

Regular Session #10
May 17, 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

STAFF IN ATTENDANCE

City Manager Dennis Dare, City Solicitor Guy Ayres, Assistant to City Manager Kathleen Mathias, Finance Administrator Martha Lucey, City Engineer Terry McGean, Emergency Services Director Joe Theobald, 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 5:00 p.m., in the Council Chambers of City Hall, 301 Baltimore Avenue, Ocean City, Maryland 21842. **Council Secretary Lloyd Martin moved to convene into closed 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 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 Joe Hall. The vote was 6-0 with Council Member Mary Knight absent.**

CLOSED SESSION

Council President Mitrecic re-opened the meeting at 6:00 p.m. and reported that legal, personnel and real estate matters were discussed in the closed session. 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 Kathleen Mathias, Public Works Director Hal Adkins, Chief Deputy Public Works Director James Parsons and David W. Jones, P.E., C.M. of Delta Airport Consultants, Inc. **Council Secretary Lloyd Martin moved to close the closed session; seconded by Council Member Doug Cymek. The vote was unanimous.**

PRAYER AND PLEDGE

Ocean City Beach Patrol Lieutenant Ward Kovacs led the prayer, and City Clerk Carol Jacobs led the Pledge of Allegiance.

Lieutenant Kovacs advised that on May 29, 2010 a Prayer Service will be held at 7:00 a.m. to kick off Beach Patrol's season.

REPORT FROM CITY MANAGER ON UPCOMING WORK SESSION

City Manager Dennis Dare reported that the following items are scheduled for discussion in the next scheduled work session on Tuesday, June 1, 2010:

1. Presentation of Storm Ready Communication Recognition – presented by William Sammler, Warning Coordination Meteorologist, National Weather Service
2. Presentation on Build America Bonds – presented by Sam Ketterman, Davenport & Company, LLC
3. Discussion of Maryland Municipal League Legislative Action Requests – presented by City Clerk Kathleen Mathias
4. Report on the Tourism Commission Meeting of May 6, 2010 – presented by Council Member Mary Knight
5. Report on the Police Commission Meeting of April 7, 2010 – presented by Council Secretary Lloyd Martin

APPROVAL OF MINUTES

- A. Minutes for Work Session, dated April 27, 2010 were approved as presented.
- B. Minutes for Regular Session #9, dated May 3, 2010, were approved as presented.

ITEMS PRESENTED BY THE MAYOR AND COUNCIL

Mayor Meehan presented the following:

- A. A Proclamation designating May 23-29, 2010 as Hurricane Awareness Week. Present to accept this proclamation was Emergency Services Director Joe Theobald.
- B. A Proclamation designating May 22-28, 2010 as National Safe Boating Week. Present to accept this proclamation was Power Squadron Commander Fred Steele, Executive Officer Tony Curro and Event Organizer Joan Watt.

SPECIAL EVENT PERMIT REQUESTS

- A. **Jesus at the Beach**, July 26-28, 2010, July 25-27, 2011, July 30-August 1, 2012 and July 29-31, 2013. Present for questions was Gary C. Steger. **Council Secretary Lloyd Martin moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**
- B. **Dreams Studio of Dance “Show Troupe,”** July 8-10, 2010. Private Events Coordinator Lisa Mitchell suggested that dancers perform on Somerset Street (not North Division Street). **Council Member Mary Knight moved to approve; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**
- C. **10th Annual Longboard Challenge**, June 11-13, 2010. Coordinator Mitchell advised that Organizers must obtain a tent permit from the Fire Marshall’s Office if necessary, a Certificate of Insurance is required, and, participants must comply with the Beach Patrol’s request. **Council Member Mary Knight moved to approve; seconded by Council Member Margaret Pillas. The vote was unanimous.**

- D. **8th Annual Ocean City Cruzers** – various dates in June through September. Present for questions was Ray Schmidt. **Council Member Doug Cymek moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**
- E. **Maryland Army National Guard Senior Week PT Challenge**, June 5-13, 2010. Coordinator Mitchell advised that the coordinators must operate within the specified area. **Council Member Mary Knight moved to approve; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

NEW BUSINESS

Russell Rankin of e-Cruzers, LLC asked for permission to place Sunset Island signs on his transport vehicles. **Council Member Joe Hall moved to approve; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

City Solicitor Ayres presented the following:

