CITY COUNCIL MEETING MINUTES
THURSDAY, SEPTEMBER 25, 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

Katherine Thompson, 3714 Westminster Lane – requested careful consideration of Ordinance #13-34 and spoke about the financial impact placed upon residents. She also asked why the City has begun to charge permitting fees to raise homes damaged by Super Storm Sandy.

Michael Hyson, 637 Simpson Avenue – requested curb strip irrigation be pulled from Ordinance #14-34.

Joe Fertsch, 238 Crescent Road – thanked Ms. Dickson for her work on the bamboo ordinance and asked if Comcast would be closing their local office.

Phebe Dickson, 230 Crescent Road - thanked the Shade Tree Committee & City Council for their work on the bamboo ordinance.

Angelo Foresta, 1044, 1125 & 825 Asbury Avenue – spoke in opposition of Ordinance #14-30 stating it minimizes the amount of retail stores on Asbury Avenue.

Bill Stumpfig, 330 Simpson Avenue – spoke in opposition of Ordinance #14-34; opposed to sod and curb irrigation and suggested the use of native plants. He offered to work with the City to develop a plan that encourages more reasonable water use since his background is in coastal geology.

Suzanne Hornick, 2962 West Avenue – questioned why the city wants to use artificial turf and spoke on the reasons why artificial turf is not healthy, will cause damage to the environment and is not maintenance free.

Georgina Shanley, 2117 Bay Avenue - spoke about her concerns with no affordable housing and said the building of the coastal cottages project was supposed to be built for people of middle class incomes.

Wood Robinson, 1052 Asbury Avenue – spoke in opposition of Ordinance #14-30 and said 25 business owners in the downtown adamantly oppose contractor offices in the CB zone.

Lisa Palomeque, 3800 Waterview Boulevard – spoke in opposition of Ordinance #14-30 and said requiring a lawn will hurt local middle class families.

Kerry Treasure, 15 Wesley Avenue – homeowner with a lush bamboo yard addressed her concerns related to Ordinance #14-32 and suggested the ordinance be toned down to find a neighborly reasonable solution.

Steven Fenichel, 2117 Bay Avenue – appealed to council to review the Drone ordinance he sent to make the city a spy free zone. He said if Drones are permitted it is a total invasion of our privacy.

APPROVAL OF MINUTES

Mr. Allegretto asked for a motion to adopt the City Council meeting minutes of Thursday, September 11, 2014 (Mr. Wilson was absent). Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

Mayor Gillian presented two proclamations Fire Prevention Week and Mental Illness Week from October 5th through October 11th.

Mr. Dattilo responded to citizen concerns. He said Comcast applied to the Board of Public Utilities to close their Ocean City office; he will review the artificial turf material that was provided and will make sure council receives good backup on the issue before bringing any contract forward for council's approval; and said the Mayor requested Ms. McCrosson review Dr. Fenichel's ordinance related to drones.

Mr. Donato presented a revenue update and reported a total revenue of $10,867,493 as of August 31, 2014 as compared to August 31, 2013 total of $10,501,209; a difference of $366,247; up overall by 3.49%.

Mr. Hartzell questioned why construction permit fees for Sandy related fees are not being waived and asked if parking tickets were up or down. Mr. Donato reminded Council they passed an ordinance waiving fees with a selected reasonable timeframe; he said parking tickets were up slightly.

Mr. Guinosso requested a more detailed revenue report for the Music Pier box office and golf course with the expense associated with each item.

REPORTS – CITY COUNCIL

Mr. DeVlieger invited the public to attend the unveiling of an educational drug awareness billboard sponsored by the Drug Awareness Committee on September 29th over the 34th Street Bridge. Mr. Guinosso reported the Airport Festival was well attended.

