

**CITY COUNCIL MEETING MINUTES
THURSDAY, JULY 24, 2014 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Mr. Allegretto, Mr. DeVlieger, Mr. Guinosso, Mr. Hartzell, Mr. Madden, Mr. McClellan, and Mr. Wilson. Also present: Mayor Gillian, Mr. Dattilo, Business Administrator and Ms. McCrosson, City Solicitor.

Council President Wilson called the meeting to order at 7:00 pm and asked everyone to rise for the flag salute. He announced the meeting had been advertised in accordance with P.L. 1975, Chapter 231.

CITIZEN COMMENT

Jack Stover, 10th & Wesley Avenue – spoke about his relative receiving a ticket at a broken meter.

Dale Ott, 912 Stenton Place - spoke about the lack of parking spaces on her street and suggested a parking space rental fee be paid so homeowners can park in front of their homes.

George Chard, 15 Sconet Court – spoke about a concrete wall recently built at the dog park which he felt is a safety hazard and security risk and doesn't provide for sight interaction for other dogs entering the park.

Phoebe Dickson, 230 Crescent Road –said she looks forward to council adopting an ordinance regulating the overgrowth of bamboo on properties.

APPROVAL OF MINUTES

Mr. Wilson asked for a motion to adopt the Regular City Council meeting minutes of Thursday, July 10, 2014 (Mr. DeVlieger was absent). Motion moved by Mr. McClellan; seconded by Mr. Hartzell. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

Mayor Gillian and Peter Ault, Chairman of the Environmental Commission presented Citations of Appreciation recognizing Lauren Vetter and Aine Boyle, OCHS Student Liaisons for the Environmental Commission.

Mayor Gillian spoke about back bay dredging and reported the city received notification of a \$2.6 million dollar grant in partnership with Somers Point from the Department of the Interior, National Fish & Wildlife Foundation to pursue a project of using spoils to create and enhance wetlands.

Ms. McCrosson provided an explanation of the final change order in Resolution #5.

Mr. Hartzell requested a response to Mr. Stover's parking ticket, asked about the dog park issue and reminded council in the past when one resident from Stenton Place came up with parking permit idea the residents came to council requesting no such permits be issued. Mr. Dattilo requested the ticket number be provided to him and said he will take a look at the dog park matter.

REPORTS – CITY COUNCIL

Mr. Allegretto reported the Shade Tree Committee provided a draft bamboo ordinance which he will bring forward at the next council meeting.

ORDINANCES: INTRODUCTION & FIRST READING

Mr. Wilson asked for a motion to introduce Ordinance #14-20 on first reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed. The Clerk read the ordinance by title: **#14-20: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Zoning Map (Block 407, Lots 1-11; Block 408, Lot 16)**. Ms. McCrosson provided an explanation of the proposed new zone which she said reflects the majority of properties in the block.

Mr. Allegretto spoke about the long standing vacant property to which no commercial entity has an interest. Mr. McClellan spoke about the neighborhood being predominantly duplexes and occupied by year-round residents. Mr. DeVlieger spoke about seeing the eyesore being changed to improve the neighborhood. Mr. Hartzell said that he did not want to lose any neighborhood businesses but felt this change makes the properties on the block more conforming. Mr. Wilson spoke about smaller lots doesn't necessarily mean greater neighborhood density.

Mr. Wilson asked for a motion to adopt Ordinance #14-20 on first reading. Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed. Mr. Wilson announced the ordinance will be sent to the Planning Board for consistency review with second reading and public hearing to be held at the council meeting on August 28, 2014.

