

March 29, 2011
Work Session
Mayor and Council
Town of Ocean City

In attendance: Mayor Rick Meehan, Council President James S. Hall, Council Secretary Lloyd Martin, Council Members Margaret Pillas, Mary Knight, Doug Cymek, Joe Hall and Brent Ashley, City Manager Dennis Dare, City Solicitor Guy Ayres, City Clerk Kathleen Mathias, Zoning Administrator Blaine Smith, Parks and Recreation Director Tom Shuster, Members of the Press and Interested Parties.

Council President Jim Hall called this Work Session to order at 12:00pm, in the Council Chambers of City Hall, 301 Baltimore Avenue, Ocean City, Maryland 21842; then, **Council Member 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; (3) conduct collective bargaining negotiations or consider matters that relate to the negotiations; (4) 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 Martin. The vote was 6-0 with Council Member Pillas absent.**

1. Council President Hall reopened the meeting and advised that employee, collective bargaining, legal and contractual 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, Mary Knight, Doug Cymek, Joe Hall and Brent Ashley, City Manager Dennis Dare, City Solicitor Guy Ayres, City Clerk Kathleen Mathias, Steve Silvestri of Miles and Stockbridge, Mike Colbert, Robert Bokinski, Human Resource Director Wayne Evans and Finance Administrator Martha Lucey.
2. Follow-up presentation on pension plan options: presented by Mary Jo Gary, Mercer **Council Member Ashley moved to (1) implement, for non-bargaining new hires only, a defined contribution plan with a mandatory 5% contribution and 5% employer match plus an optional 2% contribution/2% employer match; (2) to prohibit new entrants to the defined benefit plan; seconded by Council Member Pillas. The vote was 4-3 with Council Members Martin, Knight and Cymek opposed.**
3. Presentation on Marketing Plan: presented by Andy Malis, Chris McMurry, Allison Fiorelli and Dennis Cashen of MGH
Council Member Knight moved to accept the marketing plan as presented with minor modifications as necessary; seconded by Council Member Pillas. The vote was unanimous.
Council Member Pillas asked MGH to highlight (on the website) the Town's free events as a major attraction.

Council asked Tourism Director Deb Turk to arrange next year's marketing presentation in February or earlier.

4. Report from the Tourism Advisory Board concerning the OC Experience: presented by Melanie Pursel, Chair of the Tourism Advisory Board, John Gehrig and Susan Jones

Council Member Pillas moved to: (1) establish the Tourism Growth Fund; (2) allocate \$300,000.00 from the FY12 advertising budget to the Tourism Growth Fund, and, (3) direct the Tourism Advisory Board to present the Council with an action plan for approval; seconded by Council Member Ashley. The vote was unanimous. Mr. Gehrig reported that the Tourism Advisory Board favors the "O.C. Experience" concept and will continue to work with Brad Hoffman (the concept's creator) next year.

Council President Hall said he schedule a discussion for TAB's strategic plan in an upcoming work session.

5. Discussion of the Planning Commission recommendation regarding site plan approval authority: presented by Planning and Community Development Director Jesse Houston

Director Houston presented the Planning Commission's recommendation to give the Planning Commission site plan review authority on any proposal of multi-family dwelling units with three (3) or more units, and, business buildings, commercial buildings or industrial buildings if such buildings are to contain more than 5,000 square feet of gross floor area. Council President Hall said he will schedule a discussion with the Planning Commission and Staff in an upcoming work session.

6. Discussion of repairs to Ocean Bowl Skate Park: presented by Parks and Recreation Director Tom Shuster

Council Member Knight moved to approve the allocation of \$36,331.50 for repairs to the Ocean Bowl Skate Park; seconded by Council Member Cymek. The vote was unanimous.

7. Discussion of the rotating surfing beach schedule (see Attachment A): presented by Parks and Recreation Director Tom Shuster

Council Member Knight moved to approve the schedule as presented; seconded by Council Member Pillas. The vote was 6-0 with Council Member Cymek out of the room.

