

April 15, 2013



REGULAR SESSION #7

TOWN OF OCEAN CITY, MARYLAND
301 N. BALTIMORE AVENUE, OCEAN CITY, MARYLAND 21842

THE HONORABLE MAYOR AND CITY COUNCIL PRESIDING

MAYOR RICHARD W. MEEHAN

**COUNCIL PRESIDENT LLOYD MARTIN
COUNCIL SECRETARY MARY KNIGHT**

**MARGARET PILLAS^{ABSENT}
DOUGLAS CYMEK
BRENT ASHLEY
DENNIS DARE
JOSEPH MITRECIC**

ATTENDANCE

Mayor Rick Meehan, Council President Lloyd Martin, Council Secretary Mary Knight, Council Members Doug Cymek, Brent Ashley, Dennis Dare and Joe Mitrecic, City Solicitor Guy Ayres, Finance Director Martha Bennett, City Engineer Terry McGean, Public Works Director Hal Adkins, Purchasing Director Joe Sobczak, City Clerk Kelly Allmond, Members of the Press and Interested Parties.

CALL TO ORDER

Council President Lloyd Martin called the meeting to order at 6:00 p.m. in the Council Chambers of City Hall located at 301 North Baltimore Avenue in Ocean City, Maryland.

PRAYER AND PLEDGE

OC Beach Patrol Lieutenant Ward Kovacs led the prayer and the Pledge of Allegiance.

APPROVAL OF MINUTES

The following items were approved as presented:

- A. Work Session dated March 26, 2013
- B. Regular Session #6 dated April 1, 2013

COMMENTS FROM THE PUBLIC

- Ann McDermott suggested that the Town collecting a wage tax of .025% from those who work within city limits.
 - Anthony Livingston of the Coalition against Bigger Trucks asked the Council to oppose House Bill 612 which increases the allowed size of tractor trailers.
 - Al Wendling said tasers do not fix bigger problem and the Council needs to publish notices about behavior control.
 - Herb Pawlukewicz said he is opposed to the employee raises.
 - Tony Christ said he is opposed to the provisions of the collective bargaining agreement.
 - Joe Groves reminded everyone to be good to the City Employees.
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ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL

- A. Resolution 2013-6: Collective Bargaining Agreement with the Career Firefighters Paramedics **Council Member Brent Ashley moved to postpone ratification of Resolution 2013-6.** The motion failed for lack of a second. **Council Secretary Mary Knight moved to ratify Resolution 2013-6; seconded by Council Member Dare. The vote was 5-1 with Council Member Brent Ashley opposed and Council Member Margaret Pillas absent.**
- B. Resolution 2013-7: Collective Bargaining Agreement with the Fraternal Order of Police **Council Member Doug Cymek moved to ratify Resolution 2013-7; seconded by Council Secretary Knight. The vote was 5-1 with Council Member Brent Ashley opposed and Council Member Margaret Pillas absent.**
- C. Proclamation Designating April 26, 2013, Arbor Day
- D. Presentation of Ocean City University Diplomas (see Attachment A)
- E. Standing Committee Reports
 - Council Member Doug Cymek reviewed the April 8, 2013 Police Commission Minutes (see Attachment B)
 - Council Secretary Mary Knight reviewed the April 8, 2013 Tourism Commission Minutes (see Attachment C)
 - Council Member Joe Mitrecic reviewed the March 19, 2013 Recreation and Parks Committee (see Attachment D)

CONSENT AGENDA

Council Member Joe Mitrecic moved to approve Items A-H as presented; seconded by Council Secretary Knight. The vote was 6-0 with Council Member Pillas absent.

- A. Private Event Approval Request for Showell Elementary 1st Grade Boardwalk Walk – May 10, 2013
- B. 3-Year Private Event Approval Request for Cruisin' OC – May 14-17, 2015
- C. 3-Year Private Event Approval Request for Endless Summer Cruisin' – October 8-11, 2015
- D. 3-Year Private Event Approval Request for Knights of Columbus Procession – May 2, 2015
- E. Assistant Fire Chief Approval Request of Sole Source Fire Gear Purchase
- F. General Services Director Bid Award Recommendation for Beach Patrol ATVs
- G. City Engineer Bid Award Recommendation for Boardwalk Camera Network Servers
- H. City Clerk Request for Approval of Taxi Medallion Transfers

[Inserted Item]