ORDINANCES: SECOND READING AND PUBLIC HEARING

Mr. Wilson asked for a motion to take up Ordinance #14-17 on second reading and public hearing. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed, except Mr. Guinosso, recused himself from voting. The clerk read the ordinance by title: **#14-17: An Ordinance Authorizing the Execution of a Lease between the City of Ocean City and American Legion Morvay-Miley Post 524 for the Lease of Municipal Lands (4556-62 West Avenue, Block 4504, Lots 5 & 5.01)**. Ms. McCrosson explained the adoption of the ordinances authorizes a lease agreement with the local American Legion post for vacant land with a 50-year term; renewable for an additional 25-year term with a nominal rent of \$1.00 per year; restricted to recreational use by a nonprofit corporation or association. The lease will permit the Post to build a structure and the city will have input as to the design.

PUBLIC COMMENT – Ordinance #14-17. There was no comment on Ordinance #14-17.

Mr. Wilson asked for a motion to adopt Ordinance #14-17 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed, except Mr. Guinosso who recused himself from voting.

Mr. Wilson asked for a motion to take up Ordinance #14-18 on second reading and public hearing. Motion moved by Mr. Hartzell; seconded by Mr. Madden. All ayes followed, except Mr. McClellan had left the table during the vote. The clerk read the ordinance by title: **#14-18: An Ordinance Authorizing the Execution of a Deed of Dedication and Perpetual Storm Damage Reduction Easement on Real Property Attached as Schedule A to the State of New Jersey.** Ms. McCrosson explained the ordinance authorizes the execution of the document necessary to grant to the State of New Jersey a perpetual easement and right-of-way over the newly acquired city-owned beach lots prior to implementation of the beach replenishment and dune construction and maintenance projects. Council spoke in support of the ordinance.

PUBLIC COMMENT – Ordinance #14-18. There was no comment on Ordinance #14-18.

Mr. Wilson asked for a motion to adopt Ordinance #14-18 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #14-19 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. Madden. All ayes followed. The clerk read the ordinance by title: **#14-19: An Ordinance Amending and Supplementing Chapter II, Section 2-13 “Tourist Development Commission” of the Revised General Ordinances of the City of Ocean City to Add Two Non-Voting Licensee Members to the Commission.** Ms. McCrosson explained the ordinance adds two non-voting members; term of 2 years and terms and not considered local government officers with the purpose of providing additional members of the business community a seat at the table of the Tourist Development Commission.

PUBLIC COMMENT – Ordinance #14-19

Roy Wagner, 2928 Wesley Avenue – felt the membership didn’t need to be increased.

Mr. Hartzell spoke in full support of the ordinance saying the additional of two non-voting members widens the scope to obtain better information throughout the different segments of the town. Both Mr. McClellan and Mr. Madden spoke in support of the ordinance. Mr. Guinosso spoke in opposition of the ordinance saying he felt if the board was increased they should have voting rights with full disclosure. Mr. DeVlieger said it is a move in the right direction but had concerns about voting rights. Mayor Gillian announced State Statute does not permit two additional voting members. Mr. Allegretto said he sees positives; to diversify the board, to bring ideas forward and exposes new people to the process. Mr. Wilson added this provides for a more rounded group to bring ideas forward.

Mr. Wilson asked for a motion to adopt Ordinance #14-19 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed, except Mr. Guinosso, voted no.

RESOLUTIONS – CONSENT AGENDA

14-50-170 - #1. A Resolution Authorizing the Award of a Contract to Wenger Corporation for Stage Equipment & Supplies for the Calendar Year 2014

14-50-171 - #2. A Resolution Authorizing the Award of a Contract to Broyhill Manufacturing Company, Inc. for Parts & Supplies for the Calendar Year 2014

14-50-172 - #3. A Resolution Authorizing a Professional Services Contract between the City of Ocean City & McManimon & Scotland & Baumann, LLC for General Municipal Bond Counsel Services

14-50-173 - #4. A Resolution Authorizing Change Order #1, Final Acceptance & Final Payment of City Contract #10-25, Aquatic & Fitness Center Roof & HVAC Improvements

14-50-175 - #6. A Resolution Authorizing Change Order #1, Final Acceptance & Final Payment of City Contract #14-28, HVAC Improvements to the Ocean City Music Pier