ORDINANCES: INTRODUCTION & FIRST READING

Mr. Wilson asked for a motion to introduce Ordinance #14-35 on first reading. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed. The clerk read the ordinance by title: **#14-35: A Refunding Bond Ordinance of the City of Ocean City, in the County of Cape May, New Jersey, Providing for the Advance Refunding of all or a portion of General Improvement Bonds, Appropriating $6,020,000 Therefor and Authorizing the Issuance by the City of General Improvement Refunding Bonds in the Aggregate Principal Amount of Not Exceeding $6,020,000 for Financing the Cost Thereof.** Mr. Donato explained the ordinance provides the City to refinance the remaining balance of the 2006 bond at a lower interest rate; the current bond is financed at an interest rate of 4%; the new rates are around 2% which could provide a potential net savings of $200,000 in interest to refinance $6 million worth of principal.

Mr. Wilson asked for a motion to adopt Ordinance #14-35 on first reading and publish according to law. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed. Mr. Wilson announced second reading and public hearing will be held on October 9, 2014.

Mr. Wilson asked for a motion to introduce Ordinance #14-36 on first reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All Ayes followed. The clerk read the ordinance by title: **#14-36: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Porches, Side Yards and Hospitality Zone. Ms. McCrosson.** Ms. McCrosson explained the ordinance allows porches as a permitted side yard encroachment and provides regulations permitting a floating building envelope in the Hospitality Zone. Ms. McCrosson requested, for clarification purposes, to add the words "side yard" under Section 2 a. 1 in the last sentence.

Mr. Wilson asked for a motion to adopt Ordinance #14-36 on first reading and publish according to law with the following amendment: add the words "side yard" under Section 2 a.1 in the last sentence. Motion move by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed. Mr. Wilson announced Ordinance #14-36 will be sent to the Planning Board for Consistency Review with second reading and public hearing to be held on October 23, 2014.

Mr. Wilson asked for a motion to introduce Ordinance #14-37 on first reading. Mr. Hartzell, who resides in the zone, recused himself from the vote and stepped away from the table. Motion moved by Mr. Guinosso; seconded by Mr. McClellan. All Ayes followed. The clerk read the ordinance by title: **#14-37:An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Central Business (CB) Zone.** Ms. McCrosson explained the ordinance replaces Ordinance #14-30 with the only revision being the elimination of the section changing the zoning of the 1000 Block of Asbury Avenue from CB to CB-1. She stated +1 was omitted under foot note (22) which should read Base Flood +1 at the end of the first sentence where the building height is measured.

Mr. McClellan requested in Section 25-205.1.2 Permitted Uses, paragraph g at the beginning of the sentence remove the words Contractor's offices. After further council discussion there was consensus to make the recommended changes.

Mr. Wilson asked for a motion to adopt Ordinance #14-37 on first reading and publish according to law with the amendment under foot note 22 to read BFE+1and to strike paragraph g. Motion move by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed. Mr. Wilson announced Ordinance #14-37 will be sent to the Planning Board for Consistency Review with second reading and public hearing to be held on October 23, 2014.

Ms. McCrosson requested that Ordinance **#14-38: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City** be tabled prior to introduction based upon feedback the administration received that the ordinance is confusing and not clearly written. She said they would like to obtain more input from the public and council and bring back a new ordinance at a later date.

Mr. Wilson asked for a motion to table Ordinance #14-38. Motion moved by Mr. Guinosso; seconded by Mr. DeVlieger. A unanimous vote followed to table Ordinance #14-38.

ORDINANCES: SECOND READING AND PUBLIC HEARING

Mr. Wilson asked for a motion to take up Ordinance #14-23 on second reading and public hearing. Motion moved by Mr. McClellan; seconded by Mr. Allegretto. All ayes followed. The clerk read the ordinance by title: **#14-23**: **An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Elevated Buildings.** Ms. McCrosson explained the intent is to make the elevated buildings more atheistically pleasing for the appearance of screening of the v-zone foundation.

PUBLIC COMMENT – Ordinance #14-23. There was no public comment.

Mr. Allegretto spoke in support of the ordinance. Mr. Guinosso asked if there is a requirement to have a brick facing. Ms. McCrosson read Section 2 b. which provides for acceptable foundation wall treatments.