- I. City Engineer Request for Approval to Lease Temporary Restrooms on Caroline Street **Council Member Joe Mitrecic moved to contact with Royal Restrooms in the amount of \$17.050 per month plus \$3.550 delivery and installation; seconded by Council Secretary Knight. The vote was 6-0 with Council Member Pillas absent.**

MISCELLEANEOUS REPORTS AND PRESENTATIONS

- A. Invitation to the 27th Annual AARP Health Fair presented by Melvin Friedman, Event Chairman
- B. Private Event Approval Request for Ravens' Beach Bash – May 30 - June 1, 2013 **Council Member Brent Ashley moved to approve; seconded by Council Member Mitrecic. The vote was 6-0 with Council Member Pillas absent.**

- C. Private Event Approval Request for OC Beachlights – Various 2013 dates **Council Secretary Mary Knight moved to approve the event dates as presented on Attachment E; seconded by Council Member Cymek. The vote was 6-0 with Council Member Pillas absent.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER AND STAFF

Discussion of Surfing Beach Schedule presented by Recreation and Parks Director **Council Member Doug Cymek moved to approve the Surfing Beach Schedule as presented on Attachment F; seconded by Council Secretary Knight. The vote was 6-0 with Council Member Pillas absent.**

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

- A. First Reading of Ordinance 2013-8 to Amend Benefits Paid to Certain Municipal Employees (to permit participation of new police employees in the Public Safety defined benefit pension plan and change the benefit for employees hired after July 2, 2011) **Council Secretary Mary Knight moved to approve the First Reading of Ordinance 2013-8; seconded by Council Member Cymek. The vote was 5-1 with Council Member Ashley opposed.** Council Member Brent Ashley asked Mayor Meehan to veto this ordinance citing that the Council did not receive an actuarial study. City Manager David Recor asserted that the actuarial study was provided in a closed session.
- B. Resolution 2013-8 Authorizing Disposition of Surplus Personal Property (allows sale of miscellaneous equipment and vehicles on GovDeals.com) **Council Secretary Mary Knight moved to ratify Resolution 2013-8; seconded by Council Member Cymek. The vote was 6-0 with Council Member Pillas absent.**

COMMENTS FROM THE CITY MANAGER

City Manager David Recor advised that the following items are tentatively scheduled for the April 30, 2013 Work Session:

1. Recognition of Public Works Maintenance Employees for the Development of a Lifting Device, presented by Risk Management Director Eric Lagstrom
2. Update from the Tourism Advisory Board
3. Discussion of a proposed extension of the banner program near the Route 50 Bridge, presented by Public Works Director Hal Adkins
4. Discussion of Beach Patrol Headquarters, presented by Recreation and Parks Director Tom Shuster and Beach Patrol Captain Butch Arbin

COMMENTS FROM THE MAYOR AND CITY COUNCIL

- Council Member Joe Mitrecic thanked Ann McDermott for her constructive comments about collecting revenue.
- Mayor Meehan reminded the forum that the Komen Race for the Cure is scheduled for the upcoming weekend.

ADJOURN

Council Member Joe Mitrecic moved to adjourn at 7:42 p.m.; seconded by Council Member Dare. The vote was 6-0 with Council Member Pillas absent.

*Minutes approved on 5.6.13
Greg J. Allmon*

**Ocean City University
2013 Graduates**

Bachelor Degree
Ocean City University

Dennis Byrne
Donna Byrne
Stephanie A. Gamm
Heather Nicole Cummings
Michael J. "Delbert" Lato, Jr.
Sharon W. Lato
Gerald Matson
Charles W. McCready, Jr.
Anna "Kay" Schrum
Paul Schrum
Paul Starkey

Doctorate Degree
Ocean City University, Citizens Police Academy and CERT

Mary Ann LeMay
Philip Mordenti, Jr.

POLICE COMMISSION MEETING MINUTES OPEN SESSION

April 8, 2013 9:00 a.m.

Present: Mayor Rick Meehan, Council President Lloyd Martin, Commission Chairperson Doug Cymek, City Manager David Recor, Council Member Dennis Dare, Acting Chief Michael Colbert, Captain Kevin Kirstein

1. The March 19, 2013 Police Commission Organizational Session Minutes were approved.
2. Discussion of proposed meeting dates conflicting with town holidays.

