

**CITY COUNCIL MEETING MINUTES
THURSDAY, MARCH 26, 2015 – 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 was Mr. Mallon, Business Administrator and Ms. McCrosson, City Solicitor. Mayor Gillian 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

Michael Hinchman, 281 West Atlantic Boulevard – questioned fund balance, spoke about budget concerns asking if the city is purchasing what the city really needs; spoke about the increase in employees which he felt was unwarranted and said the biggest increase is in debt service.

Terry McKenna, 700 Gardens Parkway – thanked the city on behalf of the tennis community for the help in preserving the tennis tradition; requested the city not change the carpet tennis courts and thanked the city for taking care of the needs for those who play pickle ball.

Don Hepner, 3615 Central Avenue – thanked the city for accommodating the approximate 136 pickle ball players and thinks the underutilized courts at 18th Street would be a good location for pickle ball courts.

APPROVAL OF MINUTES

Mr. Wilson asked for a motion to adopt the city Council Closed Executive Session Meeting Minutes of Thursday, February 26, 2015. All ayes followed, except Mr. Madden who was absent from the meeting.

REPORTS – MAYOR & ADMINISTRATION

Mr. Mallon provided an update on the south end beach replenishment project to begin around April 14th through the end of July; officials from the Army Corp of Engineers and DEP will make a presentation to Council at their April 9th meeting.

REPORTS – CITY COUNCIL

Mr. Allegretto provided a brief tourism report. Mr. McClellan handed out a draft revision to the Historic Preservation Ordinance prepared by the Historic Preservation Commission for Council's review.

ORDINANCES: INTRODUCTION & FIRST READING

Mr. Wilson asked for a motion to introduce Ordinance #15-10 on first reading. Motion made by Mr. Guinosso; seconded by Mr. Allegretto. All ayes followed. The clerk read the ordinance by title: **#15-10: An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank per (N.J.S.A. 40A:4-45.14) for Calendar Year 2015.** Mr. Donato explained the ordinance coincides with the introduction of tonight's introduction of the local municipal budget and allows for establishing banking for future years budgets, if needed, to be used for an emergency or an unknown revenue stream.

Mr. Wilson asked for a motion to adopt Ordinance #15-10 on first reading and publish according to law. Motion moved by Mr. Guinosso; seconded by Mr. DeVlieger. All ayes followed. Mr. Wilson announced second reading and public hearing would be held on April 9, 2015.

Mr. Wilson asked for a motion to introduce Ordinance #15-11 on first reading. Motion moved by Mr. Guinosso; seconded by Mr. Hartzell. All ayes followed. The clerk read the ordinance by title: **#15-11: An Ordinance Revising Chapter XXI, Flood Damage Prevention, of the Revised General Ordinances of the City of Ocean City, New Jersey (Designating Planning Board as Flood Damage Prevention Board of Appeals).** Ms. McCrosson explained the ordinance amends the current ordinance and designates the Planning Board as the City's Flood Damage Prevention Appeal Board who will hear and decide appeals and request for variances as required and the ordinance also eliminates obsolete language currently in the ordinance.

Mr. Guinosso requested clarification when a zoning officer denies an applicant. Ms. McCrosson explained the difference for appeals that would go before the Zoning Board and those appeals which would go before the Flood Damage Prevention Board.

Mr. Wilson asked for a motion to adopt Ordinance #15-11 on first reading and publish according to law. Motion made by Mr. McClellan; seconded by Mr. Hartzell. All ayes followed. Mr. Wilson announced second reading and public hearing would be held on April 9, 2015.

Mr. Wilson asked for a motion to take up Ordinance #15-12 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: **#15-12: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City, New Jersey 2015 Residential Mechanical #1.** Ms. McCrosson explained this ordinance provides housekeeping changes to broaden the type of roof that can be on porches and prohibits the keeping of non-domestic animals or livestock in all zones.

Mr. Allegretto said the ordinance will allow for small design changes for porches and decks to provide for a more appealing look and visual appearance from the street without creating bulk, in addition provides more creativity for the architects for a more pleasing appearance of porches and decks. Ms. McCrosson indicated it also permits for a varied open roof design appearance.

Mr. DeVlieger spoke in favor of decks and in support of the ordinance. Ms. McCrosson indicated the ordinance encourages the construction of decks.

Mr. Guinosso questioned decks in the garden zone. Ms. McCrosson said the garden zone does have some provisions unique to the garden zone which she would have to look into.

Mr. Hartzell said he was happy to have the option for creativity to make a home look different from their neighbor and to keep the homes from having a barracks type affect.

Mr. Wilson asked for a motion to adopt Ordinance #15-12 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. 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 on April 23, 2015.

