

A meeting of the Mayor and City Council of Ocean City was held in the Municipal Building on Tuesday evening, July 24th, 1962, at 8:00 o'clock.

Mayor Cropper and Councilmen Harman, Jackson, Kelley, McCabe and Showell were present.

The meeting was called to order by the President of the Council, Harry W. Kelley.

The minutes of the meeting of July 17th, 1962, were read and approved.

Daniel Trimper IV came to this meeting with reference to the area between 9th and 13th streets, west of St. Louis Ave. that he had inquired about at last council meeting. The clerk had looked up the minutes on this and had found the following taken from the minutes of March 8th, 1955, and March 8th, 1960.

The following is taken from the minutes of The Mayor and City Council of Ocean City at there meeting of March 8th, 1955 at which the following where present:

Mayor Trimper and Councilmen Bishop, Bunting, Cropper, Kelley and McCabe.

The meeting was called to order by the President of the Council, Hugh Thomas Cropper.

Mr. William H. Scott, Attorney, representing Hitchens and Trimper, came to this meeting with regard to the development of Mr. Hitchens' and Mr. Trimper's land located between N. Ninth Street and N. Thirteenth Street, west of Philadelphia Avenue. Mr. Scott showed the members of the Council a plat showing the layout of the development, showing all streets and lots.

He pointed out that there would be a continuation of Edgewater Avenue from N. Ninth Street to N. Thirteenth Street but that they had platted this as a 40' street instead of 30' as the existing Edgewater Avenue now is. He also pointed out that there would be a continuation of St. Louis Avenue, having a width of 60' which is the same width as the existing St. Louis Avenue from N. 1st to N. 9th Street. He further pointed out that there would be a 16' alley in the block abutting Philadelphia Avenue on the east and St. Louis Avenue on the west.

Mr. Scott also pointed out that Tenth Street and Twelfth Street will not be open to the bay. 11th Street, however, will be open to the Bay.

Mr. Scott stated that Mr. Hitchens and Mr. Trimper were planning to bulkhead the entire length of their property from N. Ninth Street to N. Thirteenth Street and that they would not ask the Mayor and City Council to pay any part of this cost, and that the street ends will be included.

After some discussion and after having heard Mr. Scott explain the proposed layout of the development, a motion was made by Mr. McCabe, seconded by Mr. Kelley, that the plat be approved by the Mayor and City Council of Ocean City. Motion was carried and unanimously passed.

Mr. Scott told the Mayor and Council that Mr. Hitchens and Mr. Trimper would make an offer of dedication of the streets as shown on the plat. Mr. Trimper verified this stating that he had talked with Mr. Hitchens re-

garding same, and in this manner the offer of dedication was made. A motion was made by McCabe seconded by Kelley, that the offer of dedication of the streets and alleys be accepted by the Mayor and City Council of Ocean City. Motion carried and unanimously passed.

Mr. Scott stated that a formal dedication of these streets and alleys would be made after the plat has been revised and made a permanent record in the office of the Clerk of Court.

Mr. Scott stated that Mr. Hitchens and Trimper would like to have a quit claim deed from the Mayor and City Council of Ocean City relinquishing their rights to that part of 10th Street and 12th Street shown on the plat and designated thereon as Lots 41 and 51.

A motion was made by McCabe, seconded by Kelley, that a quit claim deed be prepared giving Hitchens and Trimper the rights of the Mayor and City Council of Ocean City to that part of the streets as described above. Motion carried and unanimously passed.

Mr. Scott explained that there is now a law in the statutes of Maryland which could be interpreted that any lands made adjoining private property could become the property of the State of Maryland. The wording of this law would make it impossible to give a clear title to land that was made adjacent to the shores of the Chincoteague Bay, Sinepuxent Bay and Isle of Wight Bay. He explained that this bill was passed in General Assembly when money was borrowed for dredging the inlet and channel in the bays and the idea of it was to make any lands formed by dredging in the inlet and bays property of the State of Maryland, relating to islands formed in particular. Mr. Scott stated that he had prepared a bill to be introduced in this assembly that would clarify this statute and a copy of same follows:

HOUSE OF DELEGATES

No. 310

WORCESTER COUNTY DELEGATION

By the HOUSE OF DELEGATES, February 17, 1955

Introduced, read the first time and referred to the Committee on Agriculture and Natural Resources.

