CITY COUNCIL MEETING MINUTES
THURSDAY, FEBRUARY 12, 2015 – 7:00 PM
CITY HALL COUNCIL CHAMBERS

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

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
Bart Russell, 10 Sunnyside Court – requested Council not adopt Ordinance #15-02.

The following persons addressed the flooding problems along Haven Avenue between 29th and 33rd Streets and requested Council to implement a specific long term and maintenance program:
Sandra Finsel, 203 29th Street
Jim Howarth, 3213 Haven Avenue
Denise Halbe, 3217 Haven Avenue
Frank Corley, 3223 Haven Avenue
Suzanne Hornick, 2962 West Avenue
Jackie Mittleman, 207 23rd Street
Eric Sauder, 2928 Central Avenue
Roy Wagner, 2824 Wesley Avenue
The following persons requested the 4th Street Bay Club Condominiums be included in the lagoon dredging project:
Herb Collins, 336 Bay Avenue
Christine Faulk, 336-338 Bay Avenue
Tina D'Contino, 336-338 Bay Avenue
Pat Reilly, 336-338 Bay Avenue
Bill Maguire, 304 Bayberry Lane – spoke about the lack of dredging south of 34th Street at Blue Water Marina and said they are actively looking to do the dredging themselves or would like to piggyback on the City's plan to dredge to include 34th Street.

APPROVAL OF MINUTES
Mr. Wilson asked for a motion to adopt the City Council Workshop Meeting minutes of Thursday, January 15, 2015. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed.

Mr. Wilson asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, January 8, 2015. Motion moved by Mr. McClellan; seconded by Mr. Hartzell. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION
Mayor Gillian read a Proclamation designating February as Black History Month. He also presented Certificates of Appreciation to the volunteers who resigned or whose terms expired at the end of 2014. Mayor Gillian presented the $72 Million 2015 Municipal Budget and spoke about the strong financial condition of the city. He spoke about $79 Million, 5-year capital plan; the primary focus is road and drainage improvements.

Mr. Mallon requested Council not to take up Ordinance #15-02 on second reading stating the administration needs to address some safety concerns recently brought to their attention. A new ordinance would be brought forward later in the year.

Mr. Wilson thanked the Mayor for his presentation and announced Council will be canceling the budget workshop meeting scheduled for Wednesday, February 18. One budget meeting will be held on February 19 beginning at 6:00 pm to discuss Revenues and Appropriations.

REPORTS – CITY COUNCIL
Mr. Allegretto provided a Tourist Development Commission report.

ORDINANCES: INTRODUCTION & FIRST READING
Mr. Wilson asked for a motion to introduce Ordinance #15-05 on first reading. Motion moved by Mr. Guinosso; seconded by Mr. Hartzell. All ayes followed. The Clerk read the ordinance by title: **#15-05: An Ordinance Amending Ordinance #87-17 of the Revised General Ordinances of the City of Ocean City, New Jersey (Police Ordinance 2015 (2).** Ms. McCrosson explained the ordinance clarifies the chain of command identifying the appropriate authority as the City Business Administrator.

Mr. Allegretto asked if the city receives any opportunities from the Accreditation program. Ms. McCrosson indicated the city receives points and qualifies for grants under the City's program.

Mr. Wilson asked for a motion to adopt Ordinance #15-05 on first reading and publish according to law. Motion moved by Mr. Allegretto; seconded by Mr. Hartzell. All ayes followed. Mr. Wilson announced second reading and public hearing would be held on February 26, 2015.

Mr. Wilson asked for a motion to introduce Ordinance #15-06 on first reading. Motion moved by Mr. Hartzell; seconded by Mr. Allegretto. All ayes followed, except Mr. Guinosso, voted no. The Clerk read the ordinance by title: **#15-06: An Ordinance Amending and Supplementing Ordinance #87-17, Chapter II "Administration", Section 2-1.19 of the Revised General Ordinances of the City of Ocean City, New Jersey (Mayor's Appointment of Tax Collector, with Council's Advise and Consent).** Ms. McCrosson explained the ordinance makes the City's code consistent with the requirement of State Statutes regarding the appointment of a Tax Collector.

