

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

OCTOBER 29, 2013 ✦ WORK SESSION

In attendance: Mayor Rick Meehan, Council President Lloyd Martin, Council Secretary Mary Knight, Council Members Margaret Pillas, Doug Cymek, Brent Ashley, Dennis Dare and Joe Mitrecic, City Solicitor Guy Ayres, Special Events Director Frank Miller, Purchasing Manager Catrice Parsons, OCPD Lieutenant Greg Guiton, Construction Superintendent Dean Dashiell, Deputy City Clerk Terrance Murray, Members of the press and interested parties.

CALL TO ORDER

Council President Lloyd Martin called the meeting to order at 11:30 a.m. in the Council Chambers of City Hall located at 301 North Baltimore Avenue in Ocean City, Maryland; then, **Council Member Joe Mitrecic moved to convene into closed session to: (1) consult with counsel to obtain legal advice; (2) to consider the acquisition of real property for the public purpose and matters; and, (3) discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation or any matter affecting one or more appointees, employees or officials over whom it has jurisdiction; seconded by Council Secretary Knight. The vote was unanimous.**

REPORT ON CLOSED SESSION – TUESDAY, OCTOBER 29, 2013 – 11:30 A.M.

Council President Martin reopened the meeting at 1:10 p.m. and reported that legal, real estate and personnel matters were discussed in the closed session. Persons present were Mayor Rick Meehan, Council President Lloyd Martin, Council Secretary Mary Knight, Council Members Doug Cymek, Brent Ashley, Dennis Dare, Margaret Pillas and Joe Mitrecic, City Solicitor Guy Ayres, Ocean City Development Corporation Executive Director Glenn Irwin and Executive Office Associate Diana Chavis. The vote to close the executive session was unanimous.

COMMENTS FROM THE PUBLIC

Herb Pawlukewicz asked if there were any major changes to the meeting times. Council President Lloyd Martin said any changes made were to adjust for holidays.

NEW BUSINESS

A. Bid Openings

1) Medical Supplies

- Bound Tree Medical
- Ever Ready Medical Supply
- Henry Schein, Inc.
- Laerdal Medical Corp
- McKesson Medical-Surgical
- Med Vet International
- MES-Maryland
- QuadMed, Inc.
- Southeastern Emergency Equipment

Council Member Joe Mitrecic moved to acknowledge the nine (9) bids with remand to staff for review; seconded by Council Member Ashley. The vote was unanimous.

2) Roof Replacement and Restoration Project

Council Member Joe Mitrecic moved to re-bid the project; seconded by Council Member Ashley. The vote was unanimous.

B. Retirement Recognition of Bill Bratten, Public Works Construction Manager

C. Discussion of Changes to Springfest Vendor Closing Time and Fee Structure presented by Special Event Manager **Council Secretary Mary Knight moved to change the SpringFest 2014 vendor closing time from 10:00 p.m. to 8:00 p.m., and, increase the vendor space fee by \$5.00; seconded by Council Member Ashley. The vote was unanimous.**

D. Request for Approval of Ocean City Police Department General Orders presented by Captain Guiton (see Attachment A)

➤ **Council Member Joe Mitrecic moved to approve General Order 100 A-1; seconded by Council Secretary Knight. The vote was unanimous.** The Mayor concurred with the vote.

➤ **Council Secretary Mary Knight moved to approve General Order 100 D-2; seconded by Council Member Mitrecic. The vote was unanimous.** The Mayor concurred with the vote.

➤ **Council Secretary Mary Knight moved to approve General Order 200 H-2; seconded by Council Member Pillas. The vote was unanimous.** The Mayor concurred with the vote.

➤ **Council Member Doug Cymek moved to approve General Order 200 U-1; seconded by Council Member Pillas. The vote was unanimous.** The Mayor concurred with the vote.

➤ **Council Secretary Mary Knight moved to approve General Order 600 J-1; seconded by Council Member Cymek. The vote was unanimous.** The Mayor concurred with the vote.

E. Request to Approve Revised 2014 Mayor and Council Meeting Schedule presented by City Manager (see Attachment B) **Council Member Joe Mitrecic moved to approve; seconded by Council Member Ashley. The vote was unanimous.**

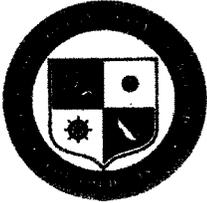
Council Member Joe Mitrecic moved to convene into closed session at 2:00 p.m. to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation or any matter affecting one or more appointees, employees or officials over whom it has jurisdiction; seconded by Council Member Pillas. The vote was unanimous.

Council Member Martin reopened the meeting at 2:53 p.m. and reported that personnel matters were discussed in closed session. Persons present were: Mayor Rick Meehan, Council President Lloyd Martin, Council Secretary Mary Knight, Council Members Doug Cymek, Brent Ashley, Dennis Dare, Margaret Pillas and Joe Mitrecic, City Solicitor Guy Ayres, Internal Auditor Susan Childs and Executive Office Associate Diana Chavis. The vote to close the executive session was unanimous.