ORDINANCES: SECOND READING AND PUBLIC HEARING

Mr. Wilson asked for a motion to take up Ordinance #15-08 on second reading and public hearing. Motion moved by Mr. Guinosso; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#15-08: An Ordinance Amending Ordinance #87-17, Chapter VII, "Traffic" of the Revised General Ordinances of the City of Ocean City (Authorize Seasonal Operation of Traffic Signals in Flash Mode).** Ms. McCrosson explained the intersections at 18th Street and Wesley Avenue and 34th Street & Central would be turned to flash mode from November 1 through March 15.

Mr. Guinosso questioned why 55th Street wasn't on the list. Ms. McCrosson indicated Sgt. Hopely is looking into that intersection. Mr. Hartzell asked if all lights were analyzed. Ms. McCrosson did not know what other intersection were looked at. Mr. Hartzell and Mr. Wilson requested the administration check to see if the entire city was analyzed and why only these two specific locations were brought forward.

PUBLIC COMMENT – Ordinance #15-08

Bill Hartrnaft, 728 Battersea Road - said there are many more lights that could be flashing such as the school zone during the off season.

Mr. Wilson asked for a motion to adopt Ordinance #15-08 on second reading. Motion moved by Mr. Guinosso; seconded by Mr. Allegretto. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #15-09 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: **#15-09: A Bond Ordinance Appropriating \$8,293,300.00 and Authorizing the Issuance of \$7,878,635.00 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 improvements and purposes detailed under Section 3 in the ordinance and said at the last meeting Council approved a resolution adopting the 2015-2019 Capital Plan; this ordinance appropriates roughly one-third of the items in the 2015 Plan.

PUBLIC COMMENT – Ordinance #15-09

Michael Hinchman, 281 West Atlantic Boulevard – was critical of the City's use of pine already being replaced after 12 years on the boardwalk between 12th to 14th Street; wanted an accounting of the unused Grasmick lumber and questioned the lack of planning for an internal stairway needed at a cost of \$75,000 at the causeway welcome center building.

Mr. McClellan questioned how much the City has invested in the Life Saving Station. Mr. Donato spoke about the Historic Trust Fund grant and the Community Development Block Grant funds the City received for the renovation and explained there was approximately \$1 million to complete the interior renovations.

Mr. Hartzell responded to the boardwalk lumber comments stating the city looked at many different options, held many workshops and public hearings for public input on the various types of boardwalk material available.

Mr. Wilson asked for a motion to adopt Ordinance #15-09 on second reading. Motion moved by Mr. McClellan; seconded by Mr. Allegretto. All ayes followed.

RESOLUTIONS

15-51-074 - #1. A Resolution Introducing the 2015 Local Municipal Budget

Mr. Donato, Chief Financial Officer provided a summary of significant changes which increased the 2015 budget by \$1 million from the Mayor's proposed February budget. The \$73.1 million budget represents a local purpose tax levy of \$46,275,386.84, with a local purpose tax rate of 40.96 cents per \$100 of assessed value, up from 40.1 cents in 2014 representing a .865 cent tax rate increase up from the .528 cent increase proposed in February. Mr. Donato also provided an explanation to the citizen's question regarding fund balance.

Mr. Allegretto confirmed council could make changes prior to public hearing of the budget. Mr. Donato provided an explanation as to what percentage of the budget could be reduced prior to second reading.

Mr. Guinosso thanked Mr. Donato on receiving the revenue reports on the cost centers.

Mr. Hartzell spoke about the high employee count in prior budgets and said from the numbers he reviewed employee counts have been slightly reduced. Mr. Guinosso requested the administration to provide a Department monthly employee count chart.

MOTION TO RECESS

Mr. Wilson asked for a motion for a short recess to review certain budget items. Motion moved by Mr. Allegretto; seconded by Mr. Guinosso. All ayes followed. The meeting recessed at 8:22 pm.

RETURN TO OPEN SESSION

Mr. Wilson asked for a motion to return to open session. Motion moved by Mr. DeVlieger; seconded by Mr. Hartzell. All ayes followed. The meeting returned to open session at 8:29 pm.

Mr. Hartzell questioned several line items in the Community Services Budget related to cost centers to see the value to the public; such as the Ocean City Pops, the Aquatic & Fitness Center and the golf course.

Mr. Wilson also indicated he needs additional information on cost centers so that council can review them in detail prior to second reading and public hearing of the budget.

PUBLIC COMMENT – Resolution #1

Michael Hinchman, 281 West Atlantic Boulevard – felt 58 police officers were not needed during the winter months due to the decrease in residents and suggested reducing the number of library personnel during the winter months.

Mr. Wilson asked for a motion to adopt Resolution #1. Motion moved by Mr. Hartzell; seconded by Mr. Allegretto. All ayes followed. Mr. Wilson announced second reading and public hearing will be held on April 23, 2015.