By order, George W. Owings, Jr., Chief Clerk

A BILL

Entitled

AN ACT to repeal Section 33 of Article 66C of the Annotated Code of Maryland (1951 Edition), title "Natural Resources", sub-title "Lands Formed by Channel Excavation in Sinepuxent and Chincoteague Bays", and to enact a new Section 33 in lieu thereof, said new section to stand in the place and stead of the section so repealed, declaring to be natural resources of the State of Maryland certain islands in Sinepuxent, Isle of Wight and Chincoteague Bays

and to clarify the legislative intention with respect thereto.

WHEREAS, the General Assembly of Maryland by Chapter 69 of the Acts of the Extraordinary Session of 1933 of the General Assembly of Maryland provided that the State of Maryland retain title to the islands in Sinepuxent Bay, Isle of Wight and Chincoteague Bays formed by the deposit of excavated material from the dredging operations during the construction of the Ocean City inlet and the construction of the channel in said bays, which said Act was amended by Chapter 224 of the 1935 Session of the General Assembly of Maryland and again amended by Chapter 920 of the 1945 session of the General Assembly of Maryland, and is not codified as Section 33 of Article 66C of the Annotated Code of Maryland (1951 Edition); and

WHEREAS, the recitals of the original Act indicate that it was intended to apply only to islands created or made in said bays by deposits of excavated material from said dredging operations, but the language of the Act and of the amendments thereto has raised questions as to whether it applies to later accretions to lands along the shores of said bays, or surrounded by the waters of said bays, which were under private ownership in 1933; and

WHEREAS, it is desirable that it be made clear that said Act and the amendments thereto were not intended to affect accretions to privately owned lands bounding on, or surrounded by the waters of, Chincoteague, Isle of Wight and Sinepuxent Bays nor to repeal nor to amend the general law of the State of Maryland relating to accretions of lands bounding on any of the navigable waters of the State, as now expressed in Section 45 of Article 54 of the Annotated Code of Maryland (1951 Edition).

SECTION 1. Be it enacted by the General Assembly of Maryland, that Section 33 of Article 66C of the Annotated Code of Maryland (1951 Edition) Title "Natural Resources", sub-title "Lands Formed by Channel Excavation In Sinepuxent and Chincoteague Bays", be and it is hereby repealed and that a new Section 33 be and it is hereby enacted in lieu thereof, said new section to stand in the place and stead of the section so repealed, and to read as follows:

All islands created, made or formed within the confines of Sinepuxent, Isle of Wight and Chincoteague Bays by the dumping or depositing of excavated material from dredging or other artificial means employed either by the State of Maryland or by the United States, or by either or both, or by any Department or Agency thereof during the construction or maintenance

of the Ocean City Inlet and the channel in said bays, as well as all accretion to such islands, past or future, are hereby declared to be natural resources of the State of Maryland and title to the same shall be retained for the use of the Board of Natural Resources and no patent therefor shall hereafter be issued by the Land Commissioner of Maryland. The Board of Natural Resources is hereby authorized and empowered to use said lands for conservation purposes in such manner and under such regulations as in its discretion it may deem for the best interest of the State, subject, however, to the approval of the Board of Public Works. Provided, however, that persons who have licenses to hunt or fish in Worcester County shall have the right to hunt or fish, as the case may be, on said lands during open season for such hunting or fishing. Nothing contained herein shall be construed to affect past or future accretions to lands under private ownership bounding on, or surrounded by the waters of Chincoteague, Isle of Wights and Sinepuxent Bays.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect June 1, 1955.

After hearing the above bill read by Mr. Scott, a motion was made by Mr. McCabe, seconded by Mr. Bishop, that the Mayor and City Council of Ocean City go on record as approving the bill as read, and they are in favor of its passage by the General Assembly in session at this time. Motion carried and passed unanimously.