Mr. Wilson asked for a motion to adopt Ordinance #14-23 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. Madden. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #14-24 on second reading and public hearing. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed. The clerk read the ordinance by title: **#14-24: 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 208).** Ms. McCrosson explained the ordinance changes the designation for Block 208, Lots 12-27.01 from R-1-50 to R-1-30 which would more closely reflect the existing lot sizes of the block.

PUBLIC COMMENT
Leslie Hammer, 231 Wesley Avenue – spoke in opposition of reducing the lot sizes stating there was a need to maintain a variety of lots.
Anthony Sambello, 210 Ocean Avenue – asked, as a 60' lot owner, would he now have two buildable lots.
Johnthan & Leslie Trego, 208 Wesley Avenue - spoke in opposition of the amendment.

Ms. McCrosson explained that Mr. Sambello's lot that could be subdivided into two family single lots. She explained there are 17 lots in a half block and only two conform to the R-1-50; so everyone else who wanted to make a change would have to go for a variance; it was the administration effort to eliminate the need to go to the zoning board for variances in situations that would make sense; 10 of the 17 lots are 30' wide so this is not creating more duplexes.

Mr. Allegretto said the ordinance is a way to better accommodate the homeowner and it does not change the size of the house you can build.

Mr. DeVlieger stated he canvassed the affected half block and said only two houses comply with the current zoning and that everyone else on the block would need a variance if they wanted to make any changes.

Mr. Guinosso, Mr. McClellan and Mr. Hartzell spoke in support of change.

Mr. Wilson asked for a motion to adopt Ordinance #14-24 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. DeVlieger. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #14-25 on second reading and public hearing. Motion moved by Mr. Hartzell; seconded by Mr. Allegretto. All ayes followed. The clerk read the ordinance by title:**#14-25**: **An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City West Avenue 90' Lots.** Ms. McCrosson explained the ordinance significantly reduces the necessity to obtain lot depth and lot area variances when the subject parcels are proposed for subdivision.

PUBLIC COMMENT – There was no public comment on Ordinance #14-25

Mr. Hartzell said these zoning changes benefit the public by not having to make them apply for variances before the Zoning Board. Mr. Allegretto agreed that this ultimately helps the homeowner.

Mr. Wilson asked for a motion to adopt Ordinance #14-25 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed.

Ms. McCrosson requested Council table Ordinance **#14-26: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Zoning Flood Elevation** since it was related to Ordinance #14-38 which Council tabled; a new ordinance will be brought back which will provide better clarity in addressing Base Flood Elevation.

Mr. Wilson asked for a motion to table Ordinance #14-26. Motion moved by Mr. Allegretto; seconded by Mr. Guinosso. All ayes followed, except Mr. DeVlieger stepped away from the table during the vote.

Mr. Wilson asked for a motion to take up Ordinance #14-29 on second reading and public hearing. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed, except Mr. DeVlieger has stepped away from the table. The clerk read the ordinance by title: **#14-29: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Rear Yard Encroachments.** Ms. McCrosson explained the Zoning office continues to experience difficulties in dealing with structures in the rear yard of lagoon and bay front lots; this ordinance requires a zoning permit and provides regulations for gazebos, pergolas, sun canopies and sheds.

PUBLIC COMMENT – There was no public comment on Ordinance #14-29

Mayor Gillian requested Council's consideration to remove under Section #3 (v) In-ground Basketball Systems. Ms. McCrosson explained in ground basketball systems are subject to certain regulations which includes obtaining a zoning permit. Ms. McCrosson said deleting (v) is not a substantial change to the ordinance. Mr. DeVlieger requested (v) be removed. Mr. Hartzell spoke in support of the change.

Mr. Wilson asked for a motion to adopt Ordinance #14-29 on second reading as amended to remove (v) from the ordinance. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #14-30 on second reading and public hearing. Motion moved by Mr. Allegretto; seconded by Mr. DeVlieger. All ayes followed, except Mr. Hartzell who recused himself and stepped away from the table. The clerk read the ordinance by title: **#14-30: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Central Business (CB) Zone.** Ms. McCrosson explained Council just passed Ordinance #14-37 on first reading which also addresses the CB zone which is identical to Ordinance #14-30 except this ordinance includes the change in the 1000 Block. She said the administration understands that council will vote no on this ordinance since it is inconsistent with Ordinance #14-37.

