

**March 5, 2012  
Regular Session #5  
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 Doug Cymek  
Council Member Joe Hall  
Council Member Brent Ashley

ABSENT: Council Member Mary Knight

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**ATTENDANCE**

Mayor/Interim City Manager Rick Meehan, Council President Jim Hall, Council Secretary Lloyd Martin, Council Members Margaret Pillas, Mary Knight, Doug Cymek, Brent Ashley and Joe Hall, City Solicitor Guy Ayres, City Clerk Kelly Allmond, Private Events Coordinator Lisa Mitchell, Members of the Press and Interested Parties.

**CALL TO ORDER**

Council President Hall called this Regular Session to order at 4:30 p.m. in the Council Chambers of City Hall, 301 N. Baltimore Avenue, Ocean City, Maryland 21842; **then, Council Member Ashley moved to convene into closed session to: (1) consult with counsel to obtain legal advice, and, (2) 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 Joe Hall. The vote was 4-0 with Council Members Martin, Cymek and Knight absent.**

**PRAYER AND PLEDGE**

Deacon Weschler of St. John Newman's Church led the prayer and Pledge of Allegiance.

**REPORT ON CLOSED SESSION**

Council President Hall reported that legal and personnel matters were discussed in closed session. Persons present were Mayor/Interim City Manager Rick Meehan, Council President James S. Hall, Council Secretary Lloyd Martin, Council Members Margaret Pillas, Mary Knight (teleconferenced), Doug Cymek, Joe Hall and Brent Ashley, City Solicitor Guy Ayres and John Ansivino, Senior Vice President of Springstead.

## **CALL FOR BIDS**

Bid Opening: Eagles Landing Irrigation Pump Station

- (1) Irrigation Services Corporation
- (2) Eagles Irrigation
- (3) Eastern Irrigation

**Council Member Joe Hall moved to acknowledge the bids with remand to Staff for review; seconded by Council Member Ashley. The vote was unanimous.**

## **REPORT FROM CITY MANAGER ON UPCOMING WORK SESSION**

Mayor/Interim City Manager Rick Meehan reported on that the following items are scheduled for discussion in the upcoming work session:

1. Closed Session – Tuesday, March 13, 2012 – 12:00 p.m.- 1:00 p.m. – Legal and Contractual Matters
2. Report on Closed Session – Tuesday, March 13, 2012 – 12:00 p.m. – Legal and Contractual Matters
3. Bid Openings
  - A. RFP for Art League Building
  - B. RFP for Cardboard Recycling Services: Collection, Processing and Marketing
4. Retirement Recognition for Lt. Richard Currence and PFC Douglas Hunt
5. Continued Discussion of Boardwalk Safety Issues - presented by: Jerry Greenspan, Fun City Arcade, Inc.
6. Presentation of eCruisers Operation in Areas Outside of Sunset Island - Presented by: Russell Rankin, President, eCruisers LLC
7. Update and Requests from Ocean City Development Corporation - Presented by: Glenn Irwin, Executive Director and Todd Ferrante, President
8. Update from Recreation and Parks - Presented by: Tom Shuster, Director and Kate Gaddis, Recreation Superintendent
9. Bid Award Recommendation for Eagle's Landing Irrigation Pump Station Replacement - Presented by: Tom Shuster, Director of Recreation and Parks
10. Bid Award Recommendation for Fireworks - Presented by: Tom Shuster, Director of Recreation and Parks
11. Request to Approve 5-Year Lease for Beach Tractors - Presented by: Joe Sobczak, General Services Director

## **APPROVAL OF MINUTES**

The following minutes were approved as presented:

- A. Work Session – dated February 14, 2012
- B. Regular Session #4 dated February 21, 2012

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

Mayor/Interim City Manager Rick Meehan issued a proclamation designating the Week of March 12, 2012 as Girl Scout Cookie Month. Present to accept the proclamation was Anna Fultz

