



**JULY 31, 2012
WORK SESSION
MAYOR & COUNCIL
TOWN OF OCEAN CITY**

ATTENDANCE: Mayor Rick Meehan, Council President James S. Hall, Council Secretary Lloyd Martin, Council Members Mary Knight, Doug Cymek, Joe Hall and Brent Ashley, City Manager David Recor, City Solicitor Guy Ayres, General Services Director Joe Sobczak, Lt. Elton Harmon, City Engineer Terry McGean, City Planner Robert Nelson, Chief Deputy Public Works Director James Parsons, Finance Director Martha Bennett, City Clerk Kelly Allmond, Members of the Press and Interested Parties. Council Member Pillas was absent.

1. Council President Jim Hall called this Work Session to order at 11:00 a.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) 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 Secretary Martin. The vote was 4-0 with Council Members Joe Hall, Doug Cymek and Margaret Pillas out of the room.**

2. Council President Hall reopened the Work Session at 1:00 p.m. and reported that legal, real estate and contractual matters were discussed in the closed session. Persons present were: Mayor Rick Meehan, Council President James S. Hall, Council Secretary Lloyd Martin, Council Members Mary Knight, Doug Cymek, Joe Hall and Brent Ashley, City Manager David Recor, City Solicitor Guy Ayres, Internal Auditor Susan Childs, Public Works Director Hal Adkins, City Engineer Terry McGean, Graylin Smith of SB & Company and Executive Office Assistant Diana Chavis.

3. Bid Openings

A. Annual Concrete Sidewalk – Repair & Replacement Contract

Worth Construction	\$75,000.00
Goody Hill Groundwork	\$59,500.00
Shea Concrete	\$85,000.00

Council Member Mary Knight moved to accept the apparent lowest bid from Goody Hill Groundwork with remand to Staff for review; seconded by Council Member Cymek. The vote was 6-0 with Council Member Pillas absent.

B. Annual Street Paving Contract

Chesapeake Paving	\$219,750.00
George & Lynch	\$216,890.00

Council Member Mary Knight moved to accept the apparent lowest bid from George & Lynch with remand to Staff for review; seconded by Council Member Ashley. The vote was 6-0 with Council Member Pillas absent.

C. Annual Standby Generator Preventive Maintenance Contract

Alban Power Generation	\$39,000.00
Fidelity Power Systems	\$28,270.00
Kelley Generator & Engine	\$28,555.00
Alban Power Generation	\$49,000.00

Council Member Mary Knight moved to accept the apparent lowest bid from Fidelity Power Systems with remand to Staff for review; seconded by Council Member Ashley. The vote was 6-0 with Council Member Pillas absent.

D. City-Wide Water Valve Exercising Project

Utility Service Company
Wachs Utility Service
Mueller Service Company

Council Member Mary Knight moved to accept the apparent lowest bid from Utility Service Company with remand to Staff for review; seconded by Council Member Ashley. The vote was 6-0 with Council Member Pillas absent.

E. Replacement of 14th Street Water Treatment Plant Replacement Valves

Johnston Construction Company	\$ 99,729.00
Bering Construction	\$153,000.00
George & Lynch	\$155,728.00

Council Member Mary Knight moved to accept the apparent lowest bid from Johnston Construction Company; seconded by Council Member Ashley. The vote was 6-0 with Council Member Pillas absent.

**F. Boardwalk Phase II
(Staff Estimate: \$3,000,000)**

All States Construction (South end)	\$ 267,311.00
R.L. Mitrecic & Sons (South end)	\$ 163,404.80
Harkins Concrete & Construction (South end)	\$ 154,000.00
RBCI (South end)	\$ 64,000.00
George & Lynch (South end)	\$ 199,550.00
Rehak's Contracting (South end)	\$ 82,699.00
Rehak's Contracting (North end)	\$1,104,913.92
Kade Construction (South end)	\$ 72,390.00
RBCI (North end)	\$1,466,479.00
Harkins Concrete & Construction (North end)	\$2,830,000.00
George & Lynch (North end)	\$2,797,265.00

Council Member Mary Knight moved to accept the apparent lowest bids from RCBI for the South end, and, Rahak's Construction for the North end; seconded by Council Member Cymek. The vote was 5-1 with Council Member Joe Hall opposed and Council Member Pillas absent.