Mr. Guinosso asked if this was normal procedure. Mr. Hartzell asked if this was mandated by State Statute. Ms. McCrosson responded yes to both questions.

Mr. Wilson asked for a motion to adopt Ordinance #15-06 on first reading. Motion moved by Mr. Hartzell; seconded by Mr. Allegretto. All ayes followed. Mr. Wilson announced second reading and public hearing would be held on February 26, 2015.

Mr. Wilson then announced a short recess was in order; Council recessed at 8:01 pm. Mr. Wilson returned from recess and re-opened the meeting at 8:12 pm.

ORDINANCES: SECOND READING AND PUBLIC HEARING

Mr. Wilson asked for motion to take up Ordinance #15-02 on second reading and public hearing. Motion moved by Mr. McClellan; seconded by Mr. Hartzell. All ayes followed. The Clerk read the ordinance by title: **#15-02: An Ordinance Amending and Supplementing Chapter V "General Licensing" of the Revised General Ordinances of the City of Ocean City, New Jersey (Peddlers, Hawkers and Vendors).** Ms. McCrosson explained the ordinance governs ice cream peddlers and said the administration would like additional time to address safety concerns recently brought forward by the vendors.

A lengthy discussion ensued among Council following the Administration's request to pull the ordinance due to safety issues with multiple vendors in the street end at the same time.

PUBLIC COMMENT – Ordinance #15-02. There were no comments.

Mr. Allegretto made a motion to table Ordinance #15-02; seconded by Mr. Hartzell. All ayes followed, except Mr. DeVlieger abstained from voting. Ordinance #15-02 was **TABLED**.

Mr. Wilson asked for a motion to take up Ordinance #15-03 on second reading and public hearing. Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed. The Clerk read the ordinance by title: **#15-03: An Ordinance Amending Ordinance #87-17, Chapter IV "Police Regulations" of the Revised General Ordinances of the City of Ocean City, New Jersey (Jumping Off Bridges; Abandoned Bicycles).** Ms. McCrosson explained the ordinance is being offered by a request of Police Chief Callahan which would add two provisions; jumping off bridges which would make it unlawful to jump off any bridge in the City and the second provision provides a means for the Police to deal with abandoned bicycles.

PUBLIC COMMENT – Ordinance #15-03. There were no comments.

Mr. Allegretto asked for a motion to adopt Ordinance #15-03 on second reading. Motion moved by Mr. DeVlieger; seconded by Mr. Hartzell. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #15-04. Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed. The Clerk read the ordinance by title: **#15-04: A Bond Ordinance Appropriating $5,000,000.00 and Authorizing the issuance of $4,750,000.00 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 explained the bond ordinance funds lagoon and back bay dredging as well as the preparation and emptying of one or more confined disposal facility sites and is relative to Resolution #9 on the agenda.

Mr. Hartzell questioned if all the money would be used and what if additional funding was needed. Mr. Mallon responded yes and if additional funding was necessary, the budget would have to be amended. Mr. Donato spoke on how council could amend the 5-Year capital plan.

PUBLIC COMMENT – Ordinance #15-04. There were no comments.

Mr. Wilson asked for a motion to adopt Ordinance #15-04 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

15-51-040 - #1. A Resolution Authorizing the Award of City Contract #15-09, Lease of Airport Diner-
15-51-041 - #2. A Resolution Authorizing the Award of City Contract #15-10, Lease of Cultural Center Café

