



**May 29, 2012**  
**WORK SESSION**  
**MAYOR & COUNCIL**  
**TOWN OF OCEAN CITY**

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ATTENDANCE: Mayor/Interim City Manager 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, Ocean City Police Chief Bernadette DiPino, Zoning Administrator Blaine Smith, Emergency Services Director Joe Theobald, Public Works Director Hal Adkins, City Engineer Terry McGean, City Clerk Kelly Allmond, Members of the Press and Interested Parties.

Council President Jim Hall called this Work Session to order at 11:30 a.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: (1) consult with counsel to obtain legal advice; (2) consider the acquisition of real property for a public purpose and matters directly related thereto; and, (3) 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 Knight. The vote was 5-0 with Council Members Cymek and Joe Hall out of the room.**

1. **Council President Hall reopened the Work Session at 1:12p.m. and reported** that legal, real estate and personnel matters were discussed in the Executive 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, Doug Cymek, Joe Hall and Brent Ashley, City Solicitor Guy Ayres, Ocean City Police Chief Bernadette DiPino, Graylin Smith of SB & Company, Ocean City Development Corporation Director Glenn Irwin, Ocean City Development Corporation Todd Ferrante, Donald Mica and Executive Office Assistant Diana Chavis. He advised that the vote to end the Executive meeting was unanimous.
2. **Ocean City Police Chief Bernadette DiPino recognized Auxiliary Officer George Mause for his dedicated service to the OCPD.**
3. **Police Chief Update** Ocean City Police Chief Bernadette DiPino reported the following:
  - (1.) the 2<sup>nd</sup> round of Seasonal Officers will finish training by June 1, 2012;
  - (2.) the Police Department has their own YouTube Channel; and,
  - (3.) Senior Week starts Saturday, June 2, 2012
4. **Request to Change Vendor Contracts for Public Notification System**  
Emergency Services Director Joe Theobald requested permission to contract with GovDelivery LLC for \$6,000.00 annually. **Council Member Knight moved to approve; seconded by Council Secretary Martin. The vote was unanimous.**
5. **Update from Tourism Advisory Board** Presented by: Melanie Pursel, Chair and Susan Jones, HMRA (see Attachment A). Mrs. Jones reviewed the list of TAB's voting members.

**Council Member Joe Hall moved to approve a Memorandum of Understanding with the Tourism Advisory Board with the following amendments and subject to City Solicitor Guy Ayres' approval: (1) change the third bullet on page 1 under TAB's responsibilities to read, "Ensure that all invoices are approved by the Mayor and Council; (2) TAB will send every Council Member a list of all applicants; and, (3) applicants must indicate whether or not they are bonded; and, (4) the MOU is subject to yearly review; seconded by Council Member Pillas. The vote was unanimous.**

Also, Bob Rothermel reported that he is working with the FAA to gain approval for the non-terminating light display.

6. **Request Temporary Use of a Portion of Dorchester Street for Scooter Training** - presented by: Yehuda Peretz, Island Cycles **Council Secretary Martin moved to permit Island Cycles to use a portion of Dorchester Street as a training area for one year; seconded by Council Member Ashley. The vote was 3-4 with Council Members Jim Hall, Doug Cymek, Mary Knight and Margaret Pillas opposed.** The motion failed.
7. **Discussion of Proposal for Horse and Carriage Rides on the Boardwalk** - presented by: Randy Davis, R & B Ranch **Council Member Knight moved to approve the concept of horse and carriage rides in the Fall contingent upon SHA's approval; seconded by Council Member Joe Hall. The vote was unanimous.** The Council asked City Staff and Mr. Davis to return to a future work session with a draft agreement.
8. **Request Approval of Engineering Services Proposal for St. Louis Avenue Utility and Roadway Improvements, Phase I: 10<sup>th</sup> to 17<sup>th</sup> Street** - presented by: Hal Adkins, Public Works Director (see Attachment B) **Council Member Cymek moved to approve; seconded by Council Member Pillas. The vote was 6-0 with Council Member Ashley out of the room.**
9. **Request to Purchase Sign for the 4<sup>th</sup> Street Parking Lot** - presented by: Terence McGean, City Engineer **Council Member Joe Hall moved to authorize the purchase of a variable message sign from Selby Signs for \$14,929.14; seconded by Council Member Ashley. The vote was unanimous.**

**Council Secretary Martin moved to adjourn at 2:24 p.m.; seconded by Council Member Pillas. The vote was unanimous.**

Tourism Advisory Board Slate of Board Members

The following slate of Board Members has been selected by the existing TAB Board to serve a 1 year term. These additional individuals were selected based on industry that they represent as well as geographical location of their business.