Vouchers written since last Council meeting and signed by Treasurer:

#32136 - Pay Roll week ending 7/19/62	7,561.46
#32137 - Charles Clark - Carpentry - work on trailer and life guard stands	84.60
#32138 - Leroy Cropper - ditto -	72.00
#32139 - Arthur Pitts - ditto -	51.98
#32140 - T. Earl Pierce - Band concert - Sunday, July 22nd	553.00

Vouchers presented at meeting of Mayor and City Council, July 24th, 1962, for approval:

#32141 - Void	
#32142 - Delaware Power & Light Co. - Current - sign near Seaford	6.59
#32143 - Eddie Leonard & Sons Sporting Goods Co. - Life guard T shirts	105.60
#32144 - Ship 'n Shore - Plug suppressors	3.76
#32145 - Kline's Heating Oil Service - Fuel Oil - Fire House	20.85
#32146 - Smith-Blair, Inc. - Repair sleeves for water pipe	63.72
#32147 - Industrial Paper Co. - Towels	76.23
#32148 - Mine Safety Appliances Co. - First aid supplies for guards	100.82
#32149 - Cleandaniel Sign Service - Lettering boardwalk, etc.	83.00
#32150 - Eastern Shore Gas Co. - Gas comfort station, trailer lot, etc.	31.36
#32151 - Void	
#32152 - Preston Trucking Co. - Freight on rubber clothing	4.30
#32153 - C. & P. Telephone Co. - Phone in Mayor's office	74.43
#32154 - Salisbury Office Supply Co. - Rental typewriter	17.50
#32155 - Hubert R. White Hdwe. Co. - Shovels and tubs	84.00
#32156 - McKesson and Robbins - Permanganate	447.80
#32157 - Railway Express Agency - Express charges on tee shirts and sewer rod	12.65
#32158 - Goodall Rubber Co. - Rain gear for garbage men, et al	231.75
#32159 - Delamrva Asphalt Co. - Rental of equipment for repairs to airport runway	85.50
#32160 - Eastern Shore Public Service Co. - Municipal light and power, street lighting and traffic lights 6/4 to 7/3/62	2,134.72
#32161 - The Eastern Shore Steel Co. - Steel plate for trailer	45.10
#32162 - Delaware-First State Fireworks Mfg. Co. - Display 4th	1,000.00
#32163 - Mr. Howard Parsons - Sharpening saws	3.00
#32164 - Adams Pipe Repairs Products - Repair clamps for water	16.88
#32165 - Pioneer Salt Co. - Chlorine - Disposal Plant	81.90
#32166 - C. K. Duncan, Inc. - Tires for trailer	90.40
#32167 - Texaco, Inc. - Gasoline	238.43
#32168 - The Tingle Printing Co. - Printing licenses	10.50
#32169 - Board of County Commissioners - Proportionate share rent Berlin Clinic qtr. year	43.50
#32170 - Inland Construction CO. - Rental equipment	109.50
#32171 - Void	
#32172 - William D. Rayne - Clay-fill for various street repairs and new work	1,123.50

Payroll week ending July 19, 1962

	\$8,971.50
Less Social Security	280.51
Less Federal W/H	1,021.80
Less State W/H	99.73
Less Police Fund	8.00
	<u>\$7,561.46</u>

Wages on weekly basis  
Wages on hourly basis

\$6,537.14
<u>2,434.36</u>
<u>\$8,971.50</u>

Distribution of wages on weekly basis:

10.141 Clerks	\$ 273.47	
10.231 Trial Magistrate Clerk	25.00	
10.811 Municipal Buildings	50.00	
10.911 Advertising	120.00	
11.111 Police	3,078.12	
12.201 Streets	219.64	
12.901 Boardwalk	4.19	
12.201 Sewers	105.00	
13.301 Beach Cleaning	209.88	
13.401 Waste Collection	11.22	
19.201 Life Guards	1,930.04	
20.201 Water	175.23	
20.901 Trailer Park	75.00	
20.911 Comfort Station	190.00	
20.941 Beach Parking Lot	<u>70.35</u>	\$6,537.14

