

OFFICIAL COPY

*Special*

EXECUTIVE SESSION JUNE 4, 1974, MEETING Number 19

*See Meeting #27  
Adj. 8/19/74*

MAYOR HARRY W. KELLEY  
PRESIDENT ROLAND POWELL

COUNCILMAN PURNELL  
COUNCILMAN SHOWELL  
COUNCILMAN FRAME  
COUNCILMAN TRIMPER  
COUNCILMAN RICHARDSON  
COUNCILMAN CROPPER

Also in attendance Dale Cathell, City Solicitor; Mr. Charles Jenkins; Mr. Reese Cropper, Sr.

This meeting was called to order 11:00 A.M. in the office of the Mayor, City Hall, 3rd and Baltimore Avenue, Ocean City, Maryland, by President Powell.

**PRESIDENT POWELL:** This Executive Meeting will please come to order. The purpose is to give Mr. Jenkins a chance to go over the Pier Corporation Leases, what you plan on doing and things of that nature; is that right?  
**MR. JENKINS:** Yes sir, and I want to thank you for having this special meeting. I felt that due to the unique relationship between the City and the Pier perhaps it would take too much time up at a Public Meeting, so that's the purpose that I requested the Special Meeting. During the last few days I have been in touch with Mr. Cathell, your Attorney, familiarizing myself with the various aspects of the franchise and the various agreements that have been made since the franchise came into being and I'd like to start at the beginning, if possible, and maybe through a story form bring some of these people that may not be up-to-date with it and then lead into my request from that point. Most of you <sup>know</sup> a group of businessmen several years ago thought it would be a good idea to have a pier, a fishing pier and an amusement pier in the late '20's and they petitioned the City to have a right to do this. The City, in turn, had legislation drafted in 1929, in the Maryland Legislature, that created such a right. This right was in the form of a franchise. The franchise was to run for a fifty (50) year period, for 1979, at which time the City would have the option to discuss purchase of the pier property. After, I believe thirty days, if they exercise not to purchase the pier property then the lease would automatically renew itself for another fifty (50) years. In addition, there were certain meets, bounds, distances that were listed as part of the franchise agreement. It was stipulated that the best interest of the fishermen would always be adhered to and it was really for these people, primarily, that the whole thing came into being. At an interval, in the early sixties, the present owners sought to place certain amusement devices on the pier and there developed a conflict between the then Mayor and City Council and the present owners. That conflict was resolved and it took the form of certain ordinances that were passed in 1963. Some of these ordinances I would like to discuss and see if they could possibly be modified, primarily due to the fact that while there was a good agreement in '63, this is some eleven years later and like any laws or agreements the times change, the intents change and certain needs change. I have discussed four basic requests with your City Solicitor and he has given me the opinion that if the Mayor and Council so desires they can be put on sound legal ground. What I would like to see happen if you do desire to make some of these modifications that Mr. Cathell and my attorney work out any changes to the agreements that you would grant us. Most of these things that I am going to ask for are to me things that any businessman would do or any City government would do if they owned it, it would be just common sense things. The first request would be that the language pertaining to an alley immediately behind the Pier Building, itself, and going eastward to where the storage buildings are be amended to allow me to do several things. First of all control the flow of people, which at this point they are diffusing all around the operation, out of it; you have no control. Secondly,

