

**February 22, 2011  
Regular Session #4  
Mayor and Council  
Town of Ocean City**

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Council Member Richard W. Meehan  
Council President James S. Hall

Council Member Margaret Pillas  
Council Member Doug Cymek  
Council Member Joe Hall  
Council Member Brent Ashley  
Council Secretary Lloyd Martin

Absent: Council Member Mary Knight

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**ATTENDANCE**

City Solicitor Guy Ayres, City Clerk Kathleen Mathias, Finance Administrator Martha Lucey, City Engineer Terry McGean, Ocean City Police Chief Bernadette DiPino, Private Events Coordinator Lisa Mitchell, Members of the Press and Interested Parties. City Manager Dennis Dare was absent.

**CALL TO ORDER**

Council President Jim Hall 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 & PLEDGE**

Pastor Alex Ayres of the First Presbyterian Church led the prayer, and Council Member Joe Hall led the Pledge of Allegiance.

**REPORT ON UPCOMING WORK SESSION**

City Clerk Kathleen Mathias reported that the following items will be discussed in the upcoming work session:

1. Update of Activities from Ocean City Development Corporation, presented by: Todd Ferrante, President and Glenn Irwin, Executive Director
2. Review and Approval of Employee Pay Scale, presented by: Dennis W. Dare, City Manager and Wayne Evans, Human Resource Director.
3. Presentation on Post Employment Medical Benefits, presented by: Kay Moran, Bolton Partners
4. Presentation on Defined Contribution Plan, presented by: Mary Jo Garry, Mercer, Inc.
5. Review and Approval of Policy for AM Radio Station, presented by: Kathleen Mathias, City Clerk and Donna Abbott, Media Services
6. Approval of Revisions to Policy on Public Access Channel presented by: Kathleen Mathias, City Clerk and Donna Abbott, Media Services

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## **APPROVAL OF MINUTES**

The following were approved as presented:

- A. Work Session – dated February 1, 2011
- B. Regular Session #3 – dated February 7, 2011

## **ITEMS PRESENTED BY THE MAYOR AND COUNCIL**

- A. Mayor Rick Meehan presented retired Sportsland owner Lloyd E “Eddie” Jester with a Key to the City for 60 years of service for the Town.
- B. Mayor Meehan presented a proclamation designating March as Red Cross Month. Present to accept this proclamation was Tom Wise. Also, Mr. Wise presented the Town with the Red Cross flag.
- C. Report on Police Commission Meeting of January 12, 2011 (see Attachment A) - presented by: Council Secretary Lloyd Martin.

**Council Member Joe Hall moved to allow the hiring of 140 seasonal police officers; seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.** Ocean City Police Chief Bernadette DiPino was present for questions.

## **PRIVATE EVENT PERMIT REQUESTS**

- A. **OC CROP Hunger Walk – May 22, 2011**  
Presented by: Lisa Mitchell, Private Events Coordinator and Ray Jackson of St. Paul’s by the Sea Church. **Council Member Ashley moved to approve; seconded by Council Secretary Martin. The vote was 6-0 with Council Member Knight absent.**
- B. **OCMD 5 Mile Boardwalk Run – June 18, 2011 and June 23, 2012**  
Presented by: Lisa Mitchell, Private Events Coordinator and Chris Klebe of OC Tri-Running **Council Member Ashley moved to approve; seconded by Council Secretary Martin. The vote was 6-0 with Council Member Knight absent.**
- C. **Seaside 10 – October 29, 2011**  
Presented by: Lisa Mitchell, Private Events Coordinator and Chris Klebe of OC Tri-Running **Council Secretary Martin moved to approve with the October 27, 2012 and October 26, 2013 date holds; seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.**
- D. **St. Patrick’s Day Parade – March 12, 2011**  
Presented by: Lisa Mitchell, Private Events Coordinator and Buck Mann of the Delmarva Irish American Club **Council Member Cymek moved to approve this event for 2011, 2012 and 2013; seconded by Council Secretary Martin. The vote was 6-0 with Council Member Knight absent.**

## UNFINISHED BUSINESS

**Discussion of Sprinkler Requirements for HUD Homes** Presented by: Terence McGean, City Engineer Council Member Cymek moved to require sprinklers in new HUD mobile homes in Ocean City; seconded by Council Member Pillas. The vote was 5-1 with Council Member Ashley opposed and Mary Knight absent.

## ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

- A. Second Reading – Ordinance 2011-1 to Amend Chapter 11, Entitled Zoning (amends Outdoor Display standards on Boardwalk) Council Secretary Martin moved to ratify Ordinance 2011-1; seconded by Council Member Pillas. The vote was 6-0 with Council Member Knight absent.
- B. Second Reading – Ordinance 2011-2 Budget Amendment #1 for FY 2011 Council Member Pillas moved to ratify Ordinance 2011-2; seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.
- C. Second Reading – Ordinance 2011-3 to Amend Chapter 39 Entitled Franchises (allows rental of larger cabanas) Council Secretary Martin moved to ratify Ordinance 2011-3; seconded by Council Member Pillas. The vote was 6-0 with Council Member Knight absent.
- D. Approval of Ocean City Police Department General Order 400 E-1 Routine and Non-Routine Vehicle Operations Council Secretary Martin moved to adopt General Order 400 E-1; seconded by Council Member Pillas. The vote was 6-0 with Council Member Knight absent. Mayor Meehan concurred with the vote.
- E. Approval of Ocean City Police Department General Order 400 L-1 Handling and Transport of Arrestees and Other Detainees Council Secretary Martin moved to adopt General Order 400 L-1; seconded by Council Member Pillas. The vote was 6-0 with Council Member Knight absent. Mayor Meehan concurred with the vote.

## ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

- A. Request to Purchase Toughbooks with Forfeiture Funds for the sum of \$20,864.03. Ocean City Police Chief Bernadette DiPino was present for questions. Council Secretary Martin moved to approve; seconded by Council Member Cymek. The vote was 6-0 with Council Member Knight absent.
- B. Approval of Taxi Medallion Transfer – Medallion #174 from Momtaz Abdelraouf Alhmoud (d/b/a Taz Taxi) to Taha Bourgo (d/b/a Academy Taxi). City Clerk Mathias advised that the \$500.00 transfer fee was paid to the Town. Council Member Joe Hall moved to approve; seconded by Council Secretary Martin. The vote was 6-0 with Council Member Knight absent. Council Member Hall asked for a report on all medallion transfers to date.

## NOTICE OF CLOSED SESSION

Council Member Ashley moved to convene into closed session to (1) consult with counsel to obtain legal advice; and, (2) conduct collective bargaining negotiations or consider matters that relate to the negotiations; seconded by Council Secretary Martin. The vote was 6-0 with Council Member Knight absent.

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### COMMENTS FROM CITIZENS

None

### COMMENTS FROM THE MAYOR AND CITY COUNCIL

Council Member Pillas asked for discussion on the status of the Rivendell lighting project. City Solicitor Guy Ayres advised that the Fire Marshall's Office prohibited any alterations to the upper floor lighting. Council President Hall said that he advised Mr. Anders to seek legal advise for any future action.

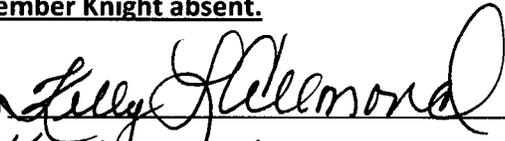
### REPORT OF CLOSED SESSION

Council President Hall re-opened the meeting to report that legal and collective bargaining matters were discussed in the closed session. Persons present were: Mayor Rick Meehan, Council President James S. Hall, Council Secretary Lloyd Martin, Council Members Margaret Pillas, Doug Cymek, Joe Hall and Brent Ashley, City Solicitor Guy Ayres, City Clerk Kathleen Mathias and Stephen Silvestri of Miles & Stockbridge. Council Member Mary Knight and City Manager Dennis Dare were absent. **Council Member Ashley moved to adjourn the closed session; seconded by Council Member Pillas. The vote was 6-0 with Council Member Knight absent.**