PUBLIC COMMENT – There was no comment on Ordinance #14-30.

Mr. Wilson asked for a motion to adopt Ordinance #14-30 on second reading. Motion moved by Mr. Allegretto; seconded by Mr. DeVlieger. There was a unanimous No vote. Mr. Hartzell recused himself from voting. Ordinance #14-30 Failed.

Mr. Wilson asked for a motion to take up Ordinance #14-31 on second reading and public hearing. Motion moved by Mr. McClellan; seconded by Mr. Madden. All ayes followed. The clerk read the ordinance by title: **#14-31: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Central Business-1 Zone.** Ms. McCrosson explained the purpose of the ordinance which provides revisions to clarify and modify certain aspects of the CB-1 Zone and revises the CB and CB-1 Conditional Use requirements.

Mr. DeVlieger stepped away from the table after the vote and recused himself from voting since he holds an interest in the zone.

PUBLIC COMMENT – There were no comments on Ordinance #14-31.

Mr. Allegretto clarified the ordinance retains the CB-1 Zone on Asbury Avenue from 11th to 14th Street and along West Avenue where it currently exists, with no change in the 1000 Block on Asbury.

Mr. Wilson asked for a motion to adopt Ordinance #14-31 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed, except Mr. DeVlieger recused himself from voting.

Mr. Wilson asked for a motion to take up Ordinance #14-32 on second reading and public hearing. Motion moved by Mr. Hartzell; seconded by Mr. Allegretto. All ayes followed, except Mr. DeVlieger had stepped away from the table. The clerk read the ordinance by title: **#14-32: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City to Address Bamboo *(Introduced by Councilman Allegretto & Administration)*.** Ms. McCrosson explained the purpose of the ordinance is to preserve and protect private and public property and protect indigenous plants from the damage caused by invasive bamboo. She then provided a more in depth outline of the ordinance as it related to the prohibition, containment, removal and fines for violating the ordinance. Ms. McCrosson stated under b.) Construction Office should change to Code Enforcement Official.

PUBLIC COMMENT – Ordinance #14-32
Marty Mozzo, 3803 Westminster Lane – opposes the ordinance as written stating it requires a major overhaul.
Steve Fenichel, 2117 Bay Avenue – concerned about the use of toxic chemicals to remove the bamboo.
Nancy Notaro, 11th & Central – spoke in opposition of the ordinance.

Mr. Allegretto explained the ordinance discourages people not to plant bamboo and provides for the containment of the plant which causes structural damage and can be a nuisance to your neighbors. He said this ordinance is a starting point which he feels cannot be ignored.

Mr. DeVlieger was supportive of the ordinance but disagreed with the original timelines for removing bamboo and requested to change the 14 day time period that plans are to be submitted to code enforcement to 45 days and time to implement a remediation plan from 30 days to 120 days. He also felt the fines up to $100 a day were too high and should be reduced to $5.00 or $10.00 a day.

Mr. Guinosso requested the ordinance be tabled because he felt the current wording "property owner and/or occupant for resolving the encroachment of bamboo should say owner, not occupant.

Mr. Madden felt this ordinance was necessary, a good starting point and a work in progress.

There was council discussion in support of changing the time constraints as suggested by Mr. DeVlieger but Council did not want to table the ordinance. Mr. Wilson spoke in support of moving the ordinance forward due to the need of putting a mechanism in place when communication fails between two neighbors.