Ex Officio Members

Susan Jones, Executive Director, Hotel, Motel, Restaurant Association

Melanie Pursel, Executive Director, Greater Ocean City Chamber of Commerce

Donna Abbott, Director of Tourism, Town of Ocean City

Voting Members

Ruth Waters/Hale Harrison- Harrison Group Resort Hotels and Restaurants

Malcom VanKirk, Sea Bay Hotel

Michael James, Carousel Resort Hotel & Condominiums

Mary Eastman, Cayman Suites

Tom Perlozzo, Mid Atlantic Marketing

John Gehrig, D3Corp

Greg Shockley, Shenanigans Irish Pub/Shoreham Hotel

Gary Figgs, Seacrets

Troy Purnell, Purnell Properties/ ocmotels.com

Steve Pastusak, Jolly Roger Amusement Park/Splash Mountain

Steve Pappas, Original Greene Turtle

Todd Ferrante, Park Place Jewelers

Vacancy for vacation rentals/real estate

## **Memorandum of Understanding**

Between the Tourism Advisory Board (TAB) and the Town of Ocean City Mayor and City Council

THIS MEMORANDUM OF UNDERSTANDING is being entered into by and between the Mayor and City Council of Ocean City (hereinafter referred to as “the Town”) and Tourism Advisory Board (hereinafter referred to as “TAB”) and is effective \_\_\_\_\_, upon execution by both parties. This Memorandum of Understanding shall hereinafter be referred to as “MOU”.

### **Purpose:**

The purpose of this MOU is to illustrate the responsibilities of both parties with regard to the destination marketing funds advised by TAB

### **Responsibilities:**

The Tourism Advisory Board shall:

- Identify, review and recommend events, promotional items and opportunities to increase tourism.
  - o Recommendations shall be for future and/or existing events and/or promotions that bring significant visitation to Ocean City, extended stays, or provide an enhanced, value-added experience for visitors.
- Have clear policies and procedures for collecting/soliciting, reviewing and recommending expenditures to the Town Council. This includes the requirement for each applicant to include a detailed budget and project narrative.
  - o All applicants fill out an application for funding which is reviewed by TAB (see attached). All applicants will be required to provide references to ensure fiscal soundness of their business.
- Ensure that all expenditures are approved by the Mayor and City Council.
- Provide economic impact figures of events that have been supported by the Town.
- Attend work sessions monthly to keep the Town abreast of the progress of various approved events and/or projects.
- Will seek active members of TAB from a variety of tourism-related industries, including hotel, motel, retail, restaurant, condo, amusement and potentially a

citizen, based on TAB approval. In addition to industry, TAB will review potential members on a variety of factors. TAB will approve members and officers and will present the slate to MCC.

The Town of Ocean City shall:

- Provide annual funding annually in the amount of \$300,000 to invest in new or existing events, and/or marketing opportunities, and/or promotions that generate visitation, extended stays and value added experiences for existing visitors. This would be a 2 year commitment- reviewed every 2 years.
- Projects are limited to 1 year with an option to renew for a second year. This applies primarily to private events, not contracted services.
- Allow dollars not used in one fiscal year to be rolled over to the next fiscal year.
- Process all payments, once approved, through City accounts following purchasing requirements.
- Ensure that all purchase orders will be obtained by the City and payments issued directly to the vendors.
- Ensure that all payments be processed in a timely manner.
- Include events on website, consider during any PR/media tours and on any collateral materials where appropriate.

# MEMORANDUM



**To:** Richard W. Meehan, Interim City Manager

**From:** Hal O. Adkins, Public Works Director

**Re:** Engineering Services Proposal Approval  
St. Louis Ave Utility and Roadway Improvements  
Phase I: 10th to 17th Streets

Date: May 21, 2012

Attached for review and approval is the Engineering Services Proposal associated with the St. Louis Ave Phase I improvements that are slated for construction this fall. The attachment represents the Scope Of Services I have requested from Whitman, Requardt and Associates.