8. Discussion of proposed changes to Street Performer regulations (see Attachment B): presented by City Solicitor Guy Ayres and City Clerk Kathleen Mathias

Council Member Knight moved to accept the recommendation as presented and proceed with the first reading of the ordinance in the next regular session, with the inclusion of a requirement for performing at street ends only; seconded by Council Member Cymek. The vote was 5-2 with Council Members Ashley and Joe Hall opposed.

9. Resolution Establishing Taxi Fares: presented by City Solicitor Guy Ayres

Solicitor Ayres explained that this resolution does not include a fare increase. Independent Taxi Owner Larry Bode proposed an eight cent fare increase per one tenth of a mile. Fleet Owners Karl Kufchak and Wayne White said they are opposed to a fare increase. **Council Member Ashley moved to approve a four cent fare increase; seconded by Council Member Cymek.**

The vote was 3-4 with Council Members Joe Hall, Knight Pillas and Martin opposed. The motion failed.

10. City Clerk Kathleen Mathias presented, for approval, the transfer of Taxi Medallion #138 from Hosham Elhassan of EZ Rider to Alhadi Ahmed. She advised that all fees have been paid, and, the independent medallion ratio is 18%. **Council Member Cymek moved to approve this medallion transfer; seconded by Council Secretary Martin. The vote was unanimous.** Council Member Cymek asked that City Solicitor Ayres review the taxi ordinance in consideration of an amendment allowing the Mayor and Council the first right of refusal in the transfer process.
11. City Clerk Kathleen Mathias recommended approval to award the Vehicle Vending Franchise bid to Scott Dauer for the annual amount of \$65,000.00. **Council Secretary Martin moved to approve; seconded by Council Member Knight. The vote was unanimous.**

Council Member Knight moved to adjourn; seconded by Council Secretary Martin. The vote was unanimous.

OCEAN CITY BEACH PATROL

Surfing Beach Schedule 2011

Day	Date	South Surfing Beach	North Surfing Beach	Inlet Surfing Beach
Saturday	May 28, 2011	55th Street	135th Street	CLOSED
Sunday	May 29, 2011	53rd Street	133rd Street	CLOSED
Monday	May 30, 2011	51st Street	131st Street	CLOSED
Tuesday	May 31, 2011	49th Street	129th Street	OPEN
Wednesday	June 1, 2011	47th Street	127th Street	OPEN
Thursday	June 2, 2011	45th Street	125th Street	OPEN
Friday	June 3, 2011	43rd Street	123rd Street	OPEN
Saturday	June 4, 2011	41st Street	121st Street	CLOSED
Sunday	June 5, 2011	39th Street	119th Street	CLOSED
Monday	June 6, 2011	37th Street	Fountain Head	OPEN
Tuesday	June 7, 2011	35th Street	High Point - North	OPEN
Wednesday	June 8, 2011	33rd Street	Capri	OPEN
Thursday	June 9, 2011	31st Street	Quay	OPEN
Friday	June 10, 2011	29th Street	English Towers	OPEN
Saturday	June 11, 2011	27th Street	Pyramid	CLOSED
Sunday	June 12, 2011	25th Street	94th Street	CLOSED
Monday	June 13, 2011	23rd Street	92nd Street	OPEN
Tuesday	June 14, 2011	21st Street	90th Street	OPEN
Wednesday	June 15, 2011	19th Street	88th Street	OPEN
Thursday	June 16, 2011	17th Street	86th Street	OPEN
Friday	June 17, 2011	15th Street	84th Street	OPEN
Saturday	June 18, 2011	13th Street	82nd Street	CLOSED
Sunday	June 19, 2011	11th Street	80th Street	CLOSED

