

September 6, 2011
Regular Session #16
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, Executive Office Associate Diana Chavis, Private Events Coordinator Lisa Mitchell, City Engineer Terry McGean, Zoning Administrator Blaine Smith, 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.

PRAYER AND PLEDGE

Reverend Norman Poultney of Atlantic Methodist Church led the prayer and Council Member Knight led the Pledge of Allegiance.

CALL FOR BIDS

Wastewater Electrical Upgrades (Bid Bond Required)

Council Member Joe Hall moved to reject one late bid; seconded by Council Member Cymek. The vote was 5-0 with Council Member Margaret Pillas absent.

Vendor	Part A	Part B	Lump Sum
Rommel Electric	\$349,450.00	\$20,500.00	\$306,950.00
John W. Tieder	\$224,800.00	\$16,702.00	\$241,502.00

Council Member Knight moved to acknowledge the apparent lowest bid from John W. Tieder with remand to Staff for review; seconded by Council Member Cymek. The vote was unanimous.

REPORT FROM CITY MANAGER ON UPCOMING WORK SESSION

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

- (1.) Bid Openings for Police/EMS/Fire Department Uniforms, and, Two Factor Authentication Systems
- (2.) Report on 2011 the Ocean City Air Show – presented by Bryan Lilley of OC Air Show LLC and Internal Auditor Susan Childs
- (3.) Presentation of tourism results – presented by Equation Research
- (4.) Request to use funds from the Convention Center’s Capital Improvement account for Convention Center Capital Improvement Projects – presented by: City Engineer Terry McGean
- (5.) Approval of the 2012 Regular and Work Session Meeting Dates

APPROVAL OF MINUTES

The following minutes were approved as presented:

- A. Regular Session #13 – dated July 5, 2011
- B. Work Session – dated July 26, 2011
- C. Regular Session #15 – dated August 1, 2011

ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL

- A. Mayor Meehan issued a Proclamation recognizing September as “National Preparedness Month”. Present to accept this proclamation was Emergency Services Director Joe Theobald.
- B. Mayor Meehan presented the Certificate of Achievement for Excellence in Financial Reporting to Finance Director Martha Lucey. (This is Director Lucey’s 23rd Consecutive award).
- C. Surfider President Terry Steimer presented Citizen Kathy Fisher with the first ever the Surfider Recognition Award for her daily effort to remove debris from the beach. Mayor Meehan presented her with a Key to the City.

PRIVATE EVENT PERMIT REQUESTS

Private Events Coordinator Lisa Mitchell presented the following for approval:

- A. OC License Plate Rally – Saturday, October 22, 2011 starting at 15th Street
Present for questions was Nancy Howard, Event Coordinator. **Council Secretary Martin moved to approve and allow eligible participants to parade their vehicles on the boardwalk from 15th Street to the Inlet; seconded by Council Member Knight. The vote was 5-2 with Council Members Ashley and Pillas opposed.**
- B. ACS – Making Strides Against Breast Cancer Pink Ribbon 5K Walk/Run – Saturday, October 15, 2011. Present for questions was Beverly Furst and Kathy Decker of the American Cancer Society. **Council Member Joe Hall moved to approve the event and the partial closure of 5th Street; seconded by Council Member Ashley. The vote was unanimous.**

- C. Pigs on the Beach – Saturday, October 1, 2011. Present for questions was Craig Theobald, Blue Knights MD. **Council Member Knight moved to approve; seconded by Council Member Joe Hall. The vote was 6-1 with Council Member Pillas opposed.**
- D. Park Place Jewelers Treasure Hunt at the Beach – September 24-25, 2011
Present for questions was Todd Ferrante, Park Place Jewelers. **Council Member Knight moved to approve; seconded by Council Member Ashley. The vote was unanimous.**
- E. Date Approvals for:
 - a. Atlantic Surf Fishing Tournament – October 3-5, 2013.
 - b. Sunfest Kite Festival –September 19-22, 2013
 - c. Wine on the Beach – September 27th and 28th, 2013**Council Member Knight moved to approve all three 2013 events; seconded by Council Member Cymek. The vote was unanimous.**

UNFINISHED BUSINESSES

Ocean City Police Chief Bernadette DiPino reported that police officers notified all businesses in Ocean City about the ordinances prohibiting the sale of hallucinogenic substances and paraphernalia. City Solicitor Ayres advised that Council that rolling papers are not considered drug paraphernalia.