October Meeting will be held Friday, October 11, 2013

November Meeting will be held Friday, November 8, 2013

3. Budget Overview by Acting Chief Colbert –under what was submitted last year, including allowing for raises to the bargaining unit and proposed increases for civilians and staff.
Additions to budget:
 - a. Additional Public Safety Aides (“PSA’s”) to be assigned to shifts, frees up sworn officers to do police work.
 - o PSA’s are assigned to front desk, parking ticket meter writers, act as couriers between south and north divisions.
 - o Statement of charges needs original signature – can no longer use electronic signature - PSA’s can be used for courier to get documents to PSB quickly.
 - o Captain Kirstein will attend Maryland Chief’s meeting and will get more information on what other communities are doing in this regard.
 - b. Additional Tasers. 8 were recently approved by the Council; 14 more are needed. The cost for 14 more remains in the budget.
 - c. New roof. The City’s Engineer has determined that the PSB Building is in need of a new roof will which cost approximately \$600,000.
4. Summer staffing estimates – 105 seasonal officers (35% returning seasonal officers). The Training & Recruiting Section tested over 700 applicants. Question raised if we need to do this recruiting every year – it was explained that yes, to get the quality of seasonal officer, it is imperative that we travel to colleges to recruit for our seasonal officers.
 - a. Total seasonal officers will go down as some are offered full-time employment by other police departments.

- i. We do not replace the seasonal officers that depart for full time employment.
- b. Housing – almost full – possibility that we might be looking for another 1 or 2 houses for our seasonal employees. This program works well for everyone involved.

5. Other business –

- a. Discussion held concerning the new MOU with the County concerning continued responsibility for prisoners once transported to Snow Hill.
 - i. If our prisoner needs transport from Snow Hill to hospital, we would be called to transport except in emergency, then we would be called to meet at the hospital.
- b. Any effect to budget? Not much, this is a rare occurrence.
- c. Captain Guiton and Lt. Harmon will present more information to Council at April 9 closed session
- d. Our detention capacity:
 - i. Standard 40 (two individuals per cell)
 - ii. Maximum 80 (four individuals per cell)
 - iii. Holding 30 (temporary while waiting to be processed)
 - iv. Total Maximum Capacity 110
- e. Maryland state law changes will mean more arrestees will be released on citation rather than brought to detention.
 - i. There are certain criteria that must be met for an arrestee to be released on citation
 - ii. Maryland may decriminalize small amounts of marijuana – civil citation would be similar to underage alcohol ticket.

The next meeting of the Police Commission will be Monday, May 13, 2013 at 9:00 AM at the Public Safety Building, 6501 Coastal Highway, Ocean City, MD 21842

Tourism Commission Meeting Minutes
April 8, 2013

ATTACHMENT D

The following individuals were in attendance:

Commission Members – Mayor Rick Meehan, Council Secretary and Tourism Commission Chair Mary Knight, Councilman Dennis Dare; Todd Ferrante, OCDC Representative; Michael James, EDC Representative. Also present were: Greg Shockley, State Tourism Commission Chair; David Recor, City Manager; Donna Abbott, Tourism Director; Larry Noccolino, Convention Center Director; Susan Petito, Recreation & Parks; Lisa Osman, Tourism; John Gehrig and Melanie Pursel, Chamber Representatives; Susan Jones, HMRA Representative.

Discussion of marketing message relating to Hurricane Sandy

Mary Knight opened the meeting by relaying a suggestion from Councilman Brent Ashley to encourage people to visit hard-hit areas to our north to help in their recovery, and that in turn will cast Ocean City in a positive light. Business organization representatives pointed out that there were numerous relief efforts carried out by Ocean City organizations to help those communities in the storm's aftermath and that some of the communities may not be ready to host visitors in the coming months, therefore we might be doing a disservice by encouraging them to visit.

Continued discussion of Tourism Metrics

Tourism Director Donna Abbott relayed that State Tourism Director Margot Amelia could not be in attendance today after the meeting schedule of the Tourism Commission was switched from Thursday to Monday, however, Margot will be in attendance at the May meeting to discuss tourism metrics the state uses to evaluate its tourism efforts. Mary Knight shared an analysis proposed by Nobi, a consulting business that provided a preliminary proposal to do a study at a minimum of \$75,000. Mary also handed out a tourism report prepared by the Jackson Hole, Wyoming Chamber and recounted they publish hotel occupancy numbers weekly in their local newspaper. Donna also handed out copies of the state's tourism sales and use tax codes for 2012, along with the most recent Smith Travel Report for February and an Ocean City tourism impact report prepared in 2011 by the state as part of their annual reporting. Michael James suggested a comp set of hotel properties be established and evaluated. There was consensus for Mary to work with the Tourism Director and Susan Jones of HMRA and Melanie Pursel from the Chamber to form a subcommittee to further explore metrics methods and how to compile.