ADJOURN

Council Member Joe Mitrecic moved to adjourn at 2:53 p.m.; seconded by Council Member Pillas. The vote was unanimous.

*Approved by the MCC
on November 4, 2013
Kelly J. Allmond*



INTERDEPARTMENTAL MEMO

DATE : 9 October 2013
TO : Mayor and City Council of Ocean City
FROM : Ross Buzzuro, Chief of Police
SUBJECT : Policy Approvals

The following policies have been developed or updated and have been submitted for your approval. All have been reviewed and approved by Mr. Guy Ayres prior to your review.

General Order (G.O.) 100 A-1: Department Direction and Organization

This is an updated policy to reflect the organizational structure as we have discussed recently. The chart at the end of the policy portrays the operational components of the organization that will most effectively meet the needs of the community. Community service related matters will remain an integral part of the Office of the Chief while all other aspects of the Department will be managed at the Divisional level. This policy also includes the newly created Selective Enforcement Unit which is another investigative component of the Criminal Investigation. This new unit will address investigative needs arising out of intelligence gathering efforts that directly impact quality of life and safety issues for residence and visitors.

General Order (G.O.) 100 D-2: Employee Recognition

This is an updated policy that was originally published under the title of "Commendation Board" in 1999. The policy now addresses other aspects of commendation and recognition to include retiree recognition. The update also streamlines the nomination process for commendation recommendations, avoiding multiple approval steps. This update was initiated through the Joint Labor/Management Committee as part of the Collective Bargaining Agreement.

General Order (G.O.) 200 H-2: Biased Based Profiling

This policy requires a very minor update to properly reflect new terminology used in conjunction with traffic stop data collection and proper reference to a Standard Operating Procedure (S.O.P.) used to provide direction to police officers applying the requirements set forth in Maryland Vehicle Law § 25-113. The referenced S.O.P. is entitled Reportable Traffic Stop Data Collection (SOP-ADM 007). The specific term updated in the policy is T.S.D.F. which is a Traffic Stop Data Form. This form is used by officers who are not using the computerized data entry known as E-TIX when issuing traffic enforcement actions (citation, warning, or S.E.R.O.). The form allows the Records Management Section the ability to enter captured data required for compliance with the law without burdening police officers with administrative tasks.

General Order (G.O.) 200 U-1: Use of Force

This policy, as with the previous policy, is updated for the purpose of terminology change, a reference to new less-lethal weapon introduced to the Department, and a notation from a 2011 Maryland Court of Appeals case regarding a TASER use.

Regarding terminology, TASER, International has changed from using the term **Electronic Control Device (ECD)** to the term **Conducted Electrical Weapon (CEW)** to identify their product line. The terminology change has been made in this policy as well as in the Standard Operating Procedure (SOP) that governs CEW use (SOP-OPS 015).

There is an additional reference in the policy to a less-lethal launcher under Section V-D: Impact Weapon. This device was introduced to the Department several years ago but was not placed in service until June 2013. The guidelines for the weapon's use are found in SOP-OPS 020.

The final change, or actual addition to the policy, is a reference to a Maryland Court of Appeals case that was decided in 2011. The Court ruled that the use of a C.E.W. for the purpose of stopping a fleeing suspect may be considered an arrest and said detention would need to be supported by probable cause. Since this is the "rule of the land", we elected to note this in the policy referencing the case by name; Reid v. Maryland. Training in this area has been done with each C.E.W. class that has been taught since the Department adopted the weapon for use.

General Order (G.O.) 600 J-1: Juvenile Custody and Care

This is an update to a policy that was originally published in 1990. Over the twenty-three years the policy has been in place, several Chief of Police Memorandums (COP) have been published to accommodate changes regarding juvenile law without updating the actual policy. The policy update now incorporates all best practices pertaining to care and custody of juveniles, in compliance with State and Federal laws.

General Order (G.O.) 800 I-1: Mobile Wireless Communication Device Use

This policy was originally published under the title Cellular Telephone Use in 2005. As technology as advanced with the increase use in handheld devices and smart phone systems as a means of communication, the revision to the original policy now accounts for these technology advances. This policy was sent to Eric Lagstrom, Town of Ocean City Risk Manager, for his input and approval.

General Order (G.O.) 400 A-1: AIDS

This is a 1988 policy that is very specific to only one form of pathogen that any one of the Department's employees could be subjected to while working. Given the date of the original policy, it is understandable the precaution the Department was attempting to address. As time has progressed, the reality is that there are several bloodborne pathogens that require precautionary measures and the Department, with the aid of Fire Department, has elected to address these matters through a Standard Operating Procedure entitled Communicable Disease Prevention and through frequent training. The new S.O.P. is relevant to situation faced by the Department's employees and is much more far reaching than the current General Order as published. We ask that the current General Order (G.O. 400 A-1) be rescinded as we replace the policy with a new Standard Operating Procedure.