OCEAN CITY BEACH PATROL

Surfing Beach Schedule 2011

Day	Date	South Surfing Beach	North Surfing Beach	Inlet Surfing Beach
Monday	June 20, 2011	9th Street	78th Street	OPEN
Tuesday	June 21, 2011	7th Street	76th Street	OPEN
Wednesday	June 22, 2011	5th Street	74th Street	OPEN
Thursday	June 23, 2011	3rd Street	72nd Street	OPEN
Friday	June 24, 2011	1st Street	70th Street	OPEN
Saturday	June 25, 2011	Caroline Street	68th Street	CLOSED
Sunday	June 26, 2011	66th Street	146th Street	CLOSED
Monday	June 27, 2011	64th Street	144th Street	OPEN
Tuesday	June 28, 2011	62nd Street	142nd Street	OPEN
Wednesday	June 29, 2011	60th Street	140th Street	OPEN
Thursday	June 30, 2011	58th Street	138th Street	OPEN
Friday	July 1, 2011	56th Street	136th Street	OPEN
Saturday	July 2, 2011	54th Street	134th Street	CLOSED
Sunday	July 3, 2011	52nd Street	132nd Street	CLOSED
Monday	July 4, 2011	50th Street	130th Street	CLOSED
Tuesday	July 5, 2011	48th Street	128th Street	OPEN
Wednesday	July 6, 2011	46th Street	126th Street	OPEN
Thursday	July 7, 2011	44th Street	124th Street	OPEN
Friday	July 8, 2011	42nd Street	122nd Street	OPEN
Saturday	July 9, 2011	40th Street	120th Street	CLOSED
Sunday	July 10, 2011	38th Street	Carousel	CLOSED

OCEAN CITY BEACH PATROL

Surfing Beach Schedule 2011

Day	Date	South Surfing Beach	North Surfing Beach	Inlet Surfing Beach
Monday	July 11, 2011	36th Street	Sea Watch	OPEN
Tuesday	July 12, 2011	34th Street	Rainbow	OPEN
Wednesday	July 13, 2011	32nd Street	Golden Sands	OPEN
Thursday	July 14, 2011	30th Street	Sheraton	OPEN
Friday	July 15, 2011	28th Street	Plaza	OPEN
Saturday	July 16, 2011	26th Street	Flying Cloud	CLOSED
Sunday	July 17, 2011	24th Street	93rd Street	CLOSED
Monday	July 18, 2011	22nd Street	91st Street	OPEN
Tuesday	July 19, 2011	20th Street	89th Street	OPEN
Wednesday	July 20, 2011	18th Street	87th Street	OPEN
Thursday	July 21, 2011	16th Street	85th Street	OPEN
Friday	July 22, 2011	14th Street	83rd Street	OPEN
Saturday	July 23, 2011	12th Street	81st Street	CLOSED
Sunday	July 24, 2011	10th Street	79th Street	CLOSED
Monday	July 25, 2011	8th Street	77th Street	OPEN
Tuesday	July 26, 2011	6th Street	75th Street	OPEN
Wednesday	July 27, 2011	4th Street	73rd Street	OPEN
Thursday	July 28, 2011	2nd Street	71st Street	OPEN
Friday	July 29, 2011	North Division St.	69th Street	OPEN
Saturday	July 30, 2011	65th Street	145th Street	CLOSED
Sunday	July 31, 2011	63rd Street	143rd Street	CLOSED

OCEAN CITY BEACH PATROL

Surfing Beach Schedule 2011

Day	Date	South Surfing Beach	North Surfing Beach	Inlet Surfing Beach
Monday	August 1, 2011	61st Street	141st Street	OPEN
Tuesday	August 2, 2011	59th Street	139th Street	OPEN
Wednesday	August 3, 2011	57th Street	137th Street	OPEN
Thursday	August 4, 2011	55th Street	135th Street	OPEN
Friday	August 5, 2011	53rd Street	133rd Street	OPEN
Saturday	August 6, 2011	51st Street	131st Street	CLOSED
Sunday	August 7, 2011	49th Street	129th Street	CLOSED
Monday	August 8, 2011	47th Street	127th Street	OPEN
Tuesday	August 9, 2011	45th Street	125th Street	OPEN
Wednesday	August 10, 2011	43rd Street	123rd Street	OPEN
Thursday	August 11, 2011	41st Street	121st Street	OPEN
Friday	August 12, 2011	39th Street	119th Street	OPEN
Saturday	August 13, 2011	37th Street	Fountain Head	CLOSED
Sunday	August 14, 2011	35th Street	High Point - North	CLOSED
Monday	August 15, 2011	33rd Street	Capri	OPEN
Tuesday	August 16, 2011	31st Street	Quay	OPEN
Wednesday	August 17, 2011	29th Street	English Towers	OPEN
Thursday	August 18, 2011	27th Street	Pyramid	OPEN
Friday	August 19, 2011	25th Street	94th Street	OPEN
Saturday	August 20, 2011	23rd Street	92nd Street	CLOSED
Sunday	August 21, 2011	21st Street	90th Street	CLOSED

