



# Work Session

## Tuesday, April 30, 2019

### Mayor and City Council

#### Town of Ocean City, Maryland

#### CALL TO ORDER

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#### THE HONORABLE MAYOR AND CITY COUNCIL PRESIDING

Attendee Name	Organization	Title	Status	Arrived
Lloyd Martin	Ocean City	Council President	Present	
Mary Knight	Ocean City	Council Secretary	Present	
Dennis Dare	Ocean City	Council Member	Present	
Tony DeLuca	Ocean City	Council Member	Present	
John Gehrig Jr.	Ocean City	Council Member	Present	
Matthew James	Ocean City	Council Member	Present	
Mark L. Paddack	Ocean City	Council Member	Present	
Richard W. Meehan	Ocean City	Mayor	Absent	

STAFF IN ATTENDANCE: City Manager Doug Miller, City Solicitor Guy Ayres, Finance Director Chuck Bireley, City Clerk Diana Chavis, Tourism and Marketing Director Donna Abbott, Police Captain Mike Colbert, Ocean City Volunteer Fire Department President Jay Jester, Public Works Director Hal Adkins, Public Works Safety/COOP Coordinator Roger Steger, Public Works Deputy Director Woody Vickers, Zoning Administrator Frank Hall, Members of the Press and Interested Parties.

Council President Lloyd Martin called this Work Session to order at 1:05 PM in the Council Chambers of City Hall, 301 N. Baltimore Avenue, Ocean City, Maryland 21842.

#### NOTICE AND REPORT ON CLOSED SESSION

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- A. Closed Session - Tuesday, April 30, 2019, 11:00 AM - 1:00 PM to discuss Legal, Contractual and Real Estate Matters

Convened into Closed Session to: 1) consider the acquisition of real property for the public purpose and matters directly related thereto; 2) consult with counsel to obtain legal advice; and 3) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

**Motion to convene into Closed Session by Council Member James; seconded by Council Secretary Knight. The vote was unanimous with Council Member Gehrig absent for the vote.**

Council President Lloyd Martin reported on Closed Session. Persons present were City Manager Doug Miller, Council President Lloyd Martin, Council Secretary Mary Knight, Council Members Dennis Dare; Matt James; Tony DeLuca; John Gehrig and Mark Paddack, City Solicitor Guy Ayres, City Clerk Diana Chavis, Public Works Director Hal Adkins, Risk Manager Eric Lagstrom and Airport Manager Jaime Giandomenico.

**Motion to adjourn Closed Session at 1:00 PM.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Tony DeLuca, Council Member
<b>SECONDER:</b>	Matthew James, Council Member
<b>AYES:</b>	Martin, Knight, Dare, DeLuca, Gehrig Jr., James, Paddack

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**ACKNOWLEDGEMENTS AND RECOGNITIONS**

A. Introduction of Legislative Office Coordinator Lauren Davis

City Clerk Diana Chavis introduced and welcomed Lauren.

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**COMMENTS FROM THE PUBLIC**

John Medlin spoke opposing TAB Bikefest funding.

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**NEW BUSINESS**

A. Request to Approve TAB Funding Proposals presented by Tourism and Marketing Director

Tourism Advisory Board Chair Steve Pastusak requested \$3,000 funding to support the Wheelchair Lacrosse Tournament; 2) up to \$20,000 for flooring rental for Premiere 1 Events to hold basketball tournaments at the Ocean City Convention Center; 3) \$8,000 for the Kings of the Mat Wrestling Tournament; and 4) \$24,000 to Bikefest to supplement 2018 event loss of revenue due to Hurricane Florence. Funds are available in the Tourism Department's FY19 budget. Council Member Dare did not support the Bikefest request, noting it is the event holder's responsibility to obtain insurance that would cover costs associated with unexpectedly needing to cancel rather than relying on the town as its insurance company.

**Motion to approve 4 TAB funding proposals.**

<b>RESULT:</b>	<b>APPROVED [6 TO 1]</b>
<b>MOVER:</b>	Mary Knight, Council Secretary
<b>SECONDER:</b>	John Gehrig Jr., Council Member
<b>AYES:</b>	Martin, Knight, DeLuca, Gehrig Jr., James, Paddack
<b>NAYS:</b>	Dare

B. 2019 T.E.A.M. Productions Event Enhancements presented by CEO Bob Rothermel

Requested funding of \$293,000 from the Tourism Department budget to support fireworks at Talbot Street beach, fireworks at Northside Park, outdoor concert at Northside Park in conjunction with ArtX, Octoberfest beach maze, and Punkin Chunkin. Council Member Dare does not agree with the beach fireworks 10:30 PM start time. Several concerns were expressed regarding Punkin Chunkin (required public safety coverage, staff overtime, environmental impacts and town liability). Council requested staff move forward with the special event approval process and return for consideration.