## PRIVATE EVENT PERMIT REQUESTS

Private Events Coordinator Lisa Mitchell presented the following for approval:

- Added Item **Council Member Ashley moved to allow Shenanigans to raise a tent on 8<sup>th</sup> Street and the Boardwalk during their 5k Race; seconded by Council Member Cymek. The vote was 6-0 with Council Member Knight absent.**
- A. Founders Entertainment Music Festival – Date Postponement to June 1-2, 2013  
Present for questions was Tom Russell. **Council Member Cymek moved to approve the Date Hold if Mr. Russell agrees to appear before Council in November 2012 for a presentation of the concert line-up; seconded by Council Secretary Martin. The vote was 6-0 with Council Member Knight absent.**
- B. Ocean City Offshore Boat Races – Sunday, May 13, 2012 Mike Yowaiski, OPA Racing Organization **Council Member Joe Hall moved to approve; seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.**
- C. Play It Safe Events – Basketball, Dodgeball, Karaoke, Tennis and Volleyball – Various Dates in June Donna Greenwood, OC Drug and Alcohol Abuse Prevention Committee **Council Secretary Martin moved to approve; seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.**
- D. 14<sup>th</sup> Annual Lt. Mitch Maiorana Memorial Run-Swim-Run – Saturday, July 21, 2012 Ryan Cowder, OC Beach Patrol Chapter of the U.S. Lifesaving Association **Council Secretary Martin moved to approve; seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.**
- E. 2012 17<sup>th</sup> Annual Sand Duels Soccer Challenge – Saturday and Sunday, June 9-10, 2012 Scott Westcoat, President, ASG Events, LLC **Council Member Ashley moved to approve with a refundable deposit; seconded by Council Member Cymek. The vote was 6-0 with Council Member Knight absent.**
- F. White Marlin Festival and Crab Soup Cook-Off – Request Approval for 3-Year Continuation - Adding May 10, 2014 **Council Member Cymek moved to approve; seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.**

## PUBLIC HEARINGS

See Attachment A

## NEW BUSINESS

**Council Member Cymek moved to approve the Caine Woods Community Association to serve beer and wine at Fiesta Park on April 14<sup>th</sup>, June 23<sup>rd</sup>, August 7<sup>th</sup>, and August 25<sup>th</sup>, 2012; seconded by Council Member Pillas. The vote was 6-0 with Council Member Knight absent.**

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

City Solicitor Ayres presented the following for approval:

- A. **Second Reading – Ordinance 2012-09** to Authorize and Empower Mayor and City Council of Ocean City to Issue and Sell General Obligation Municipal Purpose and Refunding Bonds not to Exceed Thirty Four Million Seven Hundred Thousand Dollars (\$34,700,000) Maximum Aggregate Principal Amount **Council Secretary Martin moved to ratify Ordinance 2012-9; seconded by Council Member Cymek. The vote was 5-1 with Council Member Knight absent and Council Member Ashley opposed.**
- B. **Second Reading – Ordinance 2012-10** to Amend FY 2012 Budget **Council Member Joe Hall moved to ratify Ordinance 2012-10; seconded by Council Secretary Martin. The vote was 6-0 with Council Member Knight absent.**
- C. **First Reading – Ordinance 2012-12** to Amend Chapter 102 Entitled Vehicles for Hire (to allow the taxi indicator roof light to be an ad carrier) **Council Member Pillas moved to standardize the size of signs for cars and vans to 39" x 14" x 15"; seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.**
- D. **First Reading – Ordinance 2012-13** to Authorize the Sale of Certain Municipal Real Property (Mediterranean Drive – street end) **Council Member Pillas moved to approve the first reading of Ordinance 2012-13; seconded by Council Member Cymek. The vote was 6-0 with Council Member Knight absent.**
- E. **First Reading – Ordinance 2012-14** to Authorize the Purchase of Real Property (4<sup>th</sup> Street and Philadelphia Avenue) **Council Member Cymek moved to approve the first reading of Ordinance 2012-14; seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.**
- F. **Resolution Establishing Certain Maximum Taxicab Rates for Municipal Taxicabs** (authorizes a motor fuel surcharge of \$1.00 per fare if retail cost of regular test fuel equals or exceeds \$4 per gallon based on AAA State of Maryland average) **Council Member Ashley moved to ratify Resolution 2012-4; seconded by Council Member Pillas. The vote was 6-0 with Council Member Knight absent.**

