

**April 4, 2011
Regular Session #7
Mayor and Council
Town of Ocean City**

Council Member Richard W. Meehan
Council President James S. Hall
Council Secretary Lloyd Martin

Council Member Margaret Pillas
Council Member Mary Knight
Council Member Doug Cymek
Council Member Joe Hall
Council Member Brent Ashley

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, City Engineer Terry McGean, Private Events Coordinator Lisa Mitchell, Members of the Press and Interested Parties.

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; 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; seconded by Council Member Ashley. The vote was unanimous.**

PRAYER & PLEDGE

American Legion Chaplain Warren Disbrow led the prayer and Mayor Rick Meehan led the Pledge of Allegiance.

NOTICE OF CLOSED SESSION

Council President Hall re-opened the meeting and reported that personnel, 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, Mary Knight, Doug Cymek, Joe Hall and Brent Ashley, City Manager Dennis Dare, City Solicitor Guy Ayres, City Clerk Kathleen Mathias, Ocean City Police Chief Bernadette DiPino and Steve Silvestri of Miles & Stockbridge (via phone). **Council Member Joe Hall moved to close the closed session; seconded by Council Member Ashley. The vote was unanimous.**

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. Introduction of Revenue Specialist Brian Huntington and Report on Internship Project
2. Update and Review of the 401A Plan - presented by: Wayne Evans, Human Resource Director
3. Request Approval for Transfer of Trolleys to Annapolis - presented by: George Thornes, Transportation Superintendent
4. Presentation and Approval of Policies and Procedures for Compliance with Securities and Exchange Commission Rule 15c2-12 - presented by: Martha Lucey, Finance Administrator
5. Review and Approval of the Sponsorship Policy – presented by Parks and Recreation Director Tom Shuster

APPROVAL OF MINUTES

The minutes for the Work Session dated March 15, 2011, and Regular Session #6, dated March 21, 2011 were approved as presented.

ITEMS PRESENTED BY THE MAYOR AND COUNCIL

- A. Tourism Director Debbie Turk announced that Maryland Life's Magazine recognized Ocean City for Maryland's: "Finest Wedding Venue" (beach), "Finest Day Trip," and "Finest Holiday Tradition" (Winterfest).
- B. **Lottery for addition to Springfest and Sunfest Beer Truck Rotation.**
City Clerk Mathias advised that the two applicants, the Cricket Center and the Optimist's Youth Club, have met the non-profit status criteria, but the Cricket Center is not based in Ocean City. **Council Secretary Martin moved to approve adding the Cricket Center and the Optimist's Youth Truck on the beer truck rotation list; seconded by Council Member Cymek. The vote was 3-4 with Council Members Jim Hall, Joe Hall, Ashley and Pillas opposed.**
Council Member Joe Hall moved to freeze the non-profit beer truck rotation list; seconded by Council Member Cymek. The vote was unanimous.
- C. City Clerk Kathleen Mathias presented the following with OC University Diplomas:

Bachelors Degree

Shalimara Anna Kufchak
Mary Ann Manganello
Pamela J. Sanders
Joyce Ann Taylor-Showell
Charles Harry Walls

Masters Degree

Patricia M. Johnstone
Shalimara Anna Kufchak
Joyce Ann Taylor-Showell

Doctorate Degree

Patricia M. Johnstone
Jeff McArthur, Sr.

PRIVATE EVENT PERMIT REQUESTS

Private Events Coordinator Lisa Mitchell presented the following for approval:

- A. **OCVFC/Maryland State Firemen's Association 119th Annual Parade** – Wednesday, June 22, 2011 starting at 15th Street. Present for questions was Roger Steger, Parade Coordinator **Council Member Cymek moved to approve; seconded by Council Member Knight. The vote was unanimous.**
- B. **Ride for the Feast** – Saturday, May 14, 2011. Present for questions was Amanda Fisher and Ted Blankenship, Moveable Feast **Council Member Ashley moved to approve; seconded by Council Member Pillas. The vote was unanimous.**
- C. **2011 16th Annual Sand Duels Soccer Challenge** – June 11 – 12, 2011. Present for questions was Derek Wilson, ASG Events **Council Member Knight moved to approve the event if the organizers maintain Beach Patrol acc on Dorchester Street, and, spectators are clear of the tram lane; seconded by Council Member Pillas. The vote was unanimous.**
- D. **Battle on the Beach** – April 29 – May 1, 2011. Present for questions was Trisha Pingor and Katie Brown **Council Member Ashley moved to approve; seconded by Council Member Joe Hall. The vote was unanimous.**
- E. **Delmarva ESA Surf Series 2011** – Various Dates. Present for questions was Christopher Makibbin, ESA. **Council Member Knight moved to approve; seconded by Council Member Cymek. The vote was unanimous.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

City Solicitor Guy Ayres presented the following:

- A. First Reading – Ordinance 2011-9 to amend Chapter 62, entitled Peddlers and Solicitors (specifies locations for street performers during specific hours). William Campion, Mark Chase, Robert Peasley, Joseph Smith and Tim Whittemore were present with comments. **Council Member Knight moved to approve the First Reading of Ordinance 2011-9; seconded by Council Secretary Martin. The vote was 5-2 with Council Members Ashley and Hall opposed.**
- B. First Reading – Ordinance 2011-10 amending Compensation or Benefits Paid or Provided to Certain Municipal Employees (Retirement plan for new hires will be a defined contribution plan). John Adkins expressed his opposition to the legislation. **Council Member Ashley moved to approve the First Reading of Ordinance 2011-10; seconded by Council Member Pillas. The vote was 4-3 with Council Members Martin, Knight and Cymek opposed.**
- C. First Reading – Ordinance 2011-11 Amending Compensation or Benefits Paid or Provided to Certain Municipal Employees (Establishes Health Savings Account for new employees) **Council Member Ashley moved to approve the First Reading of Ordinance 2011-11; seconded by Council Member Pillas. The vote was 4-3 with Council Members Martin, Knight and Cymek opposed.** Mayor Meehan asked that the Council establish a vesting schedule before ratifying this ordinance.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

City Manager Dare presented the following for approval:

- A. Recommendation of bid award for beach patrol ATV's to Pete's Cycle Company, in the for the sum of \$16,077 (Budget Allocation = \$16,500). **Council Secretary Martin moved to approve; seconded by Council Member Knight. The vote was unanimous.**
- B. Recommendation for parking meters on 1st Street west of St. Louis Avenue. City Engineer Terry McGean was present for questions. **Council Member Joe Hall moved to approve; seconded by Council Member Knight. The vote was unanimous.**
- C. City Clerk Kathleen Mathias presented a request to transfer two independent taxi medallions into one fleet as a limited liability corporation. She advised that the independent to fleet ratio will remain above 15% as required. The Council decided to postpone approval until after the vehicles in question are inspected and one of the drivers, Mr. Ethridge renews his taxi driving permit.

COMMENTS FROM CITIZENS

John Adkins spoke against the decision to forgo hiring five seasonal police officers (in a February Council Meeting), and, changing the employee's pension benefits.

Robert Davis spoke for cutting taxes.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

Council Member Knight commended the Town's Webmaster, Bill Funkhouser, for the new feature on the Town's website.

Council Member Ashley mentioned the issue about people doing flips off the Caroline Street Comfort Station, and, skateboarders jumping off the memorial platform (which is chipping the cement).

ADJOURNMENT

Council Member Knight moved to adjourn at 7:55pm; seconded by Council Secretary Martin. The vote was unanimous.

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