Distribution of wages on hourly basis:

10.811 Municipal Buildings	92.00	
11.111 Police Department	22.35	
11.212 Fire Department	40.50	
12.201 Streets	255.27	
12.901 Boardwalk	238.04	
13.201 Sewers	59.25	
13.301 Beach Cleaning	299.33	
13.401 Waste Collection	1,255.33	
20.201 Water	53.25	
20.931 Airport		
20.941 Beach Parking Lot	<u>58.45</u>	\$2,434.36

\$8,971.50

The meeting adjourned on motion at 9:00 P. M.

After reviewing these, the matter of the date of presentation of the plat for approval was brought out. Also, it was suggested that a method of financing could be worked out as had been in the case of Cullen S. Jenkins - the property owner paying the costs and being reimbursed over a period of years by a percentage of taxes when lots are improved.

It was suggested that the minutes of the meeting pertaining to the installation of water and sewer on Mallard Island be reviewed prior to making a decision.

Mr. Trimper was asked to wait until next week at which time it would be decided on what basis the water and sewer will be installed in the development referred to.

A building permit for the construction of a one-family residence on 26th street was approved for Vernon F. McAllen, with the understanding that he cannot commence construction until after September 15th.

A motion was made by Harman, seconded by Showell, that voting machines be used for the forthcoming election and that the names be placed thereon in alphabetical order. Motion carried and passed unanimously.

Mr. Showell brought up the matter of the removal of debris from the Jamaican Motel site. An advertisement has been placed in the papers announcing the availability of the broken concrete and stone and persons interested advised to contact this office. The clerk stated that five persons have called and expressed interest and they are to call back on Wednesday to advise whether or not they will be able to have trucks at the site.

Clerk was asked to advise Mr. Hitchens of this as they understood that he was interested in obtaining some of this for fill.

Mr. McCabe asked if the boardwalk lights had been completely installed. He stated that a new light was needed at the end of the boardwalk. An order has been given to Eastern Shore Public Service Co. for the installation of this light.

Mr. Kelley stated that he had received a call from Mr. Elisha Bunting with reference to the trouble that he is having with sewerage. He asked that Mr. Legg contact Mr. Bunting and see if something can't be done to alleviate the condition.

Mayor Cropper stated that he and Mr. Legg had spent half a day with Mr. Bunting concerning the sewerage and storm drain situation and that he had thought that he had been appeased with the plans presented.

Mr. Legg advised that plans are being made for the installation of storm drain on 26th street tomorrow to help alleviate the drainage problem of storm water.

It was decided that the budget for this fiscal year will be gone over at a later date.

Mayor Cropper stated that he felt that considerable thought will have to be given the proposed expenditures due to the fact that income from taxes will most likely be slow in coming in due to business this summer.

Mr. Kelley read a report from Mr. Robert S. Craig. A request for walkie-talkies was contained therein. He asked that he be allowed to purchase four at a cost of \$35.00 each and 4 at a cost of \$80.00 each. It was first agreed that this could wait until next summer inasmuch as the summer is about over. Mr. Showell cited an instance where these had been of considerable benefit and it was then decided to let them purchase four units at \$35.00 each. A motion to this effect was made by Harman, seconded by Showell, and passed.

Mr. Craig's report also requested that he be allowed to permit each guard to have one day off every two weeks after they have worked for a period of twenty-one days. No action was taken on this at this time and it was decided that consideration will be given for this for next summer.

Mr. Jackson stated that Congressman Johnson had asked permission to place a banner across the street in November in connection with the forthcoming election. A motion was made by Harman, seconded by Jackson, that this be permitted.

Similar permission for all candidates was discussed and an equal privilege to each is to be given, when requested.

A request for a 10 minute parking area in front of Mr. Porter's property at the southwest corner of Baltimore Ave. and 21st street was denied due to the fact that he does not have twenty or more sleeping rooms.

On motion by McCabe, seconded by Harman, the following vouchers were approved for payment: