President Mitrecic  
Ocean City Council  
Ocean City, MD 21842

Dear City Clerk Jacobs and Council President Mitrecic:

**Re: Ordinance 2009-3 Zoning Amendment Regarding Small Wind Energy Systems**

Please be advised that, pursuant to Section C-410 of the Ocean City Charter, I have elected to disapprove (veto) Ordinance 2009-3, an ordinance to amend Chapter 110, Zoning, regarding Small Wind Energy Systems.

I am completely in favor of permitting and encouraging Small Wind Energy Systems (turbines) in the Town, and support the majority of the ordinance. However, I believe that the ordinance as written will preclude the optimal use of these systems in some circumstances. Specifically, I believe that properties with frontage on the open bay waters should be allowed to situate free-standing turbines closer to the water than 1.1 times the height of the turbine as specified in the ordinance. There are circumstances where they may be appropriate up to the building setback from the open bay without having any negative impact on other properties.

In order to more fully accommodate wind turbines, I recommend that a new ordinance be crafted that would permit free-standing turbines in all zoning districts by Conditional Use, and permit the Planning Commission and Mayor and City Council to allow a property with frontage on the Isle of Wight or Assawoman Bay to place a turbine no closer to the water than the minimum setback required by any other section of the Zoning Code. As a Conditional Use, a public hearing would be held giving interested property owners the opportunity to participate in the decision. The Planning Commission could recommend an appropriate setback from the open water to the Mayor and City Council, who would have final approval authority.

City Clerk Jacobs and  
Council President Mitreic  
Ordinance 2009-3  
March 3, 2009  
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As in the existing Ordinance 2009-3, turbines mounted on buildings would be permitted by Conditional Use in the R-1 and MH districts, and as a permitted accessory use in all other districts.

I believe these changes would more effectively accommodate Small Wind Energy Systems while still protecting neighboring properties and placing final authority to approve freestanding systems with the Mayor and City Council.

I look forward to working with you in preparing and approving a revised ordinance.

Sincerely,

Richard W. Meehan  
Mayor

cc: City Council  
City Solicitor  
City Manager

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OCEAN CITY TOURISM COMMISSION MEETING  
FEBRUARY 5, 2009 – 2:30 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, Dr. Berger and Melanie Pursel and Mayor Meehan. Staff present included: Tom Shuster, Donna Abbott, Mike Noah and Deb Travers. Guests present included: Jon Tremellen representing OC Hotel-Motel-Restaurant Association, Ruth Waters presenting the OC Chamber of Commerce, Chris McMurry and Andy Malis representing MGH Advertising, Christine Cullen representing Ocean City Today and Brian Russo representing The Dispatch.

APPROVAL OF MINUTES

Motion by Mary Knight, seconded by Lloyd Martin to approve the minutes of the January 8, 2009 meeting as submitted. The motion was unanimous.

PRESENTATION BY MGH ADVERTISING

Chris McMurry representing MGH Advertising presented the 2009 word of mouth marketing and public relations plan. To recap, Chris stated the word of mouth program began in 2007 with the ambassador program (40 ambassadors focused on generating positive buzz about Ocean City.) In 2008 the ambassador group grew from 40 to 80 and participated in over 200 buzz tasks. The website [insideoceancity.com](http://insideoceancity.com) was also launched in 2008. Chris stated the goal in 2009 will be to increase new and repeat visitors to Ocean City, maintain Ocean City's reputation online and increase positive OC buzz. The 2009 plan highlights include integration of websites [insideoceancity.com](http://insideoceancity.com) and [ocean.com](http://ocean.com), increase the size of the ambassador group, develop award incentives with local businesses for the ambassador group, tracking ambassador activity, monitoring the online conversations, measuring the volume of the online buzz, as well as tracking the number of questions submitted online, the number of visitors and average time spent on site. To recap the public relations plan, Chris stated 2008 highlights consisted of hundreds of positive stories about Ocean City, with coverage that reached millions in Mid-Atlantic and beyond and the popular in-studio media visits with Mayor Meehan. Chris stated the goal in 2009 would be increasing the number of visitors peak season, increasing awareness of variety of activities and increasing awareness of OC for new visitors from emerging markets. The 2009 Public Relations program would include updating the press kits, expanding the in-studio media visits with Mayor Meehan, publicize Ocean City's views on broader topics and timely issues, as well as pitch stories about the strategy behind the new advertising campaign. Chris stated messages communicated in news stories would include buzzwords such as: value, affordable, family-friendly and tradition.

#### UPDATES

Department of Tourism: Written Sales and Public Relations reports were attached to agenda packet.

Department of Rec & Parks/Special Events: Tom Shuster distributed the proposed 2010 Town Events list and requested the hospitality partners look over the list and report any concerns as soon as possible.

Worcester County Tourism: Written report attached to agenda packet.

OC Chamber of Commerce: Written report attached to agenda packet.

EDC=Economic Development Council: Written report attached to agenda packet.

OC Hotel-Motel-Restaurant Association: No written report submitted. Susan Jones gave an update on the Hotel-Motel-Restaurant Association annual trade show. Jon Tremellen gave an overview of the economy and how it may affect the local hotel industry this coming summer season.

MD Tourism Development Board: No written report submitted.

#### NEW BUSINESS

Election of Chairman for Tourism Commission

Motion by Dr. Berger, Seconded by Lloyd Martin to nominate Mary Knight to serve as chair of the Tourism Commission. The motion was unanimous.

#### ADJOURNMENT

The next meeting was scheduled for Thursday, March 5, 2009 at 3 PM. Motion by Mayor Meehan, seconded by Lloyd Martin to adjourn the meeting. The motion was unanimous.

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