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to enable my company to clean-up that alley which, under the terms of the present minimum footage restrictions, is almost an impossibility. I would like to clean the alley up in the form of building facades that would change the appearance of the present block walls. I would, of course, in anything I did check with the Fire Company to see that we were in no way taking any action that could in any way form any firefighting capability. I would adhere to the existing building codes and standards. The second thing that I would request is that I have permission, through which is known as the through-way there, to install or to have design for installation some Westinghouse escalators. For what purpose as yet I do not know. These escalators would cost in the neighborhood of a hundred thousand dollars and they would be primarily put there for the purpose of enabling me to develop income out of the ballroom. I have decided and agreed that there will be no further dances up there at the ballroom because of the nature of the changes that have taken place and the difficulties of controlling that type of operation. So I am faced with a rather large area that needs something done to it. You find in most cases that the public will essentially not walk up steps nor will they walk down steps. It's almost a necessity to do something like this, to have escalators. The reason I ask your permission for that is that I believe Dale if I am correct the franchise calls for a 24-ft. through-way and while the minimum sizes of the 24-ft. through-way would not change they would change where the escalator comes up and where it goes down. We thought about putting a staggered effect in - one escalator on one side and one escalator on the other side. The damage to the public from the way I see it is nil in that the observations that I have made indicate that freedom of movement through this passageway is unrestricted at this point and the escalators would in no way hamper what is already an excessive amount of movement. In addition to that, as a result of the 1963 agreement with Mr. (Reese) Cropper and Mr. Hastings the then operating company was allowed to place on the south side certain amusement rides and devices. When the agreement was drawn it stipulated that on the north side that a given area be used for an Old Pro Golf operation. Looking over the facilities, prior to entering into contract, I found that the area where the Old Pro is consists primarily of asphalt laid directly on top of sand. This has broken and waved and on the extreme north side there is a problem that cannot be solved, with leaking out. The north side needs exactly what Mr. Cropper and Mr. Hastings did on the south side and that's the driving of piling and creating a platform. Now, I guesstimate that this platform will cost somewhere in the neighborhood of seventy-five thousand dollars. I can't justify the improvements to the property by letting the agreement to continue to call for an Old Pro operation there, so along that point what I would request that the language of that agreement be changed to simply read 'amusement devices'. The amusement devices would be similar to the devices that are on the south side. From a change standpoint I have observed Mr. Purnell's property, I realize that in 1963 he had a more pure hotel operation than he does in '74. The things that could possibly have created some problems for Mr. Purnell, I think have been eliminated today due to the fact of the commercial buildings along the front and the nature in which he has developed his business there. There again, we have a decibel ordinance, we would live to the letter of the law of the decibel ordinance. The fourth, and final thing, that I would like to bring to your attention because I have no desire to withhold any thoughts or plans about what my wants are or my intentions are down there. At some point I would like to have you all consider, not today, the squaring up of the two platforms. The southerly platform is approximately 150 ft. longer than the northerly platform. This involves, with my discussions with Mr. Cathell, as they pointed out, some legal questions, it involves, certainly, the permission of the Board of Natural Resources and so on and so forth. So that is the long range thing, but I do want to let you know that I would some day like to have that happen. If you don't see fit to have it happen then that's fine. The fishing pier, itself, I feel is a real asset to the area and I would like to take the fishing pier and create an asset for the City, publicity-wise and I think an asset for the whole area down there. I would propose that the fishing pier have facilities installed on it that would have sophisticated tackle, have constant

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supervision. I would propose they buy a monthly trophy to be presented in the name of the Mayor and City Council for those people that catch the largest rockfish, sea flounder, or whatever and a grand trophy for the largest fish caught at the end of the season. There again I have a problem in accomplishing, for this season, what I would like to accomplish in that area because we have a room problem there; I am bound by the leases that are in existence by the company. These leases I have no control over so I can't begin to make the improvements that I would like to make until these leases expire, which would be in September, this coming September. I have been approached by the Federal Government and asked permission to allow them to place on the extreme east part of the pier a OceanTide Gauge and a Velocity Indicator, that would be tied directly to the Coast Guard Station. I have told them that I will give them that permission to do that. It is my intent to promote the fishing industry, that is what the pier was put there originally for and I'd like to do that in order to make this a good venture, I need to run it as a business and I don't think that any of the things that I have asked for would in any way be any different than if you all own it or owned it in 1979 as to what directions that you'll take there. Basically, that's all I have. I do want to emphasize the fact that a spirit of cooperation and, I hope improvement within the property, will take place immediately.

MAYOR KELLEY: What would be your idea, Mr. Jenkins, or Buddy, I'd rather say Buddy, with respect to the ballroom? Now you're talking about escalators. What would be the project that you would figure up there? A wax museum or shows or what?