OCEAN CITY BEACH PATROL

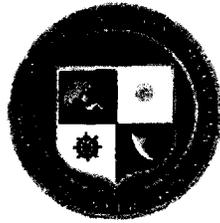
Surfing Beach Schedule 2011

Day	Date	South Surfing Beach	North Surfing Beach	Inlet Surfing Beach
Monday	August 22, 2011	19th Street	88th Street	OPEN
Tuesday	August 23, 2011	17th Street	86th Street	OPEN
Wednesday	August 24, 2011	15th Street	84th Street	OPEN
Thursday	August 25, 2011	13th Street	82nd Street	OPEN
Friday	August 26, 2011	11th Street	80th Street	OPEN
Saturday	August 27, 2011	9th Street	78th Street	CLOSED
Sunday	August 28, 2011	7th Street	76th Street	CLOSED
Monday	August 29, 2011	5th Street	74th Street	OPEN
Tuesday	August 30, 2011	3rd Street	72nd Street	OPEN
Wednesday	August 31, 2011	1st Street	70th Street	OPEN
Thursday	September 1, 2011	Caroline Street	68th Street	OPEN
Friday	September 2, 2011	66th Street	146th Street	OPEN
Saturday	September 3, 2011	64th Street	144th Street	CLOSED
Sunday	September 4, 2011	62nd Street	142nd Street	CLOSED
Monday	September 5, 2011	60th Street	140th Street	CLOSED
Tuesday	September 6, 2011	58th Street	138th Street	OPEN
Wednesday	September 7, 2011	56th Street	136th Street	OPEN
Thursday	September 8, 2011	54th Street	134th Street	OPEN
Friday	September 9, 2011	52nd Street	132nd Street	OPEN
Saturday	September 10, 2011	50th Street	130th Street	CLOSED
Sunday	September 11, 2011	48th Street	128th Street	CLOSED

OCEAN CITY BEACH PATROL

Surfing Beach Schedule 2011

Day	Date	South Surfing Beach	North Surfing Beach	Inlet Surfing Beach
Monday	September 12, 2011	46th Street	126th Street	OPEN
Tuesday	September 13, 2011	44th Street	124th Street	OPEN
Wednesday	September 14, 2011	42nd Street	122nd Street	OPEN
Thursday	September 15, 2011	40th Street	120th Street	OPEN
Friday	September 16, 2011	Surfing ordinance goes out of effect unti 2012		



MEMORANDUM

TO: Mayor and City Council

DATE: March 24, 2011

FROM: Kathleen Mathias, City Clerk

SUBJECT: Street Performers

Guy Ayres has completed a thorough review of recent case law concerning street performers. As a result, he is recommending some changes to what had been proposed and approved for street performers. Based upon Guy's recommendation he will prepare an ordinance that reflects, the following changes:

1. 15 designated locations from S. First Street to N. Division Street, as previously described, with 2 locations added – one at Worcester Street and another at S. Division. Currently the N. Division Street location is not included, but Guy may want to discuss that with you further.
2. Hours for street performers will be 8 a.m. to midnight with the locations noted above being subject to a weekly lottery (not daily) for the prime hours of 6 p.m. to midnight
3. If performers are interested in participating in the lottery, but not successful in gaining a spot, they can go to street ends to the north of North Division or elsewhere in Town. Their hours still end at midnight
4. During the day, performers can go to any of the designated locations until the 6 p.m. lottery designated performer arrives for their allocated position.
5. The areas will be marked and numbered so that they know where to go.
6. These guidelines will be in effect from the Friday of Memorial Day through the Monday of Labor Day.

Guy will have the ordinance completed over the weekend. If available on Monday, I will e-mail to you for your review, if not he will bring copies to the meeting on Tuesday. The first reading of the ordinance will be Monday, April 4th as previously discussed.

Please let me know if you have any questions.

kapm

cc: Dennis W. Dare, City Manger
Guy Ayres, City Solicitor
Chief Bernadette DiPino
Lt. Scott Kirkpatrick