OC Experience

Tourism Director Donna Abbott, presented data collected at four travel shows the Tourism Department participated in this year as part of the OC Experience project. Data was collected by persons attending shows in Philadelphia; Columbus, Ohio; Baltimore and Washington. Donna reported that the Washington show, a two-day travel show held in March, was the best attended. A total of 827 email addresses were collected from

attendees who entered information on an Ipad to win a hotel stay in Ocean City. Also 3,600 visitor guide books were distributed at the four shows, although Donna reported they could have used more guide books at Washington and Baltimore. The majority of respondents was female, age 35-64 and married. Survey respondents have primarily visited Ocean City one to five times (31 percent) or 6-20 times (32 percent), although 43 percent have never visited Ocean City. For the trip being researched at the show, 40 percent plan to travel as a couple while 35 percent plan to travel as a family with children.

Photos were also taken at the shows, including two where Rodney made appearances (Philly and Baltimore) and posted on Facebook. Posts and albums received 420,000 plus impressions.

At the conclusion of the four shows, MGH, the town's advertising agency sent out a survey to those who submitted their email addresses to find out if the information presented at the travel shows helped them make a decision to go on vacation. Approximately 10 percent of the 800 plus people responded to the survey, with the following reported:

72 people said that the show helped them make a decision on where to vacation; 28 said it did not. 92 people said the Ocean City booth made them more likely to plan a trip to Ocean City; 6 said it made them less likely. 8 visitors had already planned or booked an OC trip this year; 48 had not. 56 planned to visit OC this year; 45 people did not. Respondents to the survey were in the following age divisions: 14 were under 30; 11 were 31-39; 29 were 40-49; 27 were 50-59 and 17 were 60 or older.

The next meeting will be held on May 13, at 1:00, in Room 214 at the Convention Center.

Recreation and Parks Committee
April 9, 2013

ATTACHMENT C

1. Call to Order: The meeting was called to order at 4:30 PM at Northside Park. Present were Joe Mitrecic, Dennis Dare, Lloyd Martin, David Recor, Tom Shuster, Hal Adkins, Eric Lagstrom, Susan Petito, Kate Gaddis, Lisa Mitchell and Ward Kovacs. Guests included Niall Swan, Corey Davis, Dave Speies, Renee Seiden, Brian Shane, Joanne Shriner and Zach Hoopes.
2. Approval of Minutes: The minutes of March 12, 2013 were approved as presented.
3. Soccer Resort Beach Tournament Private Event: Niall Swan appeared on behalf of the Soccer Resort Beach Tournament private event planned for August 3, 2013 on the beach downtown. Dennis Dare noted the event is in apparent conflict with other activities and events scheduled in Town in early August. Mr. Swan agreed to consider a new date later in August and amend his application.

The Committee confirmed that all new private event applications be referred to the Committee after staff review and before proceeding to the Council.

4. Swim OC Private Event Request: Corey Davis and Dave Speies appeared on behalf of the private event Swim Ocean City scheduled for July 20, 2013. Ward Kovacs indicated that the Beach Patrol had the resources to monitor the event without negative impact on beach operations. The Committee discussed the potential impact of the event. The Committee agreed to refer the application back to the Council with recommended changes to the application.
5. Ravens Beach Bash Private Event: Renee Seiden appeared on behalf of the Ravens Beach Bash planned for Saturday, June 1 on the beach in front of the Clarion Resort Fountainbleau Hotel. Ward noted some concerns raised by Beach Patrol from beach access occurring in last year's event. The event operator will ensure satisfactory north to south movement on the beach for emergency access. The event is currently on the April 15 Council agenda. The Committee voted to extend a favorable recommendation for the event.
6. Surfing Beach Update: Tom Shuster and Ward Kovacs reported that 3 surf schedules have been developed for discussion on April 15 with the Surfing Beach Sub-Committee. The Committee asked that a 4th version be developed using the Inlet Beach exclusively as the third surfing beach on weekends.
7. Beach Toys: Hal Adkins gave an update on the "Beach Toys" that have been placed on the beach seasonally since approved by Council in 2000. Eric Lagstrom reported on the history of personal injuries resulting from use of the beach toys. The Committee discussed the liability of placing the toys on the beach. Motion by Dennis Dare seconded by Lloyd Martin that the Toys not be returned to the beach and offered to be returned to the donors, and that Recreation and Parks staff be directed to investigate the feasibility of providing commercial play equipment on the beach for 2014. Motion carried.