**G. Boardwalk Phase II Lumber Materials
(Staff Estimate: \$475,000.00)**

Long Life Treated Wood	\$493,982.40
Grasmick Lumber	\$501,372.60
National Wood Sourcing	\$395,731.84
Grasmick Lumber	\$501,372.60
Lumber Man	\$470,720.00

Council Member Doug Cymek moved to accept the apparent lowest bid from National Wood Sourcing with remand to Staff for review; seconded by Council Member Knight. The vote was 5-1 with Council Member Joe Hall opposed and Council Member Pillas absent.

4. **Tourism Advisory Board Funding Requests** Presented by: Convention Center Director Larry Noccolino and Greg Shockley, TAB Chair **Council Member Brent Ashley moved to accept TAB's recommendation to fund the Silver Sizzles revue in the amount of \$13,500.00; seconded by Council Member Knight. The vote was 6-0 with Council Member Pillas absent.**

Mr. Shockley, accompanied by George Rush, Producer and Larry Revis from the Maryland Film Office requested approval to forward fund the Ping Pong Summer Movie Production for the amount of \$100,000.00. City Solicitor Guy Ayres advised that no taxpayer dollars can be made for unregulated security. He said the payment would need to be made to an entity that provides grant funding. **Council Member Ashley moved to accept TAB's recommendation to designate \$100,000.00 for the production of Ping Pong Summer; seconded by Council Secretary Martin. The vote was 6-0 with Council Member Pillas absent.**

5. **Overview of Dew Tour Event and Site Plan (see Attachment A)** Presented by: Aileen Koprowski Sokol, Director of Competition and Event Production, Alli Sports
6. **Request to Purchase Vehicles on Maryland State Contract (see Attachment B)** Presented by: Joe Sobczak, General Services Director **Council Member Mary Knight moved to purchase ten (10) vehicles under the Maryland State Contract, for the sum of \$298,200.00; seconded by Council Member Ashley . The vote was 6-0 with Council Member Pillas absent.**
7. **Request to Use FY2011 Homeland Security Grant Funds for Police In-Car Technology** Presented by: Lt. Elton Harmon **Council Secretary Lloyd Martin moved to approve the use of \$39,989.18 of Homeland Security Grant Funding for the enhancement of Police In-Car camera technology; seconded by Council Member Cymek. The vote was 6-0 with Council Member Pillas absent.**

8. **Presentation of Caroline Station Design** Presented by: Terence McGean, City Engineer Council Member Brent Ashley moved to approve the Caroline Street Comfort Station design; seconded by Council Member Joe Hall. The vote was 6-0 with Council Member Pillas absent.
9. **Request to Adopt 2012 Building Codes** Presented by: Terence McGean, City Engineer Council Member Doug Cymek moved to proceed with the First Reading of an ordinance to adopt the 2012 Building in the next Regular Session; seconded by Council Member Ashley. The vote was 6-0 with Council Member Pillas absent.
10. **Planning and Zoning Annual Report for 2011 (see Attachment C)** Presented by: Bob Nelson, Planner Council Member Brent Ashley moved to approve the Report; seconded by Council Member Joe Hall. The vote was 6-0 with Council Member Pillas absent.
11. **Engineering Proposal for Design of Modifications and Improvements to the Odor Control System at the Wastewater Treatment Plant Facility** Presented by: Jim Parsons, Chief Deputy Director of Public Works - **vote shown below*
12. **Engineering Proposal for Design of Improvements to the Clarigesters and Sludge Pumping Buildings at the Wastewater Treatment Plant** Presented by: Jim Parsons, Chief Deputy Director of Public Works – **vote shown below*
13. **Engineering Proposal for Design of Improvements to the Wastewater Pumping Stations Located at (1) Dukes Avenue and (2) at Old Landing Road** Presented by: Jim Parsons, Chief Deputy Director of Public Works – **vote shown below*

