



June 9, 2009
Work Session
Mayor and Council
Town of Ocean City

In attendance: Council President Joe Mitrecic, Council Secretary Lloyd Martin, Council Members 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, Parks and Recreation Director Tom Shuster, Special Events Director John Sullivan, Public Works Director Hal Adkins, Chief Building Official Kevin Brown, Fire Marshal Sam Villani, City Engineer Terry McGean, Zoning Administrator Blaine Smith, Deputy City Clerk Kelly Allmond, Members of the Press and Interested Parties. Council Member Jim Hall and Mayor Rick Meehan were absent.

Council President Joe Mitrecic called this Work Session to order at 11:58 a.m.; then, **Council Member Mary Knight moved to convene into closed session to: (1) 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; (2) consult with counsel to obtain legal advice; and, (3) consider the acquisition of real property for a public purpose and matters directly related thereto; seconded by Council Member Doug Cymek. The vote was 6-0 with Council Member Jim Hall absent.**

1. Council President Mitrecic reconvened this open meeting at 1:28 p.m.. He reported that legal, personnel and real estate matters were discussed in the closed session held at 12:00 p.m.. Persons present were Council President Joe Mitrecic, Council Secretary Lloyd Martin, Council Members 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 and Human Resource Director Roger Weseman. **Council Member Mary Knight moved to closed the closed session; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Jim Hall absent.**
2. In accordance with the Town's Employee Recognition Program, Recreation Superintendent Kate Gaddis introduced Parks and Recreation Employees Bob Washburn and Hope Palmer.
3. Bid Opening:

Repaving Perimeter Pathway at Northside Park: only one bid was received. Upon Parks and Recreation Director Tom Shuster's recommendation, **Council Member Joe Hall moved to open the single bid; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Jim Hall absent.**

The bid was from American Paving in the amount of \$23,499.70 plus "B" = \$238.98, and, "C" = \$2,788.10 (Staff Estimate: \$52,000.00). **Council Member Doug Cymek moved to acknowledge the bid; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Jim Hall absent.**

4. Bryan Lilley gave a final update on the 2009 Air Show. He asked for permission to sell Thunderbird-related merchandise near the F-16 display area at the Inlet. He pointed out that sales will be held 75 feet away from the boardwalk. **Council Member Mary Knight moved to approve; seconded by Council Member Doug Cymek. The vote was 6-0 with Council Member Jim Hall absent.**
5. Brett Wolf appeared before the Council seeking clarification on the Council's restriction for serving alcohol during Croc's Volleyball Tournament. He said he understood that the Council prohibited the sale of alcohol during the event; but he wanted to make sure that they were still permitted to serve the VIP's (i.e. Sponsors). Special Events Director John Sullivan read aloud Item #31 of the organizers' special event permit to clarify, for the Council, what was being requested. **Council Member Mary Knight moved to allow only beer and wine to be served in the VIP tent to those identified as a VIP; seconded by Council Member Doug Cymek. The vote was 5-1 with Council Member Jim Hall absent and Council President Joe Mitrecic in opposition.**
6. Public Works Director Hal Adkins made a recommendation to allow kayak eco-tours from the Ocean City Airport property. **Council Member Doug Cymek moved to approve the operation through October 31, 2009; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Jim Hall absent.**
7. Finance Administrator Martha Lucey proposed an ordinance granting the bond counsel authority to refinance 2001 Municipal Bonds. She explained that if the market remains favorable for any given time, the bond counsel can refund and refinance the bonds at a better rate. **Council Secretary Lloyd Martin moved to proceed with an ordinance to grant the bond counsel's authority; seconded by Council Member Doug Cymek. The vote was 6-0 with Council Member Jim Hall absent.**
8. Chief Building Official Kevin Brown requested permission to demolish the structure situated on 7 Dorchester Street if the property owner, who has been historically unresponsive, ignores his recent violation letter condemning the building. **Council Member Doug Cymek moved to proceed with the demolition of the structure on 7 Dorchester Street if the property owner does not act within 15 days; seconded by Council Member Mary Knight. The vote was 6-0 with Council Member Jim Hall absent.**
9. Chief Building Official Kevin Brown, accompanied by Fire Marshal Sam Villani, proposed a building code/fire code amendment regarding mobile home parks (see Attachment A). **Council Member Mary Knight moved to accept this recommendation and request, from City Solicitor Ayres, a draft ordinance to adopt minimum building Fire**

Separation requirements in accordance with the National Fire Prevention Association for construction of single family homes, manufactured homes, industrialized homes, recreational vehicles and accessory structures in the affected areas of the Isle of Wight Mobile Home Park, Warrens Mobile Home Park, Sundowner Mobile Home Park, Montego Bay Mobile Home Park and the Crystal City Mobile Home Park; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Jim Hall absent.

10. *The discussion on Planning and Community Development Director Jesse Houston's recommendation regarding development in commercial zoning districts was postponed.*

Council Member Mary Knight moved to hold a special work session with closed session on June 23, 2009; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Jim Hall absent.