RESOLUTIONS – CONSENT AGENDA:

15-51-075-#2. A Resolution to Authorize the Advertisement of Specifications for City Contract #15-24, Boardwalk Reconstruction Plaza Place to 8th Street

15-51-076-#3. A Resolution to Authorize the Advertisement of Specifications for City Contract #15-23, 10th Street Bulkhead Improvement

15-51-077- #4. A Resolution to Authorize the Advertisement of Specifications for City Contract #15-25, Supply & Delivery of Fluorescent Bulbs, LED Bulbs & Electronic Ballasts

15-51-078- #5. A Resolution Authorizing the Award of City Contract #15-01, Firework Shows for the Calendar Years 2015-2016 for the City of Ocean City & the City of Ocean City Cooperative Pricing System Members (251COCCPS)

15-51-079-#6. A Resolution Authorizing the Award of City Contract #15-22, Dredge Spoil Material Testing Services

15-51-080-#7. A Resolution Authorizing the Award of a Contract between the City of Ocean City and Industrial Housing Solutions, LLC for lease of a Temporary Mobile Housing Unit at the 29th Street Fire Station

15-51-083-#10. A Resolution Authorizing the Extension of City Contract #13-36, Airplane Rides based from the Ocean City Municipal Airport

15-51-084-#11. A Resolution Authorizing the Sale of City Property that has been deemed Surplus or Abandoned with GovDeals, Inc.

15-51-085-#12. A Resolution Authorizing the Award of a Contract between the City of Ocean City and ADP, LLC for the 2015 Payroll & Human Resource Software Contract as well as Payroll Processing for the City of Ocean City

15-51-086-#13. A Resolution Appointing Terence S. Graff Tax Collector

15-51-087-#14. A Resolution Authorizing the Payment of Claims

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

RESOLUTIONS – NON CONSENT AGENDA

15-51-081 - #8. A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & Michael Baker Jr., Inc., a Michael Baker International Company for Engineering Services for 26th to 34th Street, West Avenue to Bay Avenue for Flood Mitigation. Mr. Hartzell pulled the resolution and requested clarity because he had requested that 24th Street be included as well as 35th Street; and consideration to included in the engineering study the areas from 10th to 12th Street and 15th Street.

Mr. Wilson spoke about not slowing down the process and indicated when he spoke to Mr. Mallon that he felt confident that those engineering studies would come forward in the near future.

Mr. McClellan announced he and Mr. McLarnon met with residents on 11th Street regarding the new bulkhead to be installed which should alleviate some of the flooding problems in that area.

Mr. Guinosso agreed with a study and would like to revisit 48th to 53rd street flooding issue.

Mr. DeVliieger agreed that additional steps are needed to expand the study of other flooding areas; clarified why he requested the resolution be tabled at the last meeting.

Mr. Allegretto stated in his discussions with the administration for the areas at 11-12th, 14-15th and 24th Street, Engineering Department has concepts to alleviate the flooding; City need to look at the costs of each area and decide which project the City wants to move forward with.

15-51-082 - #9. A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & Czar Engineering, LLC for the 29th Street Firehouse Design. Mr. Hartzell questioned if there was input by the fire department personnel regarding the design. Mr. Mallon said the Fire Chief has a copy of the design to share with fire personnel.

PUBLIC COMMENT - #8 and #9

Michael Hinchman, 281 West Atlantic Boulevard – asked four questions; the amount of money previously spent with Czar Engineering; the cost of the current contract for the fire house, cost of the new fire house and how much is FEMA money; suggested to propose a date certain when a flooding study on the concerned areas will be revisited; suggested the city do a critical path analysis and move forward on the permitting of the south end bulkheads.

Mike Tobin, 46th & West Avenue – reported 46th Street & West quickly floods; suggested an island wide study.

Al Keleher, 3304 Haven Avenue – agreed that a long term capital plan needs to be put together to address flooding throughout the city.

Mr. Hartzell asked Mr. Mallon if the administration would make a commitment to provide a study on flooding and requested the cost of the permits for south end bulkheads. Mr. Mallon indicated that he would discuss the flooding concerns and provide the answers to his questions in a timely manner.

Mr. Wilson asked for a motion to adopt Resolution #8 and #9. Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed.

PENDING BUSINESS

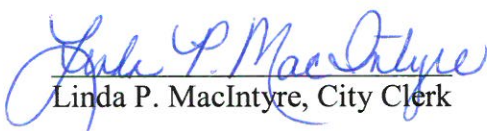
Mr. McClellan announced he will be holding a neighborhood meeting at 10:00 am on March 28th at Shiloh Baptist Church to discuss the Palermo property at 4th & Asbury Avenue.

NEW BUSINESS – There was no new business.

CITIZEN COMMENT

Roy Wagner, 2824 Wesley Avenue – announced Easter Sunrise Service, April 5th, 6:30 pm at the Music Pier.

Mr. Wilson asked for a motion to adjourn. Motion moved by Mr. Guinosso; seconded by Mr. DeVliieger. All ayes followed. The meeting adjourned at 9:32 pm.


Linda P. MacIntyre, City Clerk