Mr. Wilson asked for a motion to adopt Ordinance #14-32 on second reading as amended to change the time period to submit a plan to 45 days and time to implement a plan to 120 days. Motion moved by Mr. Allegretto; seconded by Mr. DeVlieger. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #14-33 on second reading and public hearing. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#14-33: A Bond Ordinance Appropriating $1,435,000.00 and Authorizing the Issuance of $1,363,250 in Bonds and Notes of the City of Ocean City for the Various Improvements or Purposes Authorized to be Undertaken by the City of Ocean City, New Jersey.** Mr. Donato outlined the improvements or purpose as follows; $35,000 for construction, rehabilitation and repair of public buildings including but not limited to the installation of a generator at the 46th street firehouse; $1,250,000 for Carey Field turf and track and $150,000 for acquisition of a fire truck.

PUBLIC COMMENT – Ordinance #14-33

Georgina Shanley, 2117 Bay Avenue – requested Council to review the possible dangers of turf and the potential hazards.

John Feairheller, 435 Wesley Avenue - provided a sample of artificial turf and pointed out this project takes about five months and requires a large staging area to lay the turf out which needs to sit on two feet of stone; he addressed drainage issues and spoke about various other problems that may be associated with using this type product.

Mr. Hartzell stated Mr. Feairheller is the engineer of record of three turf fields and an expert in this area and felt council could ask him to return to provide a more in depth presentation. Mr. Guinosso agreed with Mr. Hartzell. Mr. DeVlieger said he felt the funding should be in place while additional research is being done on this product. Mr. Allegretto said the City is looking for the best field possible for the students, their activities along with accommodating various other athletic events.

Mr. Wilson said council needs to be mindful that older turf can be problematic and agreed that additional research needs to be done on this product but would approve the ordinance to have the funding in place.

Mr. Wilson asked for a motion to adopt Ordinance #14-33 on second reading. Motion moved by Mr. DeVlieger; seconded by Mr. Madden. All ayes followed, except Mr. Guinosso, voted no.

Mr. Wilson asked for a motion to take up Ordinance #14-34 on second reading and public hearing. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed, except Mr. Guinosso, voted no. The clerk read the ordinance by title: **#14:34: An Ordinance Amending and Supplementing Chapter XVII (Streets, Sidewalks and Sanitation) of the Revised General Ordinances of the City of Ocean City *(Introduced by Councilman Hartzell & Councilman Wilson).*** Ms. McCrosson explained the ordinance would create a requirement for properties located in residential zones to provide a grass/sod curb strip with irrigation in the area between the curb and sidewalk; an exception to the requirement would be based upon the city engineer if he feels concrete would be a better surface based on pedestrian traffic in the area.

Mr. McClellan said after speaking with several people he feels the ordinance requires further review and investigation and would like to obtain input from the Shade Tree Committee, the Environmental Commission and the Garden Civic Association. Mr. McClellan requested the ordinance be tabled.

Mr. Hartzell requested the Administration provide a type of ground covering that would be allowed stating he brought the ordinance forward to address flooding issues.

PUBLIC COMMENT – There was no comment on Ordinance #14-34

Mr. Wilson asked for a motion to table Ordinance #14-34. Motion moved by Mr. McClellan; seconded by Mr. Hartzell. A unanimous No vote followed to table Ordinance #14-34.

RESOLUTIONS – CONSENT AGENDA:

14-50-210 - #1. - A Resolution to Authorize the Advertisement of Specifications for City Contract #14-24, 2014 Road Improvement Program – Phase 1

14-50-211 A #2. - A Resolution Authorizing the Award of City Contract #13-40 R-1, Vehicle Maintenance Storm Damage Restoration and Improvements

14-50-212 - #3. - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Northeast & Bucks Company, T/A Mullin & Lonergan Associates as a Consulting Service for the Community Development Programs

14-50-213 - #4. - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & to the Title Company of Jersey for Title Search Services for the Calendar Year 2014-2015 for the City of Ocean City

14-50-214 - #5. - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & to Shore Title Company for Title Search Services for the Calendar Year 2014-2015 for the City of Ocean City

14-50-215 - #6. - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Junetta N. Dix Consulting, Inc. for Environmental Consulting & Permitting Services

