

**Regular Session #7
April 5, 2010
Mayor and Council
Town of Ocean City**

**Mayor Richard W. Meehan
Council President Joe Mitrecic (absent)
Council Secretary Lloyd Martin, presiding**

**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 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, City Engineer Terry McGean, Private Events Coordinator Lisa Mitchell, City Clerk Carol Jacobs, Members of the Press and Interested Parties

CALL TO ORDER

Council Secretary Lloyd Martin called this Regular Session to order at 6:00 p.m., in the Council Chambers of City Hall, 301 Baltimore Avenue, Ocean City, Maryland 21842.

PRAYER AND PLEDGE

Pastor Davis of St. Peters Lutheran Church led the prayer and Council Member Doug Cymek led the Pledge of Allegiance.

REPORT FROM CITY MANAGER ON UPCOMING WORK SESSION

City Manager Dare reported that the following items are scheduled for discussion in the upcoming work session:

1. Report on the ratification of the IAFF Labor Contract – presented by Steve Silvestri of Miles and Stockbridge
2. Oath of Office for the Board of Election Members
3. Update on the OC Air Show – presented by Bryan Lilley of OC Airshow, LLC
4. Maryland State Highway Administration spring meeting – presented by SHA's District Engineer Donnie Drewer
5. Review of Somerset Plaza Leases – presented by Ocean City Development Corporation Director Glenn Irwin
6. Request for permission to purchase 6 articulating buses – presented by General Services Director Joe Sobczak
7. Report on the proposed changes to the Recycling Program – presented by Public Works Director Hal Adkins
8. Review and approval of Water/Wastewater Rates - presented by Finance Administrator Martha Lucey
9. Discussion of revisions to plumbing code to clarify permit requirements – presented by City Engineer Terry McGean
10. Review and approval of General Orders 200 B-2, entitled *Off-Duty Action*, and, 400 T-6, entitled, *Traffic Offenses, Drug and Alcohol Impairment*
11. Report on the Parks and Recreation Committee Meeting held on March 30, 2010

APPROVAL OF MINUTES

The following Minutes were approved as presented:

- Work Session, dated February 9, 2010
- A. Regular Session #4, dated February 16, 2010
 - B. Work Session, dated February 23, 2010
 - C. Regular Session #5, dated March 1, 2010
 - D. Work Session, dated March 9, 2010
 - E. Regular Session #7, dated March 15, 2010

ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL

Mayor Rick Meehan presented the following:

- A. A proclamation designating April 5, 2010 as Arbor Day. Present for questions was Beautification Committee Chairperson Donna Greenwood who announced the Northside Celebration on Friday, April 23, 2010.
- B. A proclamation designating April 17, 2010 as Earth Day Community Clean Up. Dave Wilson and Sandy Smith of Maryland Coastal Bays, and Otto Schlicht from the Surfrider Foundation were present for questions.
- C. Assistant to City Manager Kathy Mathias presented Ocean City University Diplomas to the Graduates show on Attachment A.

SPECIAL EVENT PERMIT REQUESTS

Private Events Coordinator Lisa Mitchell presented the following for approval:

- A. **Seaside Christian Academy Bike-A-Thon** on Tuesday, April 27, 2010, on the Boardwalk starting at 27th Street at 12:00 noon. Gwen Corder of Seaside Christian Academy was present for questions. **Council Member Doug Cymek moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Mitrecic absent.**
- B. **6th Annual White Marlin Crab Soup Cook-Off**, on Saturday, May 1, 2010, from 8:00 a.m. to 11:00 a.m. at the Somerset Plaza. Danelle Amos was present for questions. **Council Member Jim Hall moved to approve this event for 3 years; seconded by Council Member Mary Knight. The vote was 6-0 with Council President Mitrecic absent.**
- C. **16th Annual Maryland International Kite Expo**, April 23-25, 2010, on the 2nd Street Beach. Kite Loft Owner Jay Knerr was present for questions. **Council Member Mary Knight moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Mitrecic absent.** Then, **Council Member Margaret Pillas moved to approve this event for 3 years; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Mitrecic absent.**
- D. **GEICO Offshore Grand Prix**, May 29-30, 2010 starting at 9:00 a.m.. Mike Yowaisk of OPA Racing was present for questions. **Council Member Doug Cymek moved to approve; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Mitrecic absent.**

