



Regular Meeting Monday, May 20, 2019 Mayor and City Council Town of Ocean City, Maryland

CALL TO ORDER

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	Present	

STAFF IN ATTENDANCE: City Manager Doug Miller, City Solicitor Guy Ayres, Finance Director Chuck Bireley, City Clerk Diana Chavis, Police Chief Ross Buzzuro, Special Events Coordinator Lisa Mitchell, Budget Manager Jennie Knapp, Members of the Press and Interested Parties.

Council President Lloyd Martin called this Regular Meeting to order at 6:00 PM in the Council Chambers of City Hall, 301 N. Baltimore Avenue, Ocean City, Maryland 21842.

PRAYER AND PLEDGE

Council Member DeLuca led the prayer and Pledge.

ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL

A. Standing Committee Reports

Council President Martin reported May 13 Police Commission minutes.

Mayor Meehan reported May 1 Motor Event Task Force minutes.

Council Member James reported May 13 Tourism Commission minutes.

Council Member Gehrig reported May 14 Recreation and Parks Committee minutes.

Council Member Dare reported May 14 Transportation Committee minutes.

Council Member DeLuca reported May 8 Coastal Resources Legislative Committee minutes.

Council Member DeLuca reported May 15 Bicycle and Pedestrian Advisory Committee minutes.

Discussed increasing Fish OC sponsorship to cover cost of certificates for each person catching their first White Marlin. Cost includes certificate production, mailing, and submissions from captains. Tourism FY20 budget funds will cover costs. Council Member Gehrig abstained from the vote due to current working relationship with Fish OC owner.

Motion to approve increasing Fish OC funding sponsorship from \$10,000 to \$15,000.

RESULT:	APPROVED [6 TO 0]
MOVER:	Mary Knight, Council Secretary
SECONDER:	Matthew James, Council Member
AYES:	Martin, Knight, Dare, DeLuca, James, Paddack
ABSTAIN:	Gehrig Jr.

Discussed sponsorship and advertising opportunities of White Marlin Open Live broadcast.

Motion to purchase two White Marlin Open live broadcast daily sponsorships totaling \$6,000 with selected days of Monday and Friday.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary Knight, Council Secretary
SECONDER:	Mark L. Paddack, Council Member
AYES:	Martin, Knight, Dare, DeLuca, Gehrig Jr., James, Paddack

CONSENT AGENDA

Motion to approve Consent Agenda items A through F.

RESULT:	APPROVED [6 TO 0]
MOVER:	Mark L. Paddack, Council Member
SECONDER:	Tony DeLuca, Council Member
AYES:	Martin, Knight, Dare, DeLuca, Gehrig Jr., Paddack
AWAY:	James

- A. Approval of Minutes
 - 1. Regular Session #8 dated April 15, 2019
 - 2. Work Session dated April 30, 2019
- B. Private Event Approval Request for the U.S. Marine Corps Senior Week - June 14-16, 2019
- C. Private Event Approval Request for the OC Bikefest MOU and 2020/2021 Date Holds - September 12-15, 2019
- D. Private Event Approval Request for Out of the Darkness Walk - September 21, 2019
- E. Private Event Approval Request for the Shore Craft Beer Fest - October 26, 2019
- F. Request for Permission to Serve Beer and Wine at Northside Park Picnic Shelter for Graduation Party - June 2, 2019

MISCELLENEOUS REPORTS AND PRESENTATIONS

- A. Private Event Approval Request for TY UNC Daycation 4 - August 17, 2019

Event to take place south of the pier between 9:00 AM and 12:00 PM with approximately 200 participants. Event has taken place the past three years; however, applicant now requests a DJ with

amplified music who would bring a table, stool, speakers, generator and canopy tents. Several Council Members expressed concerns about setting a precedence of amplified music on a crowded beach area and its impact on beach patrons not associated with the event. Past gatherings of this group resulted in considerable trash, including alcoholic beverage containers. Mayor Meehan noted life guards are not on duty until 10:00 AM.

Motion to approve event as presented.

RESULT:	APPROVED [4 TO 3]
MOVER:	John Gehrig Jr., Council Member
SECONDER:	Matthew James, Council Member
AYES:	Martin, DeLuca, Gehrig Jr., James
NAYS:	Knight, Dare, Paddack

PUBLIC HEARINGS

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER AND STAFF

ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR

A. Second Reading - Ordinance 2019-04 to Adopt the FY2020 Operating Budget

Council Members shared various perspectives on retaining the constant rate including 1) a key goal of the town is to enhance livability in Ocean City; 2) desire to grow fund balance from 15% to 20% for emergency situations not ongoing expenses resulting from minimum wage increases, inflation, storm drain cleaning, road paving and special events, for example; 3) if the constant tax rate is retained, tax bills only rise if the assessment rises; 4) homestead tax credit is 0%; 5) responsibility to provide residents, non-residents, visitors and businesses with a safe, clean place to live and visit with maintained and improved infrastructure; 6) importance of investing in tourism marketing and world class services to encourage people to visit, build and invest in Ocean City. Council Members James and DeLuca do not support a tax increase. At first reading, building town revenue from room tax, parking rate or franchise fee increases, had been suggested.

Motion to adopt Ordinance 2019-04.

RESULT:	ADOPTED [5 TO 2]
MOVER:	Dennis Dare, Council Member
SECONDER:	Mark L. Paddack, Council Member
AYES:	Martin, Knight, Dare, Gehrig Jr., Paddack
NAYS:	DeLuca, James

B. Second Reading - Ordinance 2019-05 to Amend Zoning District Map, Changing the Zoning Classification of the Subject Property to be Entirely Bayside Mixed Use District (66th Street - Public Use Land Swap)

This zoning map amendment facilitates land consolidation for public use as a water treatment plant, and co-location of land areas under a single zoning district currently owned by Wenzlaff Family, LLLP, operated as Advanced Marina.

Motion to adopt Ordinance 2019-05.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Mark L. Paddack, Council Member
SECONDER:	Matthew James, Council Member
AYES:	Martin, Dare, DeLuca, Gehrig Jr., James, Paddack
AWAY:	Knight

- C. Second Reading - Ordinance 2019-06 to Amend Chapter 110 Entitled Zoning (to adopt seven zoning code proposals approved by Mayor and Council at the March 26 Work Session)

Group 2: 1) amended definitions of Accessory Building and Accessory Use (Residential); 2) new definition of Base Density Calculation (Residential); 3) amended definition of Transfer of Development Rights (TDR); 4) amended definitions of Accessory detached building, Accessory detached use, and Accessory attached use (Commercial); 5) limiting a Determination of Nonconformity for Parking Requirements for Projects Utilizing TDR; 6) limitation of parking nonconformity with TDR density increase; 7) clarification of Density Calculation method; 8) projects that utilize TDR to increase density calculation not permitted to apply for Special Parking Exceptions for that portion of the project; and 9) clarification of accessory use within and unattached to a mixed use building.

Motion to adopt Ordinance 2019-06.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Mark L. Paddack, Council Member
SECONDER:	Matthew James, Council Member
AYES:	Martin, Dare, DeLuca, Gehrig Jr., James, Paddack
AWAY:	Knight

- D. Second Reading - Ordinance 2019-07 to Amend the Public Safety Employees' Pension Plan and Trust (restores eligible IAFF plan participants to the Defined Benefit plan and enacts a 9% contribution rate for certain participants hired after June 30, 2013)

City Manager Doug Miller informed John Medlin the ordinance affects 15 people and costs are calculated by actuaries.

Motion to adopt Ordinance 2019-07.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Mark L. Paddack, Council Member
SECONDER:	Tony DeLuca, Council Member
AYES:	Martin, Dare, DeLuca, Gehrig Jr., James, Paddack
NAYS:	Knight

- E. Second Reading - Ordinance 2019-08 to Amend Chapter 42, Article IV, Entitled Labor Code (providing for the impasse panel procedure between the Council and the employees of the Ocean City Career Fire Fighter Paramedics Association)

Motion to adopt Ordinance 2019-08.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Knight, Council Secretary
SECONDER:	Mark L. Paddack, Council Member
AYES:	Martin, Knight, Dare, DeLuca, Gehrig Jr., James, Paddack

- F. Second Reading - Ordinance 2019-09 Authorizing the Purchase of Real Property at 12315 Sinepuxent Road, Berlin, Maryland

Motion to adopt Ordinance 2019-09.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Mary Knight, Council Secretary
SECONDER:	Dennis Dare, Council Member
AYES:	Martin, Knight, Dare, DeLuca, Gehrig Jr., Paddack
AWAY:	James

- G. First Reading - Ordinance to Amend Chapter 90 Entitled Traffic and Vehicles (to prohibit shareable dockless mobility device programs)

Motion to approve first reading of Ordinance 2019-10.

RESULT:	APPROVED [6 TO 0]
MOVER:	Tony DeLuca, Council Member
SECONDER:	Mark L. Paddack, Council Member
AYES:	Martin, Knight, Dare, DeLuca, Gehrig Jr., Paddack
AWAY:	James

- H. Resolution Approving Sustainable Communities Plan, Application and Receipt of Financing for Community Legacy Projects (grant request \$100,000)

Motion to adopt Resolution 2019-08.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Knight, Council Secretary
SECONDER:	Mark L. Paddack, Council Member
AYES:	Martin, Knight, Dare, DeLuca, Gehrig Jr., James, Paddack

COMMENTS FROM THE PUBLIC

John Medlin spoke on car cruisin' event.
George Leukel commented on light show stands and free bicycle lights.

COMMENTS FROM THE CITY MANAGER

Reviewed May 28 Work Session draft agenda, acknowledged Department Activity Report and congratulated Mayor and Council on their sincere and well articulated tax rate debate.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

Mayor Meehan commented on room tax increase public hearing in Snow Hill, Bay Bridge AAA Press Conference, and planting the first umbrella of the season at Somerset Street with Governor Hogan to reenact the 1946 beach photo and kick off 100 days of summer.

ADJOURN

Motion to adjourn at 8:05 PM.

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

Approved by Mayor and Council this _____ day of _____, 2019.

Diana L. Chavis, CMC
City Clerk