11. Zoning Administrator Blaine Smith made a recommendation to amend the zoning code amendment to permit through lots in mobile home residential districts to provide one front yard setback, and, to consider the opposite street frontage as a rear yard setback. **Council Secretary Lloyd Martin moved to accept this recommendation and request a draft ordinance from City Solicitor Ayres; seconded by Council Member Joe Hall. The vote was 6-0 with Council Member Jim Hall absent.**

12. City Solicitor Guy Ayres proposed an amendment to Chapter 58, entitled *Defenses and Miscellaneous Provisions*, prohibiting the sale or possession of electronic weapons. Ocean City Police Chief Bernadette DiPino was present for questions. **Council Secretary Lloyd Martin moved to accept the recommendation and proceed with the First Reading of the proposed ordinance at the next Regular Session, and, in the meantime, refer this matter to the Police Commission for further review; seconded by Council Member Margaret Pillas. The vote was 6-0 with Council Member Jim Hall absent.**

13. Council Member Joe Hall reported on the Coastal Resources Legislative Committee Meeting of June 2, 2009 (see Attachment B). He asked City Engineer McGean to address Environmental Engineer Gail Blazer's request for mitigation funding.

City Engineer Terry McGean presented a request for \$25,000.00 in mitigation funds to subsidize the rain barrel, bay-scape and street-end programs. **Council Member Mary Knight moved to approve; seconded by Council Member Margaret Pillas. The vote was 5-1 with Council Member Jim Hall absent and Council President Joe Mitrecic in opposition.**

Council Member Mary Knight moved to adjourn at 3:15 p.m.; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Jim Hall absent.

ATTACHMENT A

Memo

June 3, 2009

To: Mayor & City Council

From: Kevin R. Brown Chief Building Official

Subject: # 7 Dorchester Street

Owner: Shireen Ramadan
PO Box 3386
Ocean City, MD 21843

Violation: International Property Maintenance code 2006
Section 108 Unsafe structures and equipment and
Other multiple Building Code violations

Intent: To Demolish the structure deemed necessary to protect the public health, safety,
& General Welfare of the Public.

Short Summary: In accordance with the International Property Maintenance Code Section 108 this structure has been deemed unsafe & unfit for human occupancy. The above mention property has been abandon now for several years. This structure suffers from continued neglect. The structure including the property has not been maintained and deemed to be an imminent danger of collapse. The structure has also suffered fire damage. Utilities have been shut off. Notice was sent on January 22, 2009 condemning the structure, with a notice of the right to appeal.....No action nor appeal was filed by the property or banking fim....

Request: It is the request of the Chief Building Official to order & secure the right to demolish the above mentioned structure as soon as possible.

ATTACHMENT B

**Coastal Recourses Legislative Committee
June 2, 2009**

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

Call To Order

Meeting called to order at 3:00

1. Report on Mini Grant Program –Attachment

Gail Blazer reported on the Mini Grant Program started in 2007, continued in 2008 and 2009. Gail would like to continue the program and will request to transfer money from the mitigation funds. Included is an attachment that explains each one of these mitigation funds, where the funds come from, and how it they have been spent. The amount Gail will be requesting for the coming year is \$25,000.00. These funds will come from the Critical Area Mitigation Fund , Afforestation Mitigation Fund and Stormwater Mitigation Fund.

In 2007 \$10,000 was transferred from these funds for the Beach District and had approximately \$2,000 left over.

In 2008 \$25,000 was transferred from these funds into the Mini Grant Program. This money was used in 2008 and 2009. These funds can be used for Stormwater and Habitat initiatives.

2. MDE Regulation Changes To Stormwater Code- Attachment

The State Legislature has mandated changes to the Stormwater Management Law. MDE will be getting The Town a model ordinance in June. We will be required to have this fully implemented by May 4th, 2010. The Town of Ocean City will need to have our proposed revisions to the code by November 11th, 2009. Changes will include changes in the definition of re-development, creation of a pre-stage plan review such that applicants must have an approved Stormwater Plan before going to the Planning Commission, and an increase in the amount of impervious surface reduction or treatment required for redevelopment projects from 20% to 50%.

3 Bay Clean-up Efforts - Attachment

The Town of Ocean City is a partner in the Maryland Coastal Bays Program. This organization developed a Comprehensive Conservation Management Plan (CCMP) that has a list of over 538 actions to meet certain challenges with expected results. One of the challenges is reduce trash in the Coastal Bays. Gail Blazer would like to have a marsh/shoreline/canal clean up day. The proposal includes identification of

areas to be targeted for clean-up, then scheduling and coordinating a clean-day possibly on a Saturday Morning with a rain date on Sunday in the middle of September. This would be a yearly project.

Types of Mitigation Funds: Attachment

Old Business:

Terry McGean reported that the canal dredging permits have been applied for and that he will be meeting with the permitting agencies next week. During that meeting, he will request that spot dredging at certain problem stormwater outfalls be included in the first year of dredging and will discuss the process for dredging private slips outside of the canal main channel.

New Business:

Councilman Hall asked that staff investigate allowing private developers to utilize adjacent public right-of-way for stormwater management in place of mitigation fees. This would allow more area for stormwater management and keep the treatment practices local to the project site.

Councilman Hall requested staff look into using mitigation funds for street-end beautification projects in the downtown area.

Next Meeting Aug 4th, 2009

Meeting Adjourned 4:00

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