MR. JENKINS: Yes sir, along that line. One of the things that Mr. Cropper had a nibble on, and I have followed through on it and would say there is a 50-50 chance of it happening, would be leasing that space to Ripley's Believe it or Not. Ripley's Believe it or Not is a public-owned company, they're Canadian-based, they have a syndicated column in the newspapers, they publish 'Mad Magazine', and they have built sixteen wax museums throughout this country, Canada, and Europe. They have two themes with them - they have the horror theme and then they have the Ripley's theme and the Ripley's theme seems to be doing better. It would involve a tremendous expenditure on their part; the wax figures are very costly, there would have to be additional airconditioning put in, certain drops in the ceiling would take place. I would say they would spend at least five hundred thousand dollars by the time they got the door open. This is the average cost of their average museum. In my opinion it would have no chance of real success without the escalators. People, simply, won't walk. In addition to that I had a meeting with our three civic organizations that presently have the bingo operation, and that's the Lion's Club, the American Legion, and the Fire Company. And, we began preliminary talks to see if there were any way that they could take advantage of the size of that operation. There are some legal problems because, there again, the law was written in 1961 that is totally obsolete today and it needs modifying and changing, but their interest is there and we'll continue along that line of negotiation. There could possibly be a supper hall-type operation up there...

MAYOR KELLEY: A what...

MR. JENKINS: A dinner-theatre-type operation.

MAYOR KELLEY: Oh, a playhouse?

MR. JENKINS: Yes sir, but it would be on a..

MAYOR KELLEY: Have you discussed this with anyone?

MR. JENKINS: No sir.

MAYOR KELLEY: Pursued it, or just in your own mind?

MR. JENKINS: No, I pursued it as far as knowing the kind of operation that I think it should be. There is the Diamond Lil's outfit, over in London, that I saw and it's not as sophisticated as a real dinner show but all the waiters, waitresses are singers, there is a constant stage show going on with somebody picking a ukulele or something of this nature and you serve good, wholesome food and it's in a garden-type atmosphere. In other words it's not a real sophisticated-type thing with linens on the tables and fine silverware. You have a limited menu, but it's a continuous turnover, continuous operation. I have gotten the film library of Disney; certain of his pictures that are available and, in addition to that, certain of the old time cartoon features of the Bowery Boys, the Dead-End Kids, people like this.

...my idea of having eighteen hours of movies. What we consider high class movies, none of the junk. The projection equipment is available, we have some problems there which we haven't resolved. It's possible that we could go to an old movie-type thing where you stand up and you watch an old movie for five or ten minutes like you did in Disneyworld(?). We are working on all these things, but in my particular case due to the time of our discussions with Mr. (Reese Cropper) and Mrs. Hastings I simply ran out of time. For example, the Ripley's people - it would take six-to-nine months for them to put one of these things - they make their own wax figures. So I have a lot of things in mind. I'd like to change the image of the building, itself. As I told Mr. Purnell and Mr. Trimper here I think their families and they, themselves, have done tremendous job downtown and I'd like to see that this operation stays abreast because I don't think it is right now. I think they have done a very, very good job and urban renewal at its best where your business people do the job instead of your government.

COUNCILMAN TRIMPER: Buddy, there is still a little bit of contention on the Boardwalk area there. The merchants move everything out on the Boardwalk and claim that that belongs to them. Haven't we had that problem a few times?

COUNCILMAN PURNELL: Uh, uh.

COUNCILMAN TRIMPER: It narrows it down so small. You'd be willing to accept...

MR. JENKINS: Let me say this, that I live in this Town and the decisions that you people make are decisions that will determine our prosperity for the next fifty years. I told Mayor Kelley that I've got every intention of cleaning the act' up down there and those that don't want it cleaned up are going to have to find some place else.

COUNCILMAN TRIMPER: The reason that I mentioned it, it's so narrow there anyhow and then when those guys bring all this stuff out on the Boardwalk, which they have claimed a certain area of it they own or somebody owns..

MR. JENKINS: I would be guided by the City Solicitor. Now, I will say this that like in all areas all over this Town there are certain mistakes that have been made in the past. There are certain things that have become accepted as normal, that I guess in the final analysis they aren't normal, but they have been accepted that way. I don't doubt for a minute that certain features, probably on both sides of the agreement, are abnormal. I say we can make an effort to begin to erase those features that are abnormal. I think, generally speaking, the interests are the same.

COUNCILMAN TRIMPER: Another thing I asked you about, you are talking about closing the alley, which is back there, that's actually the only access to the north end of the beach from the south end of the beach.

MR. JENKINS: That's right.

COUNCILMAN TRIMPER: I believe you told me that you would be willing to have an easement under the pier..