As discussed in the Scope of Services, the overall effort involves the completion of both water and wastewater related upgrades, in addition to modifications to the roadway design and storm drainage upgrades. The total fee for this effort is estimated at \$ 85,400.00 and is allocated across three separate funding accounts (Water, Wastewater, General Bond ).

Looking forward to approval at the Work Session on May 29, 2012.

cc. Jim Parsons  
Dean Dashiell  
Charlie Felin  
Howard Iman

May 9, 2012

The Mayor and City Council  
Ocean City, Maryland  
Attention: Mr. Hal O. Adkins  
P.O. Box 158  
Ocean City MD 21842-3922

Re: Proposal for Engineering Services  
St. Louis Avenue Utility and Roadway Improvements  
10<sup>th</sup> Street thru 17<sup>th</sup> Street

Dear Mr. Adkins:

In accordance with the Department of Public Works' request, we are pleased to present our proposal for engineering services for the finalization of utility improvements and for roadway improvements, both for St. Louis Avenue from just south of 10<sup>th</sup> Street to 17<sup>th</sup> Street, including 17<sup>th</sup> Street from St. Louis Avenue to Philadelphia Avenue. The utility portion of the project also includes gravity sewer improvements for one block east from St. Louis Avenue in several of the cross streets, and the roadway portion may include several storm drain improvements west from St. Louis Avenue pending performance a field survey associated with the roadway improvements.

The St. Louis Avenue utility improvements include an 8" replacement water main with connections at each cross street and replacement water house connections, and various in-place gravity sewer and sewer house connection replacements. Also included will be the inclusion of the gas company's gas main upgrade alignment and the Town's conduit design alignments for future street lighting.

The St. Louis Avenue roadway improvements entail curb to curb pavement reconstruction design and possible storm drain improvements. Some sidewalk replacement will be required to replace deteriorated portions and sections removed for utility service line installations.

A portion of the cross street sewer improvements were previously designed by WR&A and are to be adjusted and incorporated into this contract. The same holds true for several of the storm drain improvements.

The vast majority of the water and sewer design for this project is being performed under Ocean City Purchase Orders 159822 (Water) and 159819 (Wastewater), which were a part of a

previously similar N. Division Street to 17<sup>th</sup> Street utility project that WR&A was preparing for the Town in conjunction with a roadway improvements project of the same limits, but of greater magnitude, by others. Primarily due to budget restraints, the overall N. Division St. to 17<sup>th</sup> St. project was reworked with this smaller project limits and less elaborate roadway improvements.

The utility improvements will include providing plan and profile for the replacement water main and gravity sewers. Appurtenances such as water house connections, fire hydrants and sewer house connections will be shown on the plans. St. Louis Avenue (and 17<sup>th</sup> Street) roadway improvements, possibly including storm drains, will be shown in plan and profile. Road improvement profiles will be along the west bottom of curb, centerline of road and east bottom of curb. For all of the above work, details will be provided, as necessary.

We will prepare specifications, including technical sections for the water, sewer and roadway improvements, along with the associated bid form quantities, measurement and payment information and engineer's estimate. The plan/profile design drawings will be at a 1" = 20' horizontal scale and a 1" = 5' vertical scale. As with the roadway improvements, all utility installation work is to be performed within road rights-of way with the exception of small areas required for the water and sewer service connections immediately beyond the back edge of sidewalk (property line). As in previous projects, the Town will provide or acquire the property owners' permission for the water and sewer service connections to be made.

## **SCOPE OF SERVICES**

### **A. SURVEY**

1. Field: Recover horizontal and vertical control.
2. Field: Set traverse and levels.
3. Field: Collect data.
4. Office: Research horizontal and vertical control.
5. Office: Perform computations.
6. Office: Process data.
7. Office: Prepare survey base map.

