



March 31, 2009
Work Session
Mayor and Council
Town of Ocean City, Maryland

In attendance: Mayor Rick Meehan, Council Secretary Lloyd Martin (presiding), 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, City Engineer Terry McGean, Parks and Recreation Director Tom Shuster, Public Works Director Hal Adkins, Public Works Transportation Superintendent George Thornes, Zoning Administrator Blaine Smith, City Clerk Carol Jacobs, Deputy City Clerk Kelly Allmond, Members of the Press and Interested Parties. Council President Joe Mitrecic was absent.

Council Secretary Lloyd Martin called the meeting to order at 12:02 p.m.; then, **Council Member Jim Hall moved to convene into closed session to: (1) consult with counsel to obtain legal advice; (2) 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; (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; (4) consider the acquisition of real property for a public purpose and matters directly related thereto; seconded by Council Member Doug Cymek. The vote 6-0 with Council President Mitrecic absent.**

1. Council Secretary Martin reconvened this open session at 1:24 p.m. and reported that legal, personnel contractual and real estate matters were discussed. Persons present were: Mayor Rick Meehan, 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, Public Works Director Hal Adkins, Public Works Project Manager Dick Malone, Internal Auditor Susan Childs and Airport Manager George Goodrow. **Council Member Jim Hall moved to solicit bids for the Airport Rental Car business; seconded by Council Member Margaret Pillas. The vote was 6-0 with Council President Mitrecic absent.**

Council Member Jim Hall moved to solicit Requests for Proposals for the Transfer Station; seconded by Council Member Doug Cymek. The vote was 6-0 with Council President Mitrecic absent.

2. Council Secretary Martin advised of a correction to Council President Mitrecic's report on the March 10, 2009 Closed Session to add that: **Council Member Joe Hall moved to proceed with the 5-year contract for Greyhound to relocate their bus depot to the West Ocean City Park and Ride with the conditions that Ocean City's expenses are covered for the ticketing of passengers; and, that the building on 2nd Street be taken down within 30 days of opening the new facility; seconded**

by Council Member Jim Hall. The vote was 6-0 with Council Member Mary Knight absent.

3. In accordance with the Town's Employee Recognition Program, Public Works Maintenance Superintendent Bruce Gibbs introduced Public Works Maintenance Employees Eugene Lee and Fred Wimbrow.
4. City Engineer Terry McGean recommended a bid award to **Brick Doctor**, in the amount of \$13,500.00, for the Northside Park brick pavers. **Council Member Joe Hall moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Mitrecic absent.**
5. Parks and Recreation Director Tom Shuster presented the proposed 2010 Town-sponsored Events Schedule (see Attachment A). Council Member Joe Hall requested a cost report and copies of the economic impact study. **Council Member Jim Hall moved to approve; seconded by Council Member Doug Cymek. The vote was 4-1 with Council Member Jim Hall opposed and Council Member Pillas in abstention.**
6. Public Works Director Hal Adkins, accompanied by Public Works Transportation Superintendent George Thornes, reported on the Economic Stimulus money received for the Town's Transit System (see Attachment B).

Council Member Jim Hall moved to approve Public Works Director Hal Adkins recommendation to accept the Economic Stimulus money; seconded by Council Member Mary Knight. The vote was 6-0 with Council President Mitrecic absent.

7. Public Works Director Hal Adkins, accompanied by Public Works Transportation Superintendent George Thornes, requested the Council's appointment of a Council Member to serve on a committee comprised of Citizen Robert Melvin, a County Commissioner, two representatives from Shore Transit, Public Works Transportation Superintendent George Thornes and himself to determine the feasibility of funding Mr. Melvin's request for the Town to provide door-to-door ADA Bus service to the Franklin Avenue medical offices in Berlin. **Council Member Mary Knight moved to appoint Council Member Margaret Pillas; seconded by Council Member Doug Cymek. The vote was 6-0 with Council President Mitrecic absent.**
8. Public Works Transportation Superintendent George Thornes presented the annual request to the State of Maryland to borrow ten (10) articulating buses for the 2009 Season **Council Member Jim Hall moved to approve; seconded by Council Member Mary Knight. The vote was 6-0 with Council President Mitrecic absent.**
9. Public Works Project Manager Dick Malone presented for approval the Transfer Station Requests for Proposal. Mr. Malone advised that the Town will continue to pick-up and contain trash, but hauling and disposal services would be provided by the successful bidder. **Council Member Mary Knight moved to approve; seconded by**

Council Member Jim Hall. The vote was 6-0 with Council President Mitrecic absent.