MR. JENKINS: The alley as it's called for in the existing agreement, I believe it's sixteen feet, is that right Dale?

ATTORNEY CATHELL: I think it's twenty.

MR. JENKINS: Twenty feet. A twenty-foot alley for the, let's say the future purposes of opening up a northerly parking lot, which I understand has just been taken off the priority list; but let's suppose twenty years down the road you did want a northerly parking lot on the beach, a twenty-foot easement is not sufficient to get the job done. I will be willing to bind my company, at any reasonable easement under that pier which is where we discussed it should go anyway if it ever went anywhere. So we don't have any...

MR. REESE CROPPER: Excuse me Buddy. There is already a provision under that fishing pier at the end of the concrete for a twenty-five or thirty feet left open, without any piling that the Town uses for the beach cleaning and everything else, to traverse north and south under that pier. That was left there purposely when we built the fishing pier so that there would be a way for the Town vehicles to traverse north and south under that pier and that opening is not closed, it's still open and I think it's sufficient. But that was provided when the pier was built so that the alley would not be open to vehicle traffic north and south. Mr. Hastings made provisions

for that when that pier was built and you'll find that there is no piling that would obstruct that...

MAYOR KELLEY: And you say that's within the vicinity of 30-ft., Mr. Cropper? Thirty - thirty-five feet?

COUNCILMAN TRIMPER: But I don't believe there is any legal agreement on that.

MAYOR KELLEY: But you would be willing to give that Mr. Jenkins?

MR. JENKINS: Without any question, without any question.

COUNCILMAN TRIMPER: Because I think there should be some...from the north..

MR. JENKINS: There should be some provisions. You never know what your desires may be there. You might end up having lot there thirty years from now, I don't know, but I have no objections to that.

MAYOR KELLEY: But whatever the area is, without obstructions, you would be willing to give easement to the City?

MR. JENKINS: Yes sir.

COUNCILMAN PURNELL: Buddy, behind the pier going easterly to your buildings that are used for store(s), what you call the alley, you are going to put a facade? Are you going to put stores in that?

MR. JENKINS: Not to my knowledge. It is not quite big enough for that the method of the operation of the french fry operation is that they have to have access back and forth anyway from the cold storage.

COUNCILMAN PURNELL: I'm talking about on the north side.

MR. JENKINS: On the north side. No, probably what I would do there is the people don't have any place to store anything; they are crying all the time. They just don't have it - is probably put some kind of enclosure with some real artistic facade and let them store their games and novelties in there.

ATTORNEY CATHELL: Granville I think you have a very bad problem creating additional stores insofar as providing additional parking...zoning.... storage areas generally don't require parking.

MR. JENKINS: What I would like to see happen - I think you all see some of the problems I have. I'd like to, as I say, get together with Dale and draft a change in some of these agreements for your prior approval and then bring it up for changes, if you all see fit, at the normal Council meeting. But I would like to have your Attorney make that draft. There is nothing that you all have that I want and nothing I have that you want except a spirit of cooperation and to run a business the way a business should be run; the way you would run it if you were running it yourself; which you may well be in 1979.

COUNCILMAN TRIMPER: Buddy, the tackle shop and building you are talking about now, where would you locate this?

MR. JENKINS: This is one of the things that I had in mind for the extension on the north side.

COUNCILMAN TRIMPER: (?) Suppose you don't get the north side with the way it is now? Where would you put it?

MR. JENKINS: I would have to put it out on the 'T', somewhere out on the 'T'.

COUNCILMAN TRIMPER: All the way out?

MR. JENKINS: All the way out, as I see it to get any size to it because there is no other place to get size to it.

COUNCILMAN PURNELL: Well he just said your parking is going to get you on that, Buddy, you would be operating a store.

ATTORNEY CATHELL: You are operating that now.. not a very major(?)

COUNCILMAN PURNELL: Oh, is there a store there?

ATTORNEY CATHELL: Yes, you can buy tackle there.

COUNCILMAN PURNELL: Oh, I didn't know that.

COUNCILMAN FRAME: It's minimal.

(Someone saying something about it never being open).

MR. JENKINS: It's not a first class operation.

MR. CROPPER: During the day it's open for renting of tackle.

(Someone saying it's open in the summer, but not in the winter).