### ADJOURNMENT

**Council Secretary Martin moved to adjourn at 7:45 p.m.; seconded by Council Member Pillas. The vote was 6-0 with Council Member Knight absent.**

Minutes prepared by Deputy City Clerk Kelly Allmond



Minutes certified by City Clerk Kathleen Mathias



Meetings approved by the Mayor and Council on:

3/7/11

POLICE COMMISSION MEETING MINUTES  
OPEN SESSION

January 12, 2011 3:00 P.M.

ATTACHMENT A

1. False Alarm Hearings

Request a waiver of false alarm fees

- Dunkin Donuts – Commission Member Jim Hall made a motion to forgive \$430.25 provided payment of \$1,000 is paid by the end of the business day on Tuesday, January 18, 2011. Motion was seconded by Mayor Meehan.
- Papa John's Pizza – Motion was made by Commission Member Cymek to refund \$300, contingent upon payment of \$606.06, is made by the end of the business day on Tuesday, January 18, 2011 and there are no false alarms within the next 90 days. The motion was seconded by Commission Member Jim Hall.

2. Discussion of Feral Cat Colonies – Sgt. Paddack gave a presentation on the history of complaints regarding the un-owned cats and the Trap, Neuter and Return (TNR) policy of the OCPD. The OCPD has been re-locating the cats from the colony at Trimper's because the buildings will be demolished to make way for an employees' parking lot. There are 5 or 6 remaining cats.

Citizens expressed their concern regarding rumors there is pending legislation to add "cats" to the existing "dog" ordinance. There are additional fears that the cat colony caretakers will be fined or arrested for feeding the animals. Commission President Lloyd Martin ensured the citizens, the Mayor and Council has not considered ordinances to issue citations or arrest anyone feeding the un-owned cats. Commission Member Cymek reminded those present that property owners' rights should be respected regarding trespassing. Chief DiPino reassured the residents the OCPD will continue its policy of TNR. Police will respond to complains about cats damaging residents' property. The police department does not randomly capture cats and attempts to find an owner if the department receives a complaint regarding a cat. Mr. Ed Smith proposed establishing a committee to offer solutions to the cat problem. One recommendation is to advertise through the Chamber of Commerce, the International Students programs, orientation, Play It Safe and the realtors to discourage the adoption of kittens by temporary seasonal employees. The seasonal employees tend to abandon the cats at the end of the summer. Councilmember Mary Knight offered to assist the caretakers in contacting the appropriate persons to help the committee. Commission Member Cymek

suggested a meeting with Gary Steger, who is the adjacent property owner to the Trimper Cat Colony to discuss his concerns.

3. Discussion of the Purchase of Mounted Unit Equipment – Jim Hall made a motion to approve the purchase of five eye shields for the mounted units. The cost will be funded from the budgeted \$2,000. The motion was seconded by Councilmember Cymek.
4. Discussion of General Orders – A motion was made by Commission Member Jim Hall and seconded by Commission Member Doug Cymek to approve the revisions to:
  - General Order 400 E-1, Vehicle Operation – Routine and Non-routine
  - General Order 400L-1, Handling and Transport of Arrestees and Other Detainees
5. Discussion of Medical Marijuana – Chief DiPino advised there will be legislation in the upcoming session in Annapolis to legalize medical marijuana. The Maryland Chiefs of Police Association is against legalization.
6. Crime Analyst Report – Brandon Reim
  - New Year's Weekend Stats  
There was an increase in the number of visitors in Ocean City and an increase in the number of arrests over last year during this time.
  - Year End Statistics  
  
Overall crime is up 13% for 2010  
Calls for Service increased over 10,000 calls. The increase occurred in May through September of 2010.

Motion to adjourn the open session was made by commission member Doug Cymek and seconded by Commission member Jim Hall.