15-51-042 - #3. A Resolution Authorizing the Award of City Contract #15-11, Lease of Coin Operated Binocular Viewing Machines
15-51-043 - #4. A Resolution Authorizing the Award of City Contract #15-15, 2014 Bulkhead Improvements at Various Locations
15-51-044 - #5. A Resolution Authorizing a Professional Services Contract between the City of Ocean City & CDI Infrastructure, LLC D/B/A L. R. Kimball FOR Engineering and Consultant Services for the Ocean City Municipal Airport for the Calendar Year 2015
15-51-045 - #6. A Resolution Authorizing Change Order #5, Final Acceptance & Final Payment of City Contract #12-47, 2012 Fall Road Improvement Program - Phase 2
15-51-046 #7. A Resolution Authorizing the Extension of City Contract #14-05 R-1, Maintenance of City Owned Grounds & Garden Plots for the Calendar Year 2015
15-51-047 - #8. A Resolution Authorizing a 2015 Summer Season Lease Agreement between the City of Ocean City & the Flagship Condominium Association for the use of a Parking Office Facility & a Right of Way to Connect the Adjacent Municipal Parking Lots
15-51-048 - #9. A Resolution to Adopt the 2015 Temporary Capital Budget
15-51- 049 - #10. A Resolution Authorizing the Payment of Claims
15-51-050 - #11. A Resolution Appointing Matthew Von Der Hayden as Municipal Housing Liaison
15-51- 51 - #12. A Resolution Authorizing a Closed Executive Session for the Purpose of Reviewing the Status of Pending Litigation to which Ocean City is a Party (Petrozzi v. City of Ocean City & Raab v. City of Ocean City, et als.)

Mr. Wilson asked for a motion to adopt Resolution #1, #2, #3, #4, #5, #6, #9, #10, #11 and #12. Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed.

RESOLUTIONS – NON CONSENT AGENDA
15-51-046 #7. A Resolution Authorizing the Extension of City Contract #14-05 R-1, Maintenance of City Owned Grounds & Garden Plots for the Calendar Year 2015. Mr. Guinosso pulled the resolution and suggested to remove the maintenance of the grass strip along Haven Avenue between 24th & 25th Street due to ongoing flooding and add the maintenance of the area on the northwest corner of 34th Street & Bay Avenue. Mr. Mallon said the strip still needs to be maintained along Haven and city employees maintain the 34th Street area.

15-51-047 - #8. A Resolution Authorizing a 2015 Summer Season Lease Agreement between the City of Ocean City & the Flagship Condominium Association for the use of a Parking Office Facility & a Right of Way to Connect the Adjacent Municipal Parking Lots. Mr. Guinosso requested an explanation. Mayor Gillian said this lease is needed to use the lot as a right-of-way for trash trucks and the use of a small office. Mr. Mallon said this will be the 12th year the City has entered into an agreement with the Flagship to include 6 parking spots.

PUBLIC COMMENT – There were no comments on Resolution #7 or Resolution #8.

Mr. Wilson asked for a motion to adopt Resolution #7 and Resolution #8. Motion moved by Mr. Hartzell; seconded by Mr. Allegretto. All ayes followed.

PENDING BUSINESS –
Mr. Hartzell announced the city has a flood plan and spoke about a 2012 Hatch McDonald report.

NEW BUSINESS
Mr. DeVlieger presented an idea he had on how the City could obtain additional green space for pocket parks.

CITIZEN COMMENT
Jay Lamont, 26 Valmar Court – spoke about an article he read where the Pops Orchestra has been operating a loss over the last four years and he felt this organization does not match the demographics for this 21st century.
Frank Worrell, 3305 Simpson Avenue –suggested video cameras in police cars. Mayor Gillian announced that body cameras are being budgeted in the Police budget.
Michael Hinchman, 281 West Atlantic Boulevard – questioned why the drainage plan was not embedded in the capital plan; requested the administration to prepare a drainage rating report and prioritize a plan and place it in the capital plan.
Al Keleher, 3303 Haven Avenue – suggested the use of underground cameras to check to see if the check valves are functionally properly.

Mr. Wilson asked for a motion to adjourn the meeting and go into closed executive session. Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed. The meeting adjourned at 9:25 pm.

Linda P. MacIntyre

Linda P. MacIntyre, City Clerk