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MR. JENKINS: I'd like to get somebody like Paul (Paul's Tackle Shop), or you know somebody like that to.

COUNCILMAN TRIMPER: How large a building would you need?

MR. JENKINS: Granville, I don't know, it maybe that you would cover the worst part of the 'T', I guess a room this size.

COUNCILMAN TRIMPER: You mean one end of the 'T' you are talking about?

MR. JENKINS: Yes, and that is also where I would have that Federal building, the tide gauge, so that, you know, there would be a minimum of footage taken up and maybe leave a walkway wide enough so that as the tide changes the fisherman can walk around the building. See I don't have those dimensions in my mind, but the place for that is on the north side.

COUNCILMAN TRIMPER: Well wouldn't you be charging admission to get out to this pier or you're not going to charge anything?

MR. JENKINS: I haven't considered it and I think in the past Mr. Cropper charged a very nominal admission fee and I have no provisions there this year to charge anybody anything. I don't think there's enough there to charge them for. So probably this year, until we had facilities that were worthy of somebody paying to get on I don't think it would be proper to charge.

MAYOR KELLEY: Let me ask you something Buddy, if I may, I'm doing right much of the talking, but who has charge of that fishing pier this year?

MR. JENKINS: No one. In the past..

MAYOR KELLEY: No, I mean can you call the shots?

MR. JENKINS: Oh yeah..

MAYOR KELLEY: ..do they come under the old..

MR. JENKINS: No, no, no lease, no I can call the shots and on the ballroom.

MAYOR KELLEY: ..the Mayor, which you know has funneled some of the telephone calls to you; I'm getting an awful lot of static from Pennsylvania area and the other areas about the opening and the closing of it and the attendants. Now, this is very important. You have already stated that you want to create a better image down there for the fishing.

MR. JENKINS: Yea.

MAYOR KELLEY: I think it is important that we do this. If this is your responsibility will you accept it as such so that the Mayor doesn't get any more telephone calls?

MR. JENKINS: Yes, I will.

MAYOR KELLEY: All right.

MR. JENKINS: There are a couple of provisions, I can't remember them exactly, in the fishing part of it. I believe it has to stay open for nine (9) months, doesn't it Dale? Which I would like to analyze with you to see if it's worthy of staying open for nine months. You can imagine the problems..

ATTORNEY CATHELL: Buddy, I'm an avid fisherman.

MAYOR KELLEY: But the gripe, Buddy, is the night fishing, it's not been allowed; this is the main gripe that the Mayor gets, the night fishing.

MR. JENKINS: There will be night fishing.

COUNCILMAN PURNELL: Buddy, what you want to do is replace the Old Pro Golf course with - drive piling and put a deck and do away with the golf course, I presume, I'm not trying to tell you your business - you can't put a store there because of parking. Could you put rides there, Dale, legally?

ATTORNEY CATHELL: I think under the original franchise agreement that area could have amusements (cannot hear part of this) I think that's a mixture because of this court suit and when they settled this court suit they just put an Old Pro Golf Course there.....a retail store would because that's not even mentioned here. (Note from transcriber this statement is not at all clear).

COUNCILMAN TRIMPER: How about increasing the area? Would that not call for parking?

ATTORNEY CATHELL: I, what Buddy has told you about increasing the area of that north platform, I don't think that is legally allowable at the present time and so told Buddy.

COUNCILMAN PURNELL: ....Department of Natural Resources is liable to not allow him to drive a pile....

ATTORNEY CATHELL....start there and then have to ask us to start to amend certain of the ordinances and everything.

MR. JENKINS: Right. That's a long way down the road, but I wanted, as I told Dale I would, I said that I would bring this out and put it on top of

the table. I don't want anybody to think that I am inching down there. In

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other words get something, get my foot in the door, and then come back for something. This is the only thing that I have on my mind, what I told you today.

COUNCILMAN TRIMPER: Buddy, can I ask you one more thing?

MR. JENKINS: Sure.

COUNCILMAN TRIMPER: You don't intend to build any more buildings out on the pier there?

MR. JENKINS: Not at this time. I don't envision it. You know I haven't gotten into the saddle of it and I don't know, I don't think so.

COUNCILMAN TRIMPER: Because I know...

MR. JENKINS: I don't think it's wide enough..