**Motion to approve proposed events with Punkin Chunkin approval contingent upon Mayor and Council review of the Punkin Chunkin Special Event Permit which will provide a comprehensive assessment of event particulars and logistics.**

<b>RESULT:</b>	<b>APPROVED [6 TO 0]</b>
<b>MOVER:</b>	Tony DeLuca, Council Member
<b>SECONDER:</b>	Matthew James, Council Member
<b>AYES:</b>	Martin, Knight, DeLuca, Gehrig Jr., James, Paddack
<b>AWAY:</b>	Dare

C. Discussion of Dockless Bicycle and Scooter Regulations presented by City Solicitor and Police Captain

Police Commission voted to seek advice and propose legislation to control and regulate any attempt to introduce dockless transportation operations in Ocean City. This proposed ordinance outlawed standup electric scooters and prohibited any company from operating electric scooter share program in Ocean City. The ordinance precluded private use of electric scooters as well. Police Captain Colbert recommended, and Council agreed, the ordinance should include prohibition of bicycle share programs. Council also requested private use of electric scooters be permitted.

**Motion to move forward with ordinance to prohibit dockless bicycle and standup electric scooter share programs; amended to strike language that prohibits private and individual use of e-scooters on public property.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Tony DeLuca, Council Member
<b>SECONDER:</b>	Mark L. Paddack, Council Member
<b>AYES:</b>	Martin, Knight, Dare, DeLuca, Gehrig Jr., James, Paddack

D. Request to Consider a Boundary Line Adjustment at Fire Station No. 5 on Keyser Point Road presented by OCVFC President Jay Jester and Public Works Director Hal Adkins

Requested desire to obtain additional lands for future expansion of the firehouse for live-in suites, apparatus bays, and additional storage and office space. City Solicitor Ayres stated county approval is needed before proceeding.

**Motion to favorably pass an ordinance conveying property to the Ocean City Volunteer Fire Company upon county approval of same.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mary Knight, Council Secretary
<b>SECONDER:</b>	Matthew James, Council Member
<b>AYES:</b>	Martin, Knight, Dare, DeLuca, Gehrig Jr., James, Paddack

E. Storm Drain Cleaning Report presented by Public Works Director and Public Works Deputy Director

At budget wrap-up, Mayor and Council unanimously approved funding of \$100,000 in FY20 for storm drain cleaning with final approval upon budget adoption. No further action was taken.

F. Request to Terminate a Dedicated Parking Easement Agreement presented by Zoning Administrator

A Dedicated Parking Easement Agreement recorded in 2003 between Serene Properties, Inc., and the Mayor and Council of Ocean City required Serene Properties, Inc., owner of the Georgia Belle Motel, dedicate an additional four (4) off-street parking spaces at 12012 Assawoman Drive. The Georgia Belle Motel was renamed Coastal Palms Hotel and now accommodates the required 94 parking spaces needed. Present owners request the 2003 agreement be terminated. Due to personal involvement in the property, Council Member James recused himself from the vote.

**Motion to approve easement agreement termination.**

<b>RESULT:</b>	<b>APPROVED [6 TO 0]</b>
<b>MOVER:</b>	John Gehrig Jr., Council Member
<b>SECONDER:</b>	Tony DeLuca, Council Member
<b>AYES:</b>	Martin, Knight, Dare, DeLuca, Gehrig Jr., Paddack
<b>RECUSED:</b>	James

**ADJOURN**

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**Motion to adjourn at 3:15 PM.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Tony DeLuca, Council Member
<b>SECONDER:</b>	Mark L. Paddack, Council Member
<b>AYES:</b>	Martin, Knight, Dare, DeLuca, Gehrig Jr., James, Paddack

Approved by Mayor and Council this \_\_\_\_ day of \_\_\_\_\_, 2019.

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Diana L. Chavis, CMC  
City Clerk