B. DESIGN – WATER, SEWER AND ROADWAY

1. Convert existing design back to NAD 83 and NAVD 88. (The previous project by others in which WR&A's design was to be included was prepared in an outdated horizontal datum and vertical datum.)
2. Break out existing utility designs from overall N. Division Street to 17<sup>th</sup> Street project (13 sheets).
3. Finalize water and sewer designs and their appurtenances and show the gas company's gas main upgrade alignment and the Town's street lighting design (conduit only).
4. Design storm drain improvements for 16<sup>th</sup> and 17<sup>th</sup> Streets and incorporate previous WR&A storm drain designs through St. Louis Avenue and west for three additional cross streets. (The survey, Part A of this proposal, was performed prior to the approval of this proposal. Evaluation of the data collected has indicated that all streets, including 16<sup>th</sup> and 17<sup>th</sup> Streets, have had storm drain improvements made through to their outfalls. Therefore, this item of work is not necessary, but it is left in the proposal without a fee as a reference.)
5. Design St. Louis Avenue roadway improvements, including 17<sup>th</sup> Street from St. Louis Avenue to Philadelphia Avenue (5 sheets).
6. Prepare specifications, including technical sections for the water, sewer and roadway work, tabulate quantities for the bid form and provide measurement and payment descriptions. Also, prepare an engineer's estimate.
7. Address Town review comments regarding the plans and specifications.

C. PERMITS

1. Assist the Town with Maryland State Highway Administration Lane Closure and Utility Permit applications.
2. Acquire erosion and sediment control and stormwater management approvals.
3. Submit Consistency Report to the Town's Critical Area Program authority to confirm project is authorized under maintenance provisions (confirming no mitigation planting is required).
4. Prepare and process the MDE Notice of Intent (NOI) document.

5. Make submittal to Maryland Department of Environment/U.S. Army Corps of Engineers Permit Center to confirm project is authorized under maintenance provisions (confirming Joint Permit is not required).

D. POST-DESIGN SERVICES

1. Assist the Town with advertising the project, including providing reproduction of plans and specifications (25 sets).
2. Attend pre-bid meeting. Prepare addenda, as necessary.
3. Attend pre-construction meeting with the Town and contractor.
4. Review shop drawings. (It is anticipated that a total of twenty shop drawings will be reviewed.)
5. Address requests for information (RFI's) during construction. (It is anticipated that twenty RFI's will be addressed.)
6. Attend periodic progress meetings at the Town's direction. (It is anticipated that 3 meetings will be attended.)
7. Prepare record drawings from the contractor's construction field notes.

**The Town of Ocean City shall provide the following:**

- a. All reports and as-built/record drawings for utilities, roadway and property.
- b. Legal services and advice.
- c. Access to utilities and site.
- d. Consultation with the Town's personnel relative to the project.
- e. Payment of permit, laboratory testing, boring and testpitting fees.
- f. Maintenance of traffic designs.
- g. On-site inspection services during construction.

**COMPENSATION**

The estimated fees for this project are as follows:

|                                            |                  |
|--------------------------------------------|------------------|
| Part A - Survey                            | \$ 4,600         |
| Part B - Design - Water, Sewer and Roadway | \$ 43,800        |
| Part C - Permits                           | \$ 11,850        |
| Part D - Post-Design Services              | \$25,150         |
| <b>Total Estimated Fee</b>                 | <b>\$ 85,400</b> |

*(Fund Breakdown: Water = \$ 21,000; Sewer = \$ 21,000; General = \$ 43,400)*

We will perform this work and other requested extra work for a fee based upon a factor of 2.55 times actual technical payroll plus out-of-pocket expenses. The factor of 2.55 is applicable to salaries of only technical personnel working on this project. The factor includes payroll burden overhead costs for partners, accountants, secretaries and other non-technical support personnel engaged on this project, and profit. Out-of-pocket expenses include sub-consultant fees, travel to and from the project at \$0.555 per mile, subsistence costs associated with travel, reproduction, plus the actual costs for any other expenses directly chargeable to the project. The budgeted fee for engineering services will not be exceeded without approval from the Town.

Invoices will be submitted every four weeks for work performed during the previous four-week period and shall be paid within 30 days following receipt.

## **SCHEDULE**

The fee is based on performing the Survey, Design and Permit work through the summer of calendar Year 2012 and the Post-Design Services through the spring of 2013.

If this proposal is acceptable to you, please sign in the location provided below and return the copy for our files. It is a pleasure to work on these important infrastructure projects for the Town of Ocean City.

Very truly yours,

Whitman, Requardt & Associates, LLP

Dennis J. Hasson, P.E., BCEE  
Partner

Enclosures

cc: Charles Felin (with encl.)  
Bud Iman (with encl.)

APPROVED:

\_\_\_\_\_ DATE \_\_\_\_\_