14-50-178 - #9. A Resolution Amending the 2014 Budget of the City of Ocean City to Include Additional Revenue from the State of New Jersey, Office of the Attorney General, Department of Law and Public Safety, Division of Highway Traffic Safety, SFY 2015 Ocean City Pedestrian Safety Grant

14-50-179 - #10. A Resolution Authorizing the Extension of the Grace Period for the August 2014 Tax Quarter

14-50-180 - #11. A Resolution Authorizing the Payment of Claims

14-50-181 - #12. A Resolution Consenting to City Council’s Appointment of Michael Hyson, Theresa J. Ifkovtis and Robert McNeill as Members to the Utility Advisory Commission

14-50-182 - #13. A Resolution Consenting to City Council’s Appointment of Marjorie Brooks and Sara Allison Maas as Members to the Environmental Commission

14-50-183 - #14. A Resolution Consenting to City Council’s Appointment of Robert Barr, Scott Halliday and Edmond Speitel as Members to the Housing Authority

14-50-184 - #15. A Resolution Authorizing the Mayor’s Execution of a Letter Agreement with Brothers of the Christian Schools

Mr. Wilson asked for a motion to adopt the consent agenda. Motion moved by Mr. McClellan; seconded by Mr. Hartzell. All ayes followed.

RESOLUTIONS – NON CONSENT AGENDA

14-50-174 - #5. A Resolution Authorizing Change Order #2, Final Acceptance & Final Payment of City Contract #12-18 R-1, 2012 Back Bay Dredging. Mr. Guinosso spoke about the contract payment to Hydro-Marine.

14-50 – 176 - #7. A Resolution Determining the Form and Other Details of \$17,900,000 General Improvement Bonds, Series 2014 of the City of Ocean City, in the County of Cape May, New Jersey and Providing for their Sale.

14-50-177 - #8. A Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2014 of the City of Ocean City, in the County of Cape May, New Jersey into a Single Issue of Bonds Aggregating \$17,900,000 in Principal Amount. Mr. Guinosso spoke about the bonding benefits under Resolution #7 and #8. Mr. Allegretto spoke about taking advantage of the lower interest rates under the bond.

PUBLIC COMMENT – There was no comment on Resolution #5, #7 or #8.

Mr. Wilson asked for a motion to adopt Resolution #5, #7 and #8. Motion made by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed.

PENDING BUSINESS

Mr. Guinosso requested that the 46th Street lot be cleaned up.

Mr. McClellan requested the updated dredge report be sent out to dredge contact list.

Mr. Hartzell said he looked at the 19th Street beach entrance for a possible handicapped ramp which looked like there was no room. Mr. Dattilo stated the street end is challenging and would require a lengthy ramp to be legal; he has requested Mr. McLarnon to look at it again.

NEW BUSINESS

Mr. DeVlieger announced he will review with former Councilman Kemenosh permit parking on Stenton Place which did not move forward.

Mr. Guinosso spoke about the flyer the City puts out with the tax bills and suggested some type of barriers should be placed on work sites so slit doesn't enter the drains.

CITIZEN COMMENT

Jeff Sutherland, 428 Central Avenue – he voiced his concerns regarding the zone changes in Ordinance #14-20 saying this is being done for the developer.

Robert Marzulli, Commander of the American Legion Post – thanked and applauded Council and the Mayor for working together to build a new post for the members.

Jackie Wolchko, 5009 Haven Avenue – provided photos of poor drainage problems on her street and asked for relief from the constant water issues.

Dale Braun, 326 West Avenue – said results were favorable in his block when it was rezoned; 10 units were built; 9 of them sold and only one has turned into a rental property. Mr. Wilson asked Mr. Braun to provide the demographics on his block.

Mr. Hartzell announced he and Mr. McClellan will go door to door in the neighborhood providing information to the residents regarding Ordinance #14-20.

Mr. Wilson asked for a motion to adjourn. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed. The meeting adjourned at 8:32.


Linda P. MacIntyre, City Clerk