COUNCILMAN TRIMPER: ..originally the plan was to build a row of stores there and that was voted down in a referendum by the people.

MR. JENKINS: Yes, this is true.

COUNCILMAN TRIMPER: I don't think it would behoove us to sit and say yes you can build buildings there.

MR. JENKINS: The big thing, my concern as far as the Old Pro is concerned, it doesn't necessarily mean that he is going to go. I would hate for him to hear that he is going to go when I haven't ever talked to the man before in my life.

COUNCILMAN TRIMPER: And you haven't collected this year's money(?)

MR. JENKINS: Right.

COUNCILMAN PURNELL: ....seventy-five thousand to build a platform.

MR. JENKINS: The economics of it say that I can't improve it the way it should be improved, with piling and platform to make it permanent, unless you can develop the revenue off of it to pay for it.

COUNCILMAN TRIMPER: In other words what you plan to put would be mostly rides; you weren't plan on building buildings?

MR. JENKINS: At this time, all rides.

COUNCILMAN TRIMPER: That 'at this time' bothers me a little.

MR. JENKINS: No, no, but I don't think and Dale....

ATTORNEY CATHELL: If any agreement was arrived at the agreement would so specify..

MR. JENKINS: Right, right..

ATTORNEY CATHELL: That he would agree; meaning that he would have to come back and ask permission..

MR. JENKINS: Right. Because I..

President Powell: Let me point out something, I'd like to see and I think all of us would like to have a complete copy of the agreement from the very start to the present, what the City's obligations are, what the owner's obligations are, what the Council in the past has allowed legally, what they haven't, because I have no knowledge other than just sitting here listening and what I've heard on the street corners. I don't know what the responsibilities of the City are and uh, things seem to get stretched through the years. They seem to grow.

Attorney Cathell: Over a period of years the original franchise area has grown as far as extended to the east as the beach built up, it kept going out.

President Powell: Isn't there any way that each of us could get a copy of what the past Council has allowed and what they have not allowed.

Councilman Purnell: You mean from the start of the pier?

President Powell: Your code has a copy, a summary.

Attorney Cathell: Code. It has a summary, in other words, the agreement, it briefly summarizes in Ordinances 1, 2, 3, 4, and 32 which are five ordinances about the pier. But I have the original franchise, I can get it for you. But I do want to point out on the first three items that Buddy mentioned, specifically the first one, the alley, where you are talking about the escalators and upgrading the north side of the pier area, under the terms of the franchise agreement of 1975, if you want to terminate the franchise, the City must buy it, so anything, any improvement constructed on there..

Councilman Trimper: '79

Attorney Cathell: '79, I'm sorry, you are going to have to turn around and buy it.

Councilman Frame: At the fair market value at that time, right?

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(Too Many Talking.)

Councilman Frame: Plus good will, and...

Attorney Cathell: Well...

Councilman Trimper: There's one thing I would like to hit upon Mayor before, are you going to close the meeting?

Mayor Kelley: No, I just wanted to say one thing, I think it will help all of us. I think the President has brought the fact that we ought to have a copy of the 1929 Franchise, we ought to have a copy of the 1963 Contract that was ratified by the Council, we ought to have a copy of these minutes, we ought to have a draft of what, who is your attorney, Mr. Smethhurst?

Mr. Jenkins: No, Mr. Ewell.

Mayor Kelley: Mr. Ewell? What Mr. Ewell and Mr. Cathell draw up, we have these four documents before this Council to study and then I think we know what we're doing. Any other way, discussions, and going back and forth, this way this Council will have an entire chance to look at the whole picture from the start to the ending. This would be my suggestion to you Mr. President, to have all these four documents, if they have to be xeroxed, so that we all can study this thing from start to finish.

Mr. Reese Cropper: Buddy's present, what he wants to do...

Mayor Kelley: Well this is in our minutes, we are going to get a set of the minutes...

Councilman Purnell: Well I think it ought to be listed right here.

Mayor Kelley: Well the attorneys are going to do that so we will have all...

President Powell: I think we understand what you want Mayor, I don't understand the past agreements, I wasn't here in '62 or '63, lord knows I wasn't here back in 1929.