NEW BUSINESS

David Rainey of Sens, Inc., accompanied by Project Owner Rick Laws, requested permission to extend the allowed work hours for excavation equipment to 9:00 am to 5:30 pm up to October 2011.

Council Member Joe Hall moved to approve; seconded by Council Member Ashley. The vote was unanimous.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

City Solicitor Ayres presented the following for approval:

- A. First Reading – Ordinance 2011-27 to Amend Chapter 10, Entitled Buildings and Building Regulations (changes building permit expiration criteria). **Council Member Ashley moved to approve the First Reading of Ordinance 2011-27; seconded by Council Secretary Martin. The vote was unanimous.**
- B. First Reading – Ordinance 2011-28 to Amend Chapter 34, Entitled Fire Prevention and Protection (changes Fire Marshal hiring process). **Council Member Knight moved to approve the First Reading of Ordinance 2011-28; seconded by Council Secretary Martin. The vote was unanimous.**
- C. First Reading - Ordinance 2011-29 to Amend Chapter 70, Entitled Solid Waste (makes importation of trash unlawful). **Council Secretary Martin moved to approve Ordinance the First Reading of 2011-29; seconded by Council Member Joe Hall The vote was unanimous.**
- D. First Reading – Ordinance 2011-30 to Amend Chapter 110, Entitled Zoning (allows public utilities as a conditional use in the R-2A district). **Council Member Knight moved to approve the First Reading of Ordinance 2011-30; seconded by Council Member Joe Hall. The vote was unanimous.**

- E. First Reading – Ordinance 2011-31 to Adopt Budget Amendment #2 for FY 2011. **Council Secretary Martin moved to approve the First Reading of Ordinance 2011-31; seconded by Council Member Knight. The vote was unanimous.** Citizen John Medlin said the golf course's loan service should be reflected as an expense in the golf course budget.
- F. Resolution 2011-7 to Establish Bulk Collection Fees **Council Member Ashley moved to ratify Resolution 2011-7; seconded by Council Member Knight. The vote was unanimous.**
- G. Resolution 2011-8 to Increase Minimum Value Requiring a Building Permit. **Council Member Doug Cymek moved to ratify Resolution 2011-8 with amendment to make the minimum value to \$5,000.00; seconded by Council Member Knight. The vote was unanimous.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER

City Manager Dare presented the following for approval:

- A. Permission to purchase ammunition from The Gun Shop for the amount of \$37,593.83 (FY12 Budget Allocation = \$38,826.00). **Council Secretary Martin moved to approve the purchase; seconded by Council Member Knight. The vote was unanimous.**
- B. Recommendation of bid award to Johnston Construction Company, in the amount of \$679,174.00 (FY12 Budget Allocation = \$950,000.00) for the WAS Thickening and related improvement projects. **Council Member Knight moved to approve; seconded by Council Member Joe Hall. The vote was unanimous.**
- C. The Council had no objection to the upcoming bid opening for Two Factor Authentication Systems.

COMMENTS FROM CITIZENS

Herb Pawlukewicz commended the Mayor and Council for their response to Hurricane Irene. Secondly, he warned that the Council has been inconsistent with voting on late bids.

COMMENTS FROM THE MAYOR AND COUNCIL

Council Member Mary Knight forwarded a request from Maryland Coastal Bays President Dave Wilson's request to send a letter of support for their request for grant money from the Prescott Fund (for the protection of wildlife on the bay). The Council had no objections. Lastly, she recognized the passing of Ray Sawyer.

Council Member Brent Ashley recommended an ordinance prohibiting patrons from donning pants that fall below the waist. Council President Hall asked City Solicitor Ayres to research this issue.

Mayor Meehan recognized the passing of Ed Hammond.

ADJOURNMENT

Council Secretary Martin moved to adjourn at 7:40 p.m.; seconded by Council Member Pillas. The vote was unanimous.