*Council Secretary Lloyd Martin moved to accept Director Parson’s recommendations to implement the evaluation if the Odor Control System, Clarigesters and Sludge Pumping Buildings and the Dukes Avenue and Old Landing Road Pumping Stations; seconded by Council Member Knight. The vote was 6-0 with Council Member Pillas absent.
14. **Discussion of Renegotiating Terms for the Airport Improvement Bond of 2005** Presented by: Martha Bennett, Finance Administrator Council Secretary Lloyd Martin moved to accept Bank of America’s Offer at the rate on day of acceptance if loan documents meet City Solicitor Ayres’ approval; seconded by Council Member Joe Hall. The vote was 6-0 with Council Member Pillas absent.
15. **Review of Proposed Ordinance to Revise the Criteria for No-Excuse Absentee Ballots** Presented by: Guy R. Ayres, City Solicitor Council Member Cymek moved to proceed with the First Reading of an ordinance to accept regular absentee ballot applications until 5:00 p.m. on the Monday immediately preceding election day, and, accept emergency absentee ballots until the closing of polls on election day; seconded by Council Member Knight. The vote was 5-1 with Council Member Ashley opposed and Council Member Pillas absent.

16. **Discussion to Change Poll Closing Time to Coincide with State Poll Closing Time** Presented by: Guy R. Ayres, City Solicitor Council Member Mary Knight moved to change the closing of municipal election polls from 7:00 p.m. to 8:00 p.m. ; seconded by Council Member Joe Hall. The vote was 6-0 with Council Member Pillas absent.

17. **Resolution to Authorize that the Proposed Charter Amendment Allowing Certain Employees of All Departments of Ocean City to Collectively Bargain be Placed on the Election Ballot in November** Presented by: Guy R. Ayres, City Solicitor Council Member Brent Ashley moved to ratify Resolution #2012-10; seconded by Council Member Knight. The vote was 6-0 with Council Member Pillas absent.

18. **Request to Serve Beer and Wine at Fiesta Park for the Delmarva Irish American Club Annual Picnic on Sunday, August 5, 2012** Presented by: Mayor Rick Meehan, President of DIAC Council Member Doug Cymek moved to approve; seconded by Council Secretary Lloyd Martin. The vote was 6-0 with Council Member Pillas absent.

Council Member Knight moved to request that City Manager Recor, Chief DiPino and Staff to review, and make a recommendation on, an updated skateboard ordinance; seconded by Council Member Cymek. The vote was 6-0 with Council Member Pillas absent.

Council Secretary Martin moved to adjourn; seconded by Council Member Knight. The vote was 6-0 with Council Member Pillas absent.



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

City Clerk Kelly L. Allmond
Certified Municipal Clerk

OCEAN CITY FINAL PLAN AND UPDATES

ATTACHMENT A





Overview

We would like to extend our thanks to the city staff, the mayor's office and city council for your continued support of the Dew Tour and your tireless efforts throughout the planning process. We have been working very closely with all of the departments in making this another hugely successful, and smooth, event for the city.

We wanted to outline the agenda that includes our key updates. We will take you through our full presentation during the work session.



Agenda

- General update and thanks
- Site updates
 - Final Site Layout
 - Stage location
 - Sampling
 - Water sales
 - Coordination with local bottler
- TV Production enhancements
 - Cablecam- new aerial camera
- City coordination
 - Beach Stand Vendors Update
 - Meetings and plan
 - Fireworks coordination
 - Dorchester St lot rental
 - Toyota shuttles



Site Layout



A full site layout will be presented in the work session





MEMORANDUM

DATE: July 18, 2012

TO: David Recor, City Manager

FROM: Joe Sobczak, General Services Director

SUBJECT: Purchase of Vehicles on Maryland State Contract

Both Ford and General Motors have authorized the sale of 2013 vehicles at the awarded 2012 Maryland State contract prices.

Outlined below is a list of approved vehicles that qualify for this discount.

