

Regular Session #6
March 15, 2010
Mayor and Council
Town of Ocean City

Mayor Richard W. Meehan
Council President Joe Mitrecic
Council Secretary Lloyd Martin

Council Member Jim Hall
Council Member Margaret Pillas
Council Member Mary Knight
Council Member Doug Cymek
Council Member Joe Hall

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, Zoning Administrator Blaine Smith, Public Works Director Hal Adkins, Private Events Coordinator Lisa Mitchell, 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 6:02 p.m., in the Council Chambers of City Hall, 301 Baltimore Avenue, Ocean City, Maryland 21842.

PRAYER AND PLEDGE

Sean Davis of the Ocean City Baptist Church led the prayer, and Mayor Meehan led the Pledge of Allegiance.

REPORT FROM CITY MANAGER ON UPCOMING WORK SESSION

City Manager Dare advised that the following items will be discussed in the March 30, 2010 Work Session:

1. Recommendation to purchase 14 MTA buses – presented by Public Works Director Hal Adkins
2. Update on the Medical Transportation Program – presented by Public Works Director Hal Adkins
3. Approval of Water and Wastewater rates – presented by Finance Administrator Martha Lucey
4. Approval of 2010 picnic table agreements – presented by City Clerk Carol Jacobs
5. Approval of 2010 Somerset Plaza Leases – presented by Ocean City Development Corporation Director Glenn Irwin
6. Critical Area Program changes as recommended by the Planning Commission – presented by Planning and Community Development Director Jesse Houston
7. Approval of amendments to the Policy and Procedure Manual for “Special Event Permit Requests” – presented by Assistant to City Manager Kathy Mathias and Special Events Director John Sullivan
8. Report and recommendation of cost saving measures – presented by City Manager Dennis Dare

SPECIAL EVENT PERMIT REQUESTS

Private Events Coordinator Lisa Mitchell presented the following events for approval:

- A. **12th Annual Lt. Mitch Maiorana Memorial Run-Swim-Run**, on Saturday, July 24, 2010, on 7th Street. Present for questions was Ryan Cowder and Rick Cawthern of the USLA, Maryland Chapter. **Council Member Jim Hall moved to approve; seconded by Council Member Mary Knight. The vote was unanimous.**
- B. **USLA Mid-Atlantic Regional Championships**, on Wednesday, July 14, 2010 on 21st Street. Present for questions was Ryan Cowder and Rick Cawthern of the USLA, Maryland Chapter. **Council Member Mary Knight moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**
- C. **Play It Safe Events:** Three-on-Three Basketball, Karaoke, Beach Volleyball and Tennis Tournament on various dates in June 2010. Coordinator Mitchell advised that staff approves the events with the following caveats: (1) event coordinators must have participants sign waivers so, in the event of injury, the Town is not held liable; (2) event coordinators must contact Public Works prior to the beach events in reference to the inlet parking passes requested; (3) event coordinators must contact the Fire Marshal's Office to obtain tent permits. Present for questions was Donna Greenwood and Bev Townsend for the Play It Safe Committee. **Council Member Margaret Pillas moved to approve; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

NEW BUSINESS

Susan Todd, Children's Specialist for the Ocean City Library requested permission to host the Lone Ranger and Silver performance, from noon to 3:00 p.m. on Saturday, May 8, 2010 at the 100th Street Library. **Council Member Jim Hall moved to approve; seconded by Council Member Joe Hall. The vote was unanimous.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

City Solicitor Guy Ayres presented the following items for approval:

- A. First Reading of Ordinance ~~2010-3~~, amending Chapter 110, entitled *Zoning*, addressing the residential development in commercial zones. **Council Secretary Lloyd Martin moved to approve the First Reading of Ordinance 2010-3; seconded by Council Member Margaret Pillas.** [Council Secretary Lloyd Martin later withdrew this motion.]

Zoning Administrator Blaine Smith advised that no one attended the April 2009 Public Hearing 2009 regarding this matter. **Council Member Joe Hall moved to refer this item back to the Planning Committee to hold another public hearing, and, to have Zoning Administrator Blaine Smith contact all affected property owners via regular mail 30 days prior to the Public Hearing; seconded by Council Member Mary Knight. The vote was unanimous.**
- B. First Reading of Ordinance 2010-3, amending Chapter 90, entitled *Traffic and Vehicles*, changing the Boardwalk Bicycle Hours for Memorial Day and Labor Day Weekend. **Council**

Member Jim Hall moved to approve the First Reading of Ordinance 2010-3; seconded by Council Secretary Lloyd Martin. The vote was unanimous.

Council Member Jim Hall moved to pass Ordinance 2010-3 as an emergency ordinance; seconded by Council Secretary Lloyd Martin. The vote was unanimous. The Mayor concurred with the vote.

- C. First Reading of Ordinance 2010-4, re-establishing the Hugh T. Cropper Inlet Parking Lot Rates. **Council Member Jim Hall moved to approve the First Reading of Ordinance 2010-4; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

City Manager Dare requested permission to solicit bids for the South Division Street Transit Center renovations project, funded by the Maryland Transit Authority and the American Recovery and Reinvestment Act. Public Works Director Hal Adkins was present for questions. **Council Member Joe Hall moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**

Inserted Item

Finance Administrator Martha Lucey advised that interest rate quotes for financing the Airport's T-Hangar project were higher than anticipated. She recommended financing construction costs with the Town's General Fund. **Council Member Jim Hall moved to request that Finance Administrator Lucey seek quotes from local banks for all or part of the costs; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

COMMENTS FROM CITIZENS

Commercial Property Owner Walt Taraila stated his opposition to the proposed Zoning Amendment regarding residential development in commercial districts.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

Mayor Meehan advised that in February 2010, the Governor's Office proposed legislation to sweep the Beach Replenishment account, a fund to which the Town contributes annually. He said that, if enacted, the Town would no longer be able to collect interest on its local share. He advised that, after his many letters and conversations with State officials, the State agreed to keep the money in place. **Council Member Jim Hall moved to support the Mayor's efforts to stop the legislation; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

Next, he advised that a bill has passed through the Senate and House to eliminate mandatory hearings for Maryland traffic tickets. He said that the enacted legislation will reduce the number of hours (usually overtime hours) Police Officers are required to be in court.

Lastly, the Mayor asked for the Council's support in writing a letter to the Worcester County Commissioners objecting to Worcester County Tourism Director Lisa Challenger's recommendation to retain \$270,000.00 earmarked for Ocean City's Tourism. **Council Member Mary Knight moved to support the Mayor's letter objecting to the recommendation; seconded by Council Member Jim Hall. The vote was unanimous.**

CLOSED SESSION

Council Member Jim Hall moved to convene into closed session to: (1) consult with counsel to obtain legal advice; and, (2) 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 Secretary Lloyd Martin. The vote was unanimous.

REPORT ON CLOSED SESSION

Council President Joe Mitrecic reported that legal and contractual matters were discussed in the closed session held at 7:15 p.m. 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. **Council Member Jim Hall moved to close the closed session; seconded by Council Member Mary Knight. The vote was unanimous.**

ADJOURNMENT

Council Member Mary Knight moved to adjourn at 8:07 p.m.; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Doug Cymek absent.

Prepared by: Kelly L. Allmond, Deputy City Clerk

Approved by: Carol L. Jacobs, City Clerk

Approved by the Mayor and Council on: