

**September 19, 2011**  
**Regular Session #17**  
**Mayor and Council**  
**Town of Ocean City**

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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

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**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 Solicitor Guy Ayres, City Engineer Terry McGean, Finance Administrator Martha Lucey, Tourism Director Debbie Turk, Interim City Clerk Wayne Pryor, Deputy City Clerk Kelly Allmond, Members of the Press and Interested Parties

**CALL TO ORDER and CALL FOR CLOSED SESSION**

Council President Jim Hall called this Regular Session to order at 3:00 p.m., in the Council Chambers of City Hall, 301 Baltimore Avenue, Ocean City, Maryland 21842; then, **Council Member Ashley moved to convene into closed session to 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; seconded by Council Member Pillas. The vote was 5-0 with Council Members Lloyd Martin and Doug Cymek absent.**

**PRAYER AND PLEDGE**

Rabbi Cohen of the Chabad Synagogue led the prayer, and Council Member Cymek led the Pledge of Allegiance.

**CLOSED SESSION REPORT**

Council President Hall re-opened the meeting at 6:00 p.m. and reported that personnel matters were discussed in the closed meeting. Persons present were Mayor Rick Meehan, Council President Jim Hall, Council Secretary Lloyd Martin, Council Members Mary Knight, Margaret Pillas, Doug Cymek, Brent Ashley Joe Hall and City Solicitor Guy Ayres. Council President Hall advised that Council Member Mary Knight moved to post the City Manager position internally and nationwide; seconded by Council Member Cymek. The vote was 3-4 with Council Members Jim Hall, Joe Hall, Brent Ashley and Margaret Pillas opposed. [The motion failed.] He advised that, after the failed motion, Council Members Mary Knight and Doug Cymek excused themselves; then, Public Works Director Hal Adkins was called into the closed session. No action was taken. The vote to close the closed session was 5-0 with Council Member Mary Knight and Doug Cymek out of the room.

- D. Second Reading — Ordinance 2011 -30 to Amend Chapter 110, Entitled Zoning (allows public utilities as a conditional use in the R -2A district). **Council Secretary Martin moved to ratify Ordinance 2011-30; seconded by Council Member Ashley. The vote was unanimous.**
- E. Second Reading —Ordinance 2011 -31 to Adopt Budget Amendment #2 for FY 2011. **Council Member Knight moved to ratify Ordinance 2011-31; seconded by Council Secretary Martin. The vote was unanimous.**

## **ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER**

- A. General Services Director Joe Sobczak recommended a bid award to Elliott Wilson Trucks, for the amount of \$128,974.00 for the Cab Chassis of a Front Loading Trash Truck, and, Maryland Industrial Truck, for the amount of \$72,658.00 for the Collection Body of the Front Loading Trash Truck (FY12 Budget Allocation for entire truck = \$210,000.00) **Council Member Knight moved to approve; seconded by Council Secretary Martin. The vote was unanimous.** Also, Director Joe Sobczak recommended a bid award to Big Stuff Inc., in the amount of \$23,249.00, for the Convention Center Compactor (FY12 Budget Allocation = \$32,000.00). **Council Member Knight moved to approve; seconded by Council Member Cymek. The vote was unanimous.**
- B. Finance Administrator Martha Lucey requested approval to make a partial payment of \$1,000,000.00 to the Employee Pension Plan on September 30, 2011. **Council Member Ashley moved to approve; seconded by Council Member Pillas. The vote was unanimous.**
- C. Mayor Meehan presented, for approval, taxi medallion #121 from Independent Operator Bichara Mahamat, for the amount of \$4,100.00 to new independent operator Rafee Mohmmud. **Council Member Cymek moved to approve; seconded by Council Secretary Martin. The vote was unanimous.**

## **COMMENTS FROM CITIZENS**

Ellie Diegelmann asked Finance Administrator Martha Lucey asked about how this one million dollars is funded. Director Lucey advised that the money is budgeted in the FY11 General Fund.