Criswell Chevrolet-Gaithersburg, MD

3-2WD Police Pursuit Tahoes @ \$27,945 each

2-2WD Police Pursuit Tahoes @ \$27,321 each

Apple Ford-Columbia, MD

1-Ford 1 ton 4x4 pickup (horse truck) @ \$28,289

1-Ford Explorer 4x4 (engineering) @ \$26,324

1-Ford ½ ton 4x4 pickup (PW Construction) @ \$20,221

1-Ford 1 ton 4x4 pickup with utility body (PW Construction) @ \$29,200

1-Ford 1 ton 2WD pickup with utility body (PW Maintenance) @ \$31,257

This represents a savings of \$24,432 from the budgeted amount of \$298,200.

My recommendation is to accept this offer and purchase these vehicles as noted.

**2011 ANNUAL REPORT
Town of Ocean City Planning Commission
July 3, 2012**

INTRODUCTION

The Maryland Annotated Code, Article 66B, Sec. 3.09, requires the Planning Commission to prepare an annual report which shall:

- (1) Locate on a map all changes in development patterns including land use, transportation, community facilities patterns, zoning map amendments, and subdivision plats.
- (2) State whether the changes are or are not consistent with each other, the last annual report, adopted local and state plans.
- (3) Contain recommendations for improving the local planning and development process.
- (4) State which ordinances have been adopted or changed to implement the visions contained in Article 66B.

The “Smart, Green and Growing” legislation passed in 2009 and 2010 includes requirements for additional information to be included in local annual reports:

- (1) A report if an Adequate Public Facilities Ordinance (APFO) restricts development in a Priority Funding Area (PFA). *(Does not apply to Ocean City, as we do not have an APFO.)*
- (2) If more than 50 residential building permits are issued in the year, certain measures and indicators analyzing growth within and outside PFAs, development capacity, and preservation of agricultural land are required. *(Does not apply to Ocean City this year because only 16 residential building permits were issued.)*

DEVELOPMENT PATTERNS

There were no changes to development patterns within the Town. Development was consistent with existing and planned land use patterns, primarily in the form of redevelopment.

There were no zoning map amendments or subdivisions. There were no changes to transportation or community facilities patterns. Improvements to both were accomplished, but no overall patterns were changed.

CONSISTENCY

Development that occurred was consistent with local Comprehensive Plans (Town and County), as well as with State development plans and policies. As the entire municipality is a State-designated Priority Funding Area (PFA), all development has taken place within the PFA.

RECOMMENDATIONS FOR IMPROVING LOCAL PLANNING AND DEVELOPMENT PROCESS

- (1) The Municipal Growth and Water Resources Elements of the Comprehensive Plan were adopted in 2009. The six-year review of the Ocean City Comprehensive Plan has begun. This review should be completed by early 2013. Appropriate zoning map and ordinance changes will follow.
- (2) A review of the permit process continues, with the goal of improving the process while still providing adequate oversight and protection of the public. An on-line permitting system is being implemented to better serve the public.
- (3) Implementation of the Critical Area Program and Stormwater Management regulations and will continue, as will support for the Ocean City Development Corporation and the Maryland Coastal Bays Program.

ORDINANCES AND REGULATIONS

The Planning Commission considered the following ordinances and regulations to implement the State Visions during 2011:

- (1) Design guidelines – Design guidelines for development outside of the downtown area were developed by the Commission and adopted by the legislative body.
- (2) The scope of the Planning Commission’s site plan review authority was expanded to include residential projects with three or more units (previously 10 or more units) and all commercial projects (previously greater than 5,000 square feet).
- (3) Outdoor lighting – Improved outdoor lighting controls were developed by the Commission and adopted by the legislative body.
- (4) “All Hazards Mitigation Plan” was prepared, and a public hearing held by the Commission, as required by FEMA and MEMA as part of the Community Rating System. Final approval pending.
- (5) Wind turbines - Reviewed and approved the first conditional use request for a rooftop wind turbine installation, subsequent to adoption of enabling ordinance.
- (6) Scooter and moped regulations – The Commission held public hearings and developed enhanced regulations on rentals of scooters, mopeds and similar vehicles. These regulations were intended to protect the public safety, and were adopted by the legislative body.