10. Zoning Administrator Blaine Smith presented the proposed Boardwalk Outdoor Display Guidelines. Several boardwalk business owners attended the meeting to comment. **Council Member Doug Cymek moved to approve Zoning Administrator Blaine Smith's recommendation and ask City Solicitor Ayres to prepare the ordinance to include the prohibition of public displays with profanity, sexually-explicit or obscene graphics and language, outdoor application systems, and signs with flashing lights; seconded by Council Member Jim Hall. The vote was 4-1 with Council Member Margaret Pillas opposed and Council Member Joe Hall abstaining.**

Council Member Jim Hall moved to amend Zoning Administrator Smith's recommendation to allow a 15% maximum display area for shops with a 20-foot setback; seconded by Council Member Mary Knight. The vote was 5-0 with Council Member Joe Hall abstaining.

11. Don Enste of Dandy Don's Bike Shop asked the Mayor and Council to extend the boardwalk bicycle hours to 11:00 a.m.. **Council Member Doug Cymek moved to approve this request to allow bicycles on the boardwalk for an additional hour, seven days per week, from Memorial to Labor Day, with a review after one year; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Mitrecic absent.**
12. City Clerk Carol Jacobs presented, for approval, the 2009 Picnic Table Agreements (see Attachment C). **Council Member Jim Hall moved to approve; seconded by Council Member Joe Hall. The vote was 5-0 with Council Member Pillas out of the room and Council President Mitrecic absent.**
13. Assistant to City Manager Kathy Mathias presented the annual requests for parking meter waivers and deletions. **Council Member Mary Knight moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Mitrecic absent.**
14. Council Secretary Martin reported on the February 18, 2009 Police Commission Meeting (see Attachment D).
15. Council Member Joe Hall reported on the March 3, 2009 Coastal Resources Legislative Committee Meeting (see Attachment E).

Council Member Jim Hall moved to adjourn at 4:31 p.m.; seconded by Council Member Mary Knight. The vote was 6-0 with Council President Mitrecic absent.

Town of Ocean City, Maryland
***Proposed* Town Operated Events Schedule for 2010**

<u>EVENT</u>	<u>SCHEDULED DATES</u>
Springfest	May 6 - 9, 2010
Flag Day Ceremony	Monday, June 14, 2010
Art's Alive	June 19 & 20, 2010
Movies on the Beach	June 28, July 2, 5, 9, 12, 16 July 19, 23, 26, 30 August 2, 6, 9, & 13, 2010
Family Olympics on the Beach	June 29, July 6, 13, 20, 27 August 3 & 10, 2010
Concert & Fireworks @ NSP	Sunday, July 4, 2010
Concert & Fireworks on the Beach	Sunday, July 4, 2010
Concerts on the Beach	July 14, 21, August 4, 11, 18, 25, 2010
Bonfire & Story Hour on the Beach	July 8, 15, 22, 29, 2010 August 5, 12, 19, 2010
Sunset Park Festival Nights	July 27 & August 24, 2010
Sundaes in the Park	July 11, 18, 25, 2010 August 1, 8, 15, 22, 29, 2010
Sunfest	September 23 - 26, 2010
Winterfest of Lights	November 18, 2010- January 2, 2011

Approved by the Tourism Commission March 5, 2009

Approved by the Recreation & Parks Committee January 13, 2009

ARRA Program - Locally Operated Transit Systems (LOTS)

<i>Jurisdiction</i>	<i>Category</i>	<i>Capital Item</i>	<i>Total Stimulus</i>
Town of Ocean City			
	<i>Facilities & Equipment</i>		
		Electronic Fareboxes	\$100,000.00
		Powerwash/Stain Timber Bridge/Fence at P	\$40,000.00
		LED Info Signs at Transit Facilities	\$50,000.00
		Currency Counters	\$6,000.00
		Refurbish S. End Transit Center	\$30,000.00
		Supplemental AVL/APC Funding	\$30,000.00
		Bus Spare Parts	\$300,000.00
		Passenger Shelter Parts	\$25,000.00
		Replace Decking at P&R	\$10,000.00
	<i>Vehicles</i>		
		Heavy Duty Transit Bus 40' Repl	\$316,000.00
		Heavy Duty Transit Bus 40' Repl	\$316,000.00
		Heavy Duty Transit Bus 40' Repl	\$316,000.00
		Heavy Duty Transit Bus 40' Repl	\$316,000.00
		Total	\$1,855,000.00



MEMORANDUM

To: Mayor and City Council

From: Carol Jacobs, City Clerk

Date: March 25, 2009

Subject: Annual Renewals for Picnic Table Agreements

Notices were mailed to the four boardwalk businesses that have had picnic table agreements with the Town in the past. Payment, insurance and signed agreements are now in place in the Clerks Office for the following:

Doughroller, 2 South Division Street	13 tables =	\$525
Alaska Stand, 821 N Atlantic Ave	3 tables =	\$250
Son Shine Foods, Inc., 424 S Atlantic Ave	6 tables =	\$350
Tiki Sunrise, Somerset Street	8 tables =	\$400

Council approval is requested so that the new contracts may be executed.