Joe Groves thanked City Manager Dare for his 29 years of service. Secondly, he told the Council that the City Manager's termination without an apparent cause, is dysfunctional. Thirdly, he asked Council President Hall to resign if he is not interested in gaining a consensus vote from the whole Council. Thirdly, He said the Council majority has "awakened a sleeping giant." He invited the Mayor and Council to a meeting of the Citizens for the Preservation of Ocean City, at the Clarion on Monday, September 15, 2011 hosted by Dr. Leonard Berger.

Patti Miller said the Majority's actions over the past ten months have been hasty, unpredictable and secretive. She asked Council President Hall to change the majority's decision-making methods or resign.

John Adkins said employees should receive more recognition, and, the Majority should be fired for what they did to City Manager Dare.

Jeff McArthur said the City Manager's termination was handled inappropriately.

Ellie Diegelmann said she supported the Majority's decision.

Priscilla Zitkowitz said she is outraged by the absence of due diligence for the City Manager's termination. She called the Majority's actions "arrogant" and "ruthless."

Herb Pawlukewicz said he never got answers from City Manager Dare. He said he, himself, made big projects happen.

Vicky Barrett asked for an explanation for the termination of City Manager Dare. Council President Hall said he lost confidence in him as he "failed to keep the whole Council informed." Council Member Pillas said she was not kept informed. Council Member Joe Hall said that City Manager Dare disagreed with how he thought the city should be run.

Dr. Leonard Berger said he heard arrogance in Joe Hall's recent "we have the power" statement. He said he is concerned that the Council's dysfunction will resonate among the community and visitors.

Sean Rox said he thinks municipal elections should be merged with the national elections to improve voter turnout.

Carol Wagner said the three Council Members who opposed City Manager Dare's termination, had no apparent influence in the Majority's decision.

Bryan Russo asked for an explanation on recent statements about "the new direction." Council President Hall said the new direction is to reduce spending and lower taxes. Mayor Meehan pointed out that, before the 2010 election, City Manager Dare was instrumental in maintaining the tax rate by reducing almost \$7 million dollars from the budget. Also, Mayor Meehan said that on one occasion the Majority passed a series of ordinances that, if not vetoed, would have cost the Town \$1.9 million dollars.

Dr. Berger said the Majority's reasons for terminating Dennis Dare suggests their failure to convey their request. He said he hoped a personnel file was kept to justify this termination. Also, he said is concerned about employees not having job security.

Emma Jercheid commended the Mayor for his recent comments in the newspaper. She berated Council Member Hall for his use of the word "power" in recent public statements.

Carol Wagner said that there should be no question about doing a national search for this position.

Penny Ward said a national search for the position is responsible. She pointed out that a large group of tax payers are part-time residents who she intends to rally in the next election.

Joe Groves encouraged the Council to perform a national search.

## **COMMENTS FROM THE MAYOR AND COUNCIL**

Council Member Martin said that firing City Manager Dare was an injustice.

Mayor Meehan reminded the forum about Sunfest over the upcoming weekend.

## **ADJOURNMENT**

**Council Secretary Martin moved to adjourn at 8:50 p.m.; seconded by Council Member Knight. The vote was unanimous.**

***Beauty Spot Awards 2011***

**Residential**

The Kostopelacs--14002 Derrickson Ave.

The Mestros--200-139th St.

The Valles--322 S. Ocean Dr.

The Argentinos--12301 Jamaica Ave.

The Edwards--600 Salt Spray Rd.

The Fishbeins--148 Channel Buoy Rd.

John Danias--160 Old Wharf Rd.

The Kenningtons--207 Old Landing Rd.

**Condominium**

Orleans Court--140th St. & Coastal Hwy.

Triton's Trumpet--79th St. & Coastal Hwy.

Braemar Towers--113th St. & Coastal Hwy.

Camelot--132nd & 133rd Streets

**Commercial**

Old Pro Golf--136th St. & Coastal Hwy.

Maui Golf--57th St. & Coastal Hwy.

**Retail**

Donaway Furniture -130th St. & Coastal Hwy.

Raggamuffin--24th St. & Coastal Hwy.

**Restaurant**

Fresco's--83rd St. & Coastal Hwy.

Bayside Skillet--77th St. & Coastal Hwy.

Pirate's Den & Galley--32nd St. & Baltimore Ave.