UNFINISHED BUSINESS

Assistant to City Manager Kathy Mathias presented an amended rotation list for the Caroline Street Pad in 2010 (see Attachment B). **Council Member Jim Hall moved to approve the amended schedule; seconded by Council Member Joe Hall. The vote was 6-0 with Council President Mitrecic absent.**

NEW BUSINESS

- A. Citizens Amanda Shoemaker and Brad Bunting requested permission to hold a wedding ceremony, on Saturday, October 23, 2010 at 5:00 p.m. on the Boardwalk between Harrison's Harbor Watch and the U.S.C.G. watchtower. **Council Member Margaret Pillas moved to approve; seconded by Council Member Mary Knight. The vote was 6-0 with Council President Mitrecic absent.**
- B. [*The request for waiver of parking lot standards for de Lazy Lizard on 302 and 308 S. First Street was postponed.*]

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

City Solicitor Guy Ayres presented the following items:

- A. City Solicitor Guy Ayres commented on the proposed hearing regarding the transfer of a medallion from Ray Godman of Classic Taxi to Ken Hovance of Century Taxi for \$1.00. He stated that questions arose pertaining to the credibility of the affidavit. He advised that before the meeting, the transaction was rescinded, the Town declined acceptance of Classic Taxi's offer to pay the 25% transfer fee (based on the actual transfer amount) the \$1,500.00 was paid prior to the \$1.00 transfer, and, the medallion is in the Town's custody (reportedly revoked because the vehicle was not ready for inspection). He said there is no reason for a transfer hearing. Council Member Cymek asserted that a debarment hearing is necessary for obtaining the facts about this transaction. Solicitor Ayres advised that a debarment hearing is the Mayor and Council's prerogative. He noted that the Council has a great deal of latitude when determining the grounds for debarment. Present for comment was Christy Freeman, Ray Godman (Classic Taxi) with representing Attorney David Gaskill, and Ken Hovance (Century Taxi) with representing Attorney Paul P. Abu-Zaid.

Council Member Doug Cymek moved to end this inquiry with an apology from Christy Freeman and Ray Godman and, a letter to the Editor of the local newspaper retracting her untoward remarks against the Mayor and Council; seconded by Council Member Mary Knight. The vote was 6-0 with Council President Mitrecic absent.

Council Member Joe Hall moved to bank all returned medallions until further notice; seconded by Council Member Margaret Pillas. The vote was 6-0 with Council President Mitrecic absent.

- B. Second Reading of Ordinance 2010-4 to reestablish the Hugh T. Cropper Inlet Parking Lot Rates (see Attachment C). **Council Member Jim Hall moved to ratify Ordinance 2010-4 as amended to implement the rates on April 1, 2010; seconded by Council Member Margaret Pillas. The vote was 5-1 with Council Member Joe Hall opposed and Council President Joe Mitrecic absent.**

- C. First Reading of Ordinance 2010-5 amending Chapter 102, entitled *Vehicles for Hire* (establishes the minimum transfer fee for taxi medallions and gives the Mayor and Council the first right of refusal). **Council Member Jim Hall moved to approve the First Reading of Ordinance 2010-5; seconded by Council Member Doug Cymek. The vote was 6-0 with Council President Mitrecic absent.** Then, **Council Member Jim Hall moved to approve Ordinance 2010-5 as an Emergency Ordinance; seconded by Council Member Joe Hall. The vote was 6-0 with Council President Mitrecic absent.** Mayor Meehan concurred with the vote.
- D. First Reading of Ordinance 2010-6 authorizing the Mayor and Council to issue and sell a general obligation installment bond not to exceed Seven Hundred Twenty Five Thousand dollars to be designated as Airport Improvement Bonds of 2010 (proceeds of the bond for the construction of hangars). **Council Member Mary Knight moved to approve the First Reading of Ordinance 2010-6; seconded by Council Member Jim Hall. The vote was 6-0 with Council President Mitrecic absent.**
- E. First Reading of Ordinance 2010-7 amending Chapter 90, entitled *Traffic and Vehicles*, providing for a single tow operator for police-initiated tows. **Council Member Jim Hall moved to approve the First Reading of Ordinance 2010-7; seconded by Council Member Mary Knight. The vote was 6-0 with Council President Mitrecic absent.** Then, **Council Member Joe Hall moved to immediately send letters to the current tow truck operators and hold a pre-bid conference; seconded by Council Member Margaret Pillas. The vote was 5-0 with Council Member Mary Knight out of the room and Council President Joe Mitrecic absent.**
- F. Resolution 2010-6 granting a franchise to operate a concession for food, beverages and memorabilia at the Ocean City Air Show. **Council Member Jim Hall moved to ratify Resolution 2010-6; seconded by Council Member Mary Knight. The vote was 6-0 with Council President Mitrecic absent.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

City Manager Dennis Dare presented the following for approval:

- A. Upcoming bid opening for the fire house bunk room renovations. **Council Member Margaret Pillas moved to approve; seconded by Council Member Doug Cymek. The vote was 6-0 with Council President Mitrecic absent.**
- B. City Engineer Terry McGean requested approval to waive the bid requirements for the Dorchester Street roof replacement due to the urgency of the project (see Attachment D). **Council Member Mary Knight moved to approve; seconded by Council Member Doug Cymek. The vote was 5-0 with Council Member Jim Hall out of the room and Council President Joe Mitrecic absent.**
- C. City Engineer Terry McGean recommended contracting with Soule' Associates, in the amount of \$7,900.00 (funded, in part, by a Maryland Coastal Bays grant, and a loan from the Department of Natural Resources) for the Robin Drive Shoreline Design Services. **Council Member Joe Hall moved to approve; seconded by Council Member Margaret Pillas. The vote was 6-0 with Council President Mitrecic absent.**

COMMENTS FROM CITIZENS

Ellie Diegelmann commented on the taxi medallion process.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

Mayor Rick Meehan recognized Citizen John Tilghman's birthday.

ADJOURNMENT

Council Member Doug Cymek moved to adjourn at 8:25 p.m.; seconded by Council Member Mary Knight. The vote was 6-0 with Council President Mitrecic absent.

**OCEAN CITY UNIVERSITY
2010 GRADUATES**

BACHELORS DEGREE

Craven, Sharon L.
Feehley, Betty
Harrison, Mary Ellen
Harwood, Shelley A.
Kramer, Mary LaVerne
Kramer, Raymond Joseph
McCluskey, Debi
McCluskey, Robert
McLaughlin, Patrick
Mosmiller, George
Neimiller, Anna
Neimiller, William
Rickards, Leon Roy
Yeich, Harry
Yeich, June

MASTERS DEGREES

Craven, Sharon L.
Feehley, Betty
Gamm, Brian
Harrison, Mary Ellen
Kneavel, Mary E.
Lamont, Ken
Lamont, Sue
Mosmiller, George
Rickards, Leon Roy
Schroeder, Albert J.

DOCTORATE DEGREE

Bann, Kenrick Rabindranath
Bennett, Holly
Bennett, Judy
Chapman, Sr., Robert J.
Cooper, Dolores L.
Curcio, Michael
Feehley, Betty
Harting, Sue H.
Johnson, Kasey
McArthur Sr., Jeffrey
Morse, Dorothy Cascio
Mosmiller, George
Mosmiller, Phyllis
Reed, Raymond L.
Rickards, Leon Roy
Rizer, Melissa
Rox, Sean
Rox, Cassandra
Sas, Tonja M.
Schmidt, Deborah Ann
Schroeder, Albert J.
Soto, Jay Alexander
Stiffler, Donald
Tressler, Jeannette

**CAROLINE STREET PAD SCHEDULE
EFFECTIVE 3/30/2010**

2010

Ladies Auxiliary of the Elks #2645

Veterans of Foreign Wars Post #8296 [St. Mary's Star of the Sea Catholic Church]

Knights of Columbus 4th Degree Assembly

2011

Ocean City Lions Charities, Inc.