- A. Second Reading of Ordinance 2010-10 amending the Zoning Classification from “P,” Planned Overlay District, to “SC-1” Shopping Center District and LC-1, Local Commercial District, for Land Units 2,3,4 and Common Areas on Amended Plat 45th Street Land Condominium, 45th Street Village Shopping Center and Bella Vista Condominium. **Council Secretary Lloyd Martin moved to ratify Ordinance 2010-10; seconded by Council Member Jim Hall. The vote was unanimous.**
- B. Second Reading of Ordinance 2010-11 amending Chapter 10, entitled *Buildings and Building Regulations* (specifies when plumbing permits are required.) **Council Member Mary Knight moved to ratify Ordinance 2010-11; seconded by Council Member Jim Hall. The vote was unanimous.**
- C. Second Reading of Ordinance 2010-12 amending Chapter 39, entitled *Franchises*, (allowing beach stand operators to rent cabanas). **Council Member Jim Hall moved to ratify Ordinance 2010-12; seconded by Council Member Mary Knight. The vote was unanimous.**
- D. Second Reading of Ordinance 2010-13 amending Chapter 30, entitled *Environment*, and, Chapter 98, entitled *Vegetation* (amending Stormwater Management and Landscaping). **Council Secretary Lloyd Martin moved to ratify Ordinance 2010-13; seconded by Council Member Jim Hall. The vote was unanimous.**
- E. Second Reading of Ordinance 2010-14 amending Chapter 30, entitled *Environment* (incorporating new State regulations to Stormwater Management). **Council Member Mary Knight moved to ratify Ordinance 2010-14; seconded by Council Member Jim Hall. The vote was unanimous.**
- F. First Reading of Ordinance 2010-15 authorizing the Mayor and City Council to issue a Bond Anticipation Note not to exceed \$5,100,000. **Council Member Jim Hall moved to approve**

the First Reading of Ordinance 2010-15; seconded by Council Secretary Lloyd Martin. The vote was 6-1 with Council Member Margaret Pillas opposed.

- G. First Reading of Ordinance 2010-16 establishing the FY2011 Budget. **Council Member Mary Knight moved to approve the First Reading of Ordinance 2010-16; seconded by Council Secretary Lloyd Martin. The vote was 4-3 with Council Members Jim Hall, Joe Hall and Pillas opposed.**
- H. First Reading of Ordinance 2010-17 amending Chapter 6, entitled *Animals* (clarifies non-domesticated animal permits). **Council Member Mary Knight moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-1 with Council Member Joe Hall opposed.**
- I. Resolution 2010-10 ratifying the Collective Bargaining Agreement with the Career Firefighters, Paramedics Association of Ocean City, and the International Association of Firefighters, Local 4269, AFL-CIO. **Council Secretary Lloyd Martin moved to ratify Resolution 2010-10; seconded by Council Member Mary Knight. The vote was 6-1 with Council Member Margaret Pillas opposed.**
- J. Resolution 2010-11 to enter into Maryland Mutual Aid and Assistance Agreement with Intrastate Water/Wastewater Agency Response Network. **Council Member Jim Hall moved to ratify Resolution 2010-11; seconded by Council Secretary Lloyd Martin. The vote was unanimous.**
- K. Resolution 2010-12 establishing Building and Permit Fees for FY2011. **Council Secretary Lloyd Martin moved to ratify 2010-12; seconded by Council Member Jim Hall.** The motion was withdrawn.

Council Member Doug Cymek moved to postpone ratification of Resolution 2010-12 for further discussion; seconded by Council Member Margaret Pillas. The vote was 6-1 with Council Member Joe Hall opposed.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

City Manager Dare requested permission to solicit bids for:

- Network Continuity of Operations and Capital Improvement Plan Contract. **Council Member Mary Knight moved to approve; seconded by Council Member Jim Hall. The vote was unanimous.**
- Mowing Service Contract. **Council Member Margaret Pillas moved to approve; seconded by Council Member Mary Knight. The vote was unanimous.**

COMMENTS FROM CITIZENS

Bob Melvin gave a report on Medtran donations.

John Medlin asked if repairing a broken pipe requires a permit. City Engineer McGean answered yes.

Ellie Diegelmann asked if the stormwater ordinances will result in a cost to the Town. City Engineer McGean answered no. Also she asked about the differences with the current Collective Bargaining Agreement and former Agreement. Mayor Meehan advised that there are differences pertaining to salaries.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

Council Member Margaret Pillas moved to ask the Mayor to send a letter to Governor O'Malley stating opposition to off-shore drilling; seconded by Council Secretary Lloyd Martin. The vote was 2-5 with Council President Mitrecic and Council Members Joe Hall, Jim Hall, Mary Knight and Doug Cymek opposed.

Joe Hall assured the public and Council that he did his 'homework' before making his motion to reduce salaries.

Mayor Meehan acknowledged that this meeting was City Clerk Carol Jacobs' last as City Clerk.

ADJOURNMENT

Council Member Mary Knight moved to adjourn at 7:10 p.m.; seconded by Council Member Jim Hall. The vote was unanimous.