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

City Manager Dare presented the following for approval:

- A. **Bid Award Recommendation for Eagle's Landing Clubhouse Carpeting and Flooring** **Council Member Joe Hall moved to award Donaway Furniture, in the amount of \$18,255.64 (Budget Allocation = \$18,000); seconded by Council Secretary Martin. The vote was 6-0 with Council Member Knight absent.**
- B. **Bid Award Recommendation for Coastal Highway Median Renovations** **Council Secretary Martin moved to award Chesapeake Landscaping, in the amount of \$43,770 (Budget Allocation = \$50,000 ); seconded by Council Member Ashley. The vote was 6-0 with Council Member Knight absent.**

### COMMENTS FROM CITIZENS

Joe Groves mentioned that the Citizens Meeting held on the Wednesday before this meeting was well attended with 275 citizens. He said that he (for the Citizens Group) would like an explanation of how TAB was formed and how voting members were selected. Mayor/Interim City Manager Rick Meehan referred Mr. Groves to the Chamber of Commerce and the EDC to discuss being part of TAB.

Ellie Diegelmann mentioned having a prayer vigil.

### COMMENTS FROM THE MAYOR AND COUNCIL

Council Member Pillas shared a photograph taken by a resident of a truck parked on their street. She asked that City Staff to make sure the truck is parked legally.

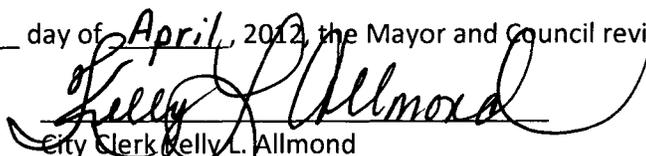
Council Member Ashley asked the Mayor about the Theme Song Contest. Mayor Meehan advised that he is working with MGH to develop the concept. Also, he asked Mayor Meehan to issue a proclamation designating April 6, 2012 as Random Act of Kindness day.

### ADJOURNMENT

**Council Secretary Martin moved to adjourn at 7:36 PM; seconded by Council Member Pillas. The vote was unanimous.**



I hereby certify that on this 2 day of April, 2012, the Mayor and Council reviewed and approved this document.

  
City Clerk Kelly L. Allmond  
Certified Municipal Clerk

**March 5, 2012 Public Hearing  
West Ocean City Park & Ride Shuttle Fare Increase  
Mayor and Council, Town of Ocean City**

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

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

ABSENT: Council Member Mary Knight

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**Public Works Director Hal Adkins**

Again, with me this evening is Miss Marne Nolan here on behalf of those that are hearing impaired. This is a public hearing to discuss modification to the fare structure for the West Ocean City Park & Ride. For anyone in attendance who wishes to speak you will be given the opportunity to do so. I would ask that when you are done speaking, please approach the Clerk's desk, there is a sign-in sheet that would like you to complete for our records.

The Council will recall, it was at a work session back on January 10<sup>th</sup>, when a few individuals came before you to discuss the performance of our revenues and our fare structure from the previous summer, when we had switched the three dollar all day pass or one dollar boarding. As a result of that discussion, numerous things came about; one of which was an ad campaign and modification to the transit system's name that you recently approved and is being implemented as we speak. Another issue was to set in for public hearing this evening that deals with modifying the fare system for the West Ocean City Park & Ride, so that it would be uniform and consistent with the Coastal Highway Route. In reflection, let me share the following with you: the Park & Ride itself was open in the summer of 2001, whether you recall or not, at that time the service between the West Ocean City and the Downtown Transit Center at South Division was in fact free. There was no charge to ride that bus the first summer. It was the following summer, the summer of 2002, that the Mayor & Council implemented a one dollar ride all day pass, and that is the fee structure that has been in existence for the last ten years. We are now proposing to modify that fare structure, so in fact, it would be equivalent to Coastal Highway. It would be a three dollar ride all day, or a one dollar boarding. The purpose of tonight's meeting, the Public Hearing that is, is to hear from anyone in attendance with any comments or opinions on the matter.