American Legion Auxiliary #166 [Veterans of Foreign Wars Post #8296]

Kiwanis Club of Great Ocean Pines-Ocean City

2012

Veterans of Foreign Wars Post #8296 Ladies Auxiliary

American Legion Post #166

Temple Bat Yam

2013

Knights of Columbus #9053

Ladies Ancient Order of Hibernians

Ocean City Elks Lodge

2014

Ocean City Lions Club

Ladies Auxiliary of the Elks #2645

St. Mary's Star of the Sea Catholic Church

2014

Knight's of Columbus 4th Degree Assembly

Ocean City Lions Charities, Inc.

Veterans of Foreign Wars Post #8296

First Reading _____
Second Reading _____

ORDINANCE 2010-

AN ORDINANCE REESTABLISHING THE HUGH T. CROPPER
INLET PARKING LOT RATES

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY MAYOR AND CITY
COUNCIL OF OCEAN CITY, THAT PARKING RATES FOR THE HUGH T. CROPPER
INLET PARKING LOT BE, AND THE SAME ARE HEREBY REESTABLISHED, AS
FOLLOWS:

- A. From April 15 through midnight of the Wednesday before Memorial Day:
 - i) \$1.50 per hour
- B. From Thursday before Memorial Day through Labor Day:
 - i) \$2.50 per hour
- C. From Tuesday after Labor Day through October 15:
 - i) \$1.50 per hour Monday through Thursday

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on March
15, 2010.

ADOPTED AND PASSED by the required vote of the elected membership of the City
Council and approved by the Mayor at its meeting held on April 5, 2010.

ATTEST:

CAROL JACOBS, Clerk

RICHARD W. MEEHAN, Mayor

Approved as to Form:

JOSEPH M. MITRECIC, President

GUY R. AYRES III, City Solicitor

LLOYD MARTIN, Secretary

LAW OFFICES
AYRES, JENKINS,
GORDY & ALMAND, P.A.
SUITE 200
6200 COASTAL HIGHWAY
OCEAN CITY, MD 21842

INTEROFFICE MEMORANDUM

TO: DENNIS DARE
FROM: TERENCE MCGEAN
SUBJECT: 109 DORCHESTER ST
DATE: 3/30/2010
CC: RICHARD MALONE, WARD KOVACS, RUSSELL JONES, LT. NOLL

The Old District Court building located at 109 Dorchester Street is currently used by the Police Department (1st floor, bicycle repair and storage) and the Beach Patrol (2nd floor, office and meetings). Over the past 2-3 years we have attempted to repair numerous roof leaks in this building. This winter the leaks became significantly worse to the point that the roof can no longer be patched. In addition, there is water damage in the building to the carpet and the ceiling tiles.

The Engineering Department has obtained quotes to replace the roof and carpet as follows:

Roof:

RRH Associates:	\$13,800
FA Taylor:	\$14,175
Peninsula Roofing:	\$20,100
Potteiger Raintree	\$28,102

Carpet::

OC Floor Gallery:	\$3,034
Value Carpet One	\$3,063
Carpets by the Ocean	\$3,194

Ceiling tiles will be installed by the Public Works Department, the cost of the material is \$1,000. I have asked Jennie Knapp to use savings from my current year budget to cover the cost of these repairs.

Given the need to occupy this building before memorial day, I would request to waive the bid process for the roof replacement and award the contract to RRH Associates in the amount of \$13,800 based on the written quotes received.

Thank You