14-50-216 - #7. - A Resolution Authorizing Change Order #4, Final Acceptance & Final Payment of City Contract #13-35, City Hall Storm Damage Restoration & Improvements
14-50-217 - #8. - A Resolution Authorizing Change Order #1, Final Acceptance & Final Payment of City Contract #13-56, Installation of Hawk Signal at 9th Street and Aldrich Road

14-50-218 - #9. - A Resolution Authorizing the City of Ocean City to Establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements with other Contracting Units
14-50-219 - #10. - A Resolution Authorizing the City's Participation in the Houston–Galveston Area Council of Governments National Cooperative Purchasing Program (HGAC-Buy) for Contract #AM10-14, Ambulances, EMS & Other Special Service Vehicles with VCI Emergency Vehicle Specialists for Refurbishment of Two (2) City of Ocean City Department of Fire & Rescue Services Ambulances
14-50-220 #11. - A Resolution Authorizing Participation in the National Purchasing Partners Government (NPPGov) A National Organization
14-50-221 - #12. - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 948 Asbury Avenue, Block 905, Lot 23, Project #02-005P
14-50-222 - #13. - A Resolution Amending the 2014 Budget of the City of Ocean City to Include Additional Revenue from the State of New Jersey, Department of the Treasury, Clean Communities Grant Program
14-50-223 - #14. - A Resolution Amending the 2014 Budget of the City of Ocean City to Include Additional Revenue from the County of Cape May for Year 2013 Emergency Management Assistance Grant
14-50-224 - #15. - A Resolution Approving Tax Overpayment Refund 2014-24 to 28

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
14-50-225 - #16. - A Resolution Authorizing the Payment of Claims
Mr. Wilson asked for a motion to remove line item payments #3859, #3857 and #3863 due to a conflict of interest for himself, Councilman DeVlieger and Councilman Madden. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed. Mr. Wilson asked for a motion to pay line item #3859, #3857 and #3863. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed, except Mr. DeVlieger, Mr. Madden and Mr. Wilson abstained. Mr. Wilson asked for a motion to approve the remainder of the Payment of Claims resolution. Motion moved by Mr. McClellan; seconded by Mr. Madden. All ayes followed.

PENDING BUSINESS
Mr. Allegretto requested an update on the south end beach project and asked about the street end easements. Mr. Dattilo reported the Army Corp is scheduled to receive bids on October 7th and Ms. McCrosson said the easements are signed.

Mr. Guinosso commented about work needed to be done in the 5300 Block Haven; said a meeting needs to be scheduled regarding 29th Street and Haven Avenue and requested an update on bay dredging. Mr. Dattilo indicated an updated memo will be going out shortly.

Mr. Wilson asked about flooding at 55th Street. Mr. Dattilo spoke about the high tides and said the berm on south end beach held.

NEW BUSINESS
Mr. DeVlieger invited the public to attend the unveiling of an educational drug awareness billboard on September 29th over the 34th Street Bridge. Mr. Guinosso announced the upcoming Run For the Wounded and the Walk for the Wounded.

CITIZEN COMMENT
Georgina Shanley, 2117 Bay Avenue – questioned the high water rates and asked if there is anything that can be done to lower the rates and requested council consider an ordinance forbidding the use of rainforest lumber.
Steve Fenichel, 2117 Bay Avenue – thanked council for tabling the irrigation ordinance and said the City needs to look at planting indigenous plants so residents won't need to waste water which places a financial burden on the taxpayers.
Michael Hyson, 637 Haven Avenue – requested an update on the north end pumping station.
John Feairheller, 435 Wesley Avenue – said the City needs to work on reduction of the water rate structure and provided some thoughts on how changes could be made in the Historic District.
Rick Lawson, 316 Haven – reported problems with the drainage cleanouts between 3rd to 4th Street on Simpson Avenue.

Mr. Wilson asked for a motion to adjourn. Motion moved by Mr. Madden; seconded by Mr. Guinosso. All ayes followed. The meeting adjourned at 10:14 pm.

Linda P. MacIntyre, City Clerk