**Council President Jim Hall**

Thank you Hal. Is there anyone in the audience that would like to speak to this matter? Your name and address for the record, please.

**Mayor/Interim City Manager Rick Meehan**

Can I say one thing? [Sure]. Hal, would you do me a favor and clarify one thing, once they ride that three dollar all day pass where does that get them to go?

**Public Works Director Hal Adkins**

That three dollar ride all day pass will take them on to the island and anywhere on the island at all up to, and including 146<sup>th</sup> Street with any stop they care to do.

**Mayor/Interim City Manager Rick Meehan**

So they will no longer have to come over here then purchase another ticket to ride the bus on island. That ticket would be good for service throughout all of Ocean City. [*Public Works Director Hal Adkins: That is correct.*] Thank you.

**Citizen Comment**

Ellie Diegelmann, 106 120<sup>th</sup> Street, Ocean City Maryland, I think that probably resolves my concerns, because that is a substantial value being it would go all over Town on that three dollar ticket. The concerns I do have, I'm going to say them just because if something pops up later on, then I will have ...[*Council President Hall: I thought we resolved your concerns*] huh? [**Council President Hall: I thought you said we resolved your concerns.**] I think you did but if I'm sure as this goes on then something may come up. My concerns, even though I don't general take the Park & Ride bus over there, I have no reason to, my concerns were not only for people who might be living in West Ocean City, working on the island or vice versa and have to take the transportation back and forth to get to work, and then also for tourism or anyone coming into to Ocean City for various tourist events or whatever, I was concerned about the potential loss in commerce to the businesses here as well as the related taxes such as food and beverage taxes, real estate rental taxes, where am I, I've lost my spot here, taxes on sales, income, real estate rentals, food and beverage and other trip-related factors. So then the other thing I was concerned about is if it were to discourage people from riding the bus for any reason if it might increase pedestrian traffic over Route 50, over the bridge or what not and if there might be safety issues there. So, but yeah, I'm delighted to hear that for three dollars they can go all the way up to the Delaware Line and back.

**Council President Jim Hall**

Thank you Ellie. Is there anyone else in the audience who would like to speak? This is a public hearing, this is your time to speak. I see none. Joe?

**Council Member Joe Hall**

Hal I had a question, kind of related, now on the one dollar pass does that get them up to the North end?

**Public Works Director Hal Adkins**

No the one dollar boarding will take you from the Park & Ride to the Transit Center Downtown. So if you're going to the Boardwalk, it's one dollar to go to the Boardwalk, basically, and then another dollar to get back. If you take the one dollar ticket and this is what I think the Mayor was saying, if you happen to purchase a one dollar ticket at the Park & Ride today, when you reach South Division

Street, you exchange that paper ticket along with the additional two dollars, and will exchange it for a three dollar pass. Now you can purchase the three dollar pass at the Park & Ride. [Council Member Joe Hall: Okay] I know your question, the answer to your question is that no.

**Council Member Joe Hall**

Okay good. I'm trying to think of all the scenarios, but I support where we're going but, the mom drops her kids off at the Park & Ride to meet another family up at Northside Park, they're going to get a ride from Northside Park later, so that, in essence, these kids, it will cost them two dollars to get to Northside Park.

**Public Works Director Hal Adkins**

If they choose not to purchase an all day pass.

**Council Member Joe Hall**

That's correct. Okay, which is fine.