POLICE COMMISSION MEETING MINUTES
OPEN SESSION
February 18, 2009 5:00 P.M.

Present: Mayor Meehan, City Manager Dennis Dare, Chief DiPino, Councilman Cymek, Councilman Jim Hall, Chairman Lloyd Martin, Captain Bokinsky, Captain Colbert, Captain Kirstein

1. Review of the minutes of January 29, 2009 Police Commission Open Session Minutes – approved unanimously
2. New Business
 - A. Police Commission Meetings will be held every second Wednesday of the Month for 2009. The next scheduled meeting will be March 11, 2009.

**Coastal Recourses Legislative Committee
March 3, 2009**

Attendees: Joe Hall – City Council
Mary Knight – City Council
Terry McGean – Engineering
Gail Blazer - Engineering

Call To Order

Meeting called to order at 3:00

1. Elect a Chairperson for Committee –

Committee Elected Joe Hall to be the Chairperson

2. Set Future Meeting Dates and Times:

Committee agreed the best time to meet would be on the first Tuesday of the month at 3:00 P.M. every other month in the Community Room at City Hall.

3 Critical Area Code Changes

We are working on revising the critical area ordinance to be more equitable for the properties involved. We have had several meetings with the Critical Area Commission discussing the needed changes and to develop a model ordinance. We have been working for the last four or five months to put together a revisions that would be acceptable to the Commission, to the Council and to the General Public. We have been working closely with Roby Hurley, planner for the Commission. The Town is considered Buffer Exempt, however, we still have to mitigate for all disturbance in the buffer. The way this fee is calculated creates an unreasonable amount. The single family mitigation fees are currently based on the price of the construction. The price of a single family home are up to \$1,000,000 and trying to put say \$20,000 worth of landscaping on a Single Family lot in Caine Woods is unreasonable and a large fee would be required. What we are trying to do is make the fee the same for everyone in the City. The goal of the proposed change is to determine a mitigation formula that would calculate to a reasonable amount of landscaping with a percentage for administrative/program fee. This fee would be used to support the efforts needed to meet the goals of the Critical Area, which are habitat protection/creation and water quality. We are not to a point to distribute the changes however; we should be bringing this to the committee in the next two to three months.

Stormwater Code Changes

New State stormwater regulations were scheduled to be implemented this year. A time frame for us to make our ordinance changes was spelled out in a memo. However, the AELR, Administrative, Executive and Legislative Review committee has requested that the regulations be put on hold. When the regulations make it through this committee they will impact the Town. We are basically a redevelopment community and the redevelopment requirements will change. They want to increase the percentage of reduction of impervious surface from 20% to 50%. Gail will keep the committee informed as this moves forward.

The first Rain Garden workshop was a success and 25 people attended. We plan on offering the workshop monthly. The Mini-Grant program is still being offered and an article will be in the News Letter. Gail will be at the Garden Show at the Convention Center she will have a booth called "Ocean City's Green Initiatives". Will display what the Town of Ocean City is doing for the Environment.

Old Business:

Terry McGean – The Canal Dredging - We got a little behind on the permit application process. We have worked out the issues and the application should be submitted this week or the next. No funding will be requested in this year's budget because it may take over a year to get the permits.

The Core will be dredging the Assawomen Bay Channel by the Convention Center sometime in April sand will be pumping to 33rd Street. The Currituck, the Corps dredge that ties up at the Coast Guard twice a year will be coming back. This is the dredge that provides the sand bypass to help Assateague. They take from the flood shoal, which is where it shoals up south of the bridge; the ebb shoal that is where it shoals up east of the inlet and the inlet file when needed.

New Business:

Joe Hall – Coastal Bays Talking about the Aquaculture Bill. He wants to make sure we understand the wording and how it would affect Ocean City. Basically, find out if they could lease area off Ocean City in front of Fagers or Seacrets.

Gail said this was discussed at the last Coastal Bays implementation meeting. At that meeting they would be considering competing usage in determining lease-able lands. They want to know where the right place is to allow leases and not allow leases. Gail will look into this and get back to the Committee. *The current regulations don't give DNR the ability to consider fishing, navigation, and recreation in making determinations on lease areas. The new regulations would allow these usages to be a factor in making determinations on lease areas and to eliminate areas for consideration. The new law clarifies the old law and gives DNR the ability to make regulations on leasing.*

Next Meeting May 5th, 2009

Meeting Adjourned 3:45

cc: Maryland Coastal Bays
Kathleen Mathias
Christine Cullen – OC Today
Surfriders
Steve Green – Dispatch
Jesse Houston