8. 2013 Meeting Schedule: Motion by Lloyd Martin, seconded by Dennis Dare, to approve the 2013 meeting schedule. Motion carried.
9. Recreation & Parks Budget Review: Joe Mitrecic asked some questions about the Department budget and the Marketing Coordinator position. The Committee also reviewed some reductions in staffing hours for Camp Horizon. Susan reported that the modified budget includes reductions in the operation of the Skate Park to include being closed in January and February. Susan agreed to compile some more attendance data on the Skate Park and report back on use at future meetings.

The Committee discussed the Tennis Center operation and budget.

10. Kayak Rental Proposal: Tom Shuster reported that the proposal submitted by Superfun Eco Tours did not constitute an unsolicited proposal under the Town's Purchasing Policy.
11. Access to Northside Park: Joe Mitrecic reported that he has spoken to Furman Richardson, owner of the Montego Bay Shopping Center property, and he requested a vehicle access from their rear parking lot to Jamaica Avenue. Joe Mitrecic will follow up with Terry McGean on possible access.
12. The meeting was adjourned at 6:10 PM

Recreation & Parks Committee

Surfing Beach Subcommittee

Minutes of April 1, 2013

1. Call to Order: The meeting was called to order at 4:00 p.m. at the Community Room at City Hall. Present were Butch Arbin, Ward Kovacs, Tom Shuster, Mick Chester, Joe Groves, Chris Shanahan, Shelly Dawson, Rick Pairo, Mike Foelber, Lee Gerachis, Joe Mitrecic and Dennis Dare and Lloyd Martin.
2. Surfing and the Beach Patrol Mission: Butch described the mission of the Beach Patrol and handed out a written description of the current operation of the Ocean City Surfing Beaches. Butch also described how the Beach Patrol decides to modify beach access to permit surfing during the established swimming hours from 10:00 a.m. thru 5:30 p.m.
3. History of Surfing Beaches in Ocean City: Butch handed out a history of surfing regulations and designated surfing beaches in Ocean City. Lloyd Martin arrived at 4:25 p.m.
4. Discussion of Surfing Beaches in 2013: Mick Chester discussed how Beach Patrol decides to modify beaches for permitted surfing. Lee Gerachis offered the opinion that a less flexible, more definitive option on modified surfing may be safer and cause less tension between surfers and swimmers.

Butch Arbin provided some data on the use of surfing beaches in 2012.

Some members suggested increasing the size of surfing beaches to two blocks and then moving the surfing beaches 3 blocks each day. Following discussion, there was no consensus on this option.

Mike Foelber provided Google earth photos showing the beaches around the Princess Royale Hotel in 2010 over a holiday weekend. A discussion of the impacts of surfing beaches on the guests and operators of large hotel and condominium properties followed.

Ward Kovacs suggested a change to a beach size of approximately one and a half blocks wide by adding to the width on either or both sides of the block. There was support among the group for this option. Using this option, the proposed draft schedule for 2013 could be maintained while allowing more surfing space.

The group discussed the variable size of "blocks" around town and Butch Arbin explained how the rotating beach schedule north and south takes that into consideration.

Mick Chester suggested adding a third surfing beach on Saturdays and Sundays to compensate for the loss of the Inlet Beach on weekends. Butch agreed to prepare a draft schedule for 2 rotating surfing beaches from Monday to Friday and 3 rotating beaches on the weekends. The addition of a third surfing beach on weekends would require hiring more Surfing Beach Facilitators (SBF's) and a corresponding increase to the Beach Patrol budget. This option and its cost will be discussed at the next meeting.

The next meeting was scheduled for Monday, April 15 at 4:00 p.m. In order to expedite action, the recommendation from the April 15 meeting will be scheduled for the Council meeting of April 15.

The meeting was adjourned at 5:35 p.m.