**Council Member Margaret Pillas**

And also we have a discount book which even gets cheaper. So if they would get a discount book, that gives them a .....

**Public Works Director Hal Adkins**

Twenty coupons for fifteen dollars. Turns out each coupon is worth a seventy five cent....

**Council Member Pillas**

Exactly, so it really is inexpensive.

**Council Member Joe Hall**

Does that have to be part of our action tonight to accept the coupons in West Ocean City or is that....

**Public Works Director Hal Adkins for Citizen**

No, it's uni... we basically gave uniformity at the Coastal Highway Route and the Park & Ride Route – cart blanc. I was waiting to see if there were any other comments from the citizens. I did receive an email that I'd like to read into the record today, so bear with me. It's about four paragraphs long. The email came in from a Judy Davis to Kelly Allmond in the Clerk's Office today, March 5<sup>th</sup> at 3:17 PM. It reads as follows verbatim:

*"To Whom It May Concern: I am a resident of W. Ocean City, living near the White Marlin Mall and the Park 'N Ride. Please picture these two scenarios to see how an increase of the shuttle fare will negatively impact on the marginalized and on the PR for Ocean City. One scenario is the fifteen or more assorted young people (or older workers) gathering at the Mall bus stop for a ride across the bridge. They are not walking as their arms are laden with packages, probably 75% of the bags from the Dollar Tree. (In the summer the Dollar Tree can not keep their store stocked due to visiting youth shopping there.) These could be students from Europe or it could be someone like myself, a high school senior from Baltimore City back in the '70s. So - that extra dollar it will cost to ride across the bridge could have been a loaf of*

*bread or some cheap hot dogs from the \$ freezer section of the store. Now picture a young family - let's say from Marion Station in Somerset County. They can not longer afford a vacation, but can do a few "day trips" to Ocean City. They park at the Park 'N Ride, as advised, and board the bus with all the beach paraphernalia for a toddler, pre-teen, mom and dad. After a great day at the beach, they use to take their stuff back to the car before walking the boards and buying a piece of pizza. Now they can't return to the car or if they do - they'll stop at McDs instead returning to town. Why? Because the \$1 fare to ride the shuttle for the day - \$4 total has now become \$12 dollars for an all day pass (for 4 individuals). is a BIG difference to most families today - it may have been the cost of the small cheese pizza. To my question is: **"What are you gaining by charging workers and visitors extra money to use the shuttle?"** Riding the shuttle helps reduce the traffic in town and is safer than walking the bridge. What kind of PR will this be for OC? Let's not forget the travelers on the Shore Transit bus either. What is the cost for the shuttle increase in good will and fairness? Please consider my comments when discussing this at the City Council meeting. Sincerely, Judy H. Davis"*

**Council President Jim Hall**

We will add that to the record. Lloyd?

**Council Secretary Lloyd Martin**

Motion to close.

**Council President Jim Hall**

I have a motion to close, I need a second. Brent?

**Council Member Brent Ashley**

Second

**Council President Jim Hall**

I have a motion and a second, all those in favor, let the record show the vote was unanimous. Thank you Hal and thank you young lady for your translation.

**Public Works Director Hal Adkins**

Marne thank you very much. The minutes from this evening's meeting will now forwarded by the Transportation Department to the Maryland Transit Administration for their final approval. Assuming that approval is provided, the new fare system will be implemented by opening day of Springfest 2012.

**Council President Jim Hall**

Thank you Hal.

**Council Member Joe Hall**

Hal do you need us to approve the change?

**Public Works Director Hal Adkins**

If you'd like to formally do so, it will result in the minutes tonight. Please.

**Council Member Joe Hall**

I'll make the motion to make the change to have parity throughout the transportation system.

**Council President Jim Hall**

Okay, Lloyd you want to second?

**Council Secretary Lloyd Martin**

Second.

**Council President Jim Hall**

I have a motion and a second, all those in favor? Let the record show the vote was unanimous.

*-End of Hearing*