Attorney Cathell: What happened in '63, the City sued the pier, Sinepuxent Pier Company alleging they had violated the Franchise Agreement one way or another. The City won at the lower court an injunction was granted against the Pier Company from building something. Then they appealed it, then the Pier Company and the City got together, resolved their differences, and negotiated a settlement. That settlement is in your Code, in the appendix to your Code. All the other preliminary documents are here, so before I leave today, I'll leave my set with Mrs. Thomas or with Sheldon and ask him to make eight sets.

Councilman Trimper: One think I want to clarify, at that time I believe they entered into a franchise agreement with, the pier paid a certain amount of money and I've never known what that figure is, do you Sheldon, or does anybody?

Mr. Jenkins: The Pier Company agreed, first of all it was exempt by act of the legislature, the Pier Company agreed in the '63 agreement to allow all personal property to be taxed, isn't that right Mr. Cropper?

Mr. Reese Cropper: They agreed that we would get Mr. Bill Howard(?) who was the Assessor for the County to give the assessment figures per foot, per boardwalk foot and that we would agree to pay taxes on the basis of the County assessment, so much per foot, boardwalk front and he came up with an assessment on neighboring properties and since that time we have been paying taxes on that amount of money to the Town of Ocean City but not to the County, (outside traffic prevents the rest of Mr. Cropper's sentence from being heard.) ...a few thousand dollars a year in taxes on the land...

Councilman Purnell: How much?

Mr. Jenkins: About \$1,900 last year.

Councilman Purnell: That's all the City gets, \$1,900?

Councilman Frame: \$1,900 out of that total piece of property?

Attorney Cathell: I'll go down and get the exact figures.

Councilman Cropper: Well that's close enough.

Mayor Kelley: I think there again you are, why don't that all come with the report, what are you going to sit here and discuss that for?

President Powell: We can get it, this is what we want to do.

Mayor Kelley: But this can be put all into your report, you are studying the whole picture. I mean...

President Powell: It's easy enough to get.

Mayor Kelley:..if you are going to look at that, Mr. Jenkins knows he is a businessman too, but this City is business too, you know what I'm saying don't you Mr. Buddy?

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Mr. Jenkins: Yes.

Mayor Kelley: But you I think ought to have these same reports Mr. Jenkins.

Mr. Jenkins: Oh I have, I've already got them.

Mayor Kelley: Well you know, if you want a set of these minutes, or what we've got downstairs, but I think the Council needs to look at every last bit of it.

Mr. Jenkins: Right. Well, that's the only way to do it, that's why I called for the meeting.

President Powell: We realize that you're not going to be able to do any of this this summer.

Mayor Kelley: No, but he started in time, I think it's good.

President Powell: When would you like to have an answer one way or the other, what we would do, what we wouldn't do?

Mr. Jenkins: Just as soon as you all have a chance to look at it for this reason, supplies are unreal, you can't hardly even get creosoted piling and we'd have to draw up a set of specifications for that north side and I'd damn near have to get my order in now to have the piling here in September.

President Powell: All right.

Mr. Jenkins: I think that, you know, while it is on everybody's mind is the time to do it.

Attorney Cathell: I'll try to get the report to you before I get married.

President Powell: When are you getting married?

Attorney Cathell: (Cannot hear his reply.)

President Powell: You'd better get on the ball if you're going to do it before you get married.

Mr. Jenkins: I personally think...

Councilman Trimper: Buddy will do it.

Mayor Kelley: Well I think the important thing is, the only aspect that I've discussed with him prior to this meeting is that he wants to better the fishing, but I've got sense enough to know that he is a businessman and will want something else, so maybe that will come out today. But I do appreciate it Mr. Buddy.

Councilman Trimper: Better the fishing! the

Mayor Kelley: Yeh, better that fishing Buddy, because that's/only thing the Mayor gets the calls on, you've got to better that fishing.

Mr. Jenkins: I'm going to drop one of those \$5,000 rockfish overboard there but I'll set him out myself.

(Too Many Talking.)

President Powell: Are there any more questions, it is about lunch time? Buddy, you got anything?

Mr. Jenkins: Not a thing.

President Powell: Everybody satisfied?

Mr. Jenkins: Thank you all for coming.

President Powell adjourned the meeting.

*Viola S. Thomas*  
Viola S. Thomas  
Secretary

Approved #27 - 8/19/74

Motion: Frame  
2nd: Cropper