

**CITY COUNCIL MEETING MINUTES  
THURSDAY, OCTOBER 8, 2015 – 7:00 PM  
CITY HALL COUNCIL CHAMBERS**

**ATTENDANCE:** Ms. Bergman, Mr. DeVlieger, Mr. Guinosso, Mr. Madden, Mr. McClellan, Mr. Wilson and Mr. Hartzell. Also present was Mayor Gillian, Mr. Mallon, Business Administrator and Ms. McCrosson, City Solicitor.

Council President Hartzell 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**

**Robert Miller, 57 Central Avenue** – use city funds wisely and repair facilities such as the rundown condition of the airport and boat ramp.

**Joanne Marzulli, 103 East 7<sup>th</sup> Street** – thanked Councilman McClellan for closing their street for the weekend and asked about the status of the pumping station.

**Bill Hartranft, 728 Battersea Road** – spoke about the loss of the trust of tax dollars being spent on repairs to 1501 West Avenue being used by a private organization; spoke about the great partnership which can be made between local surf shops & city regarding the skate park and asked about status of pickle ball court material.

**Noreen McBride, 3200 Simpson Avenue** – said the roads around 32<sup>nd</sup> & Simpson Avenue were impassable for several days due to the water from Friday's storm.

**Dale Braun, 326 West Avenue** – said he found no increased noise from the skate boards at the skate park; thanked city for the decorative fencing around the park and suggested additional plantings on the 5<sup>th</sup> street side which would help with sound.

**Bob Marzulli, 103 East 7<sup>th</sup> Street** – requested the City consider stop signs at Simpson and Haven on 7<sup>th</sup> Street to deter truck traffic.

**Marty Mozzo, 3803 Westminster Lane** – said the pump stations installed in his neighborhood last year worked well in last week's storm; the worst he has seen since Sandy.

**APPROVAL OF MINUTES**

Mr. Hartzell asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, September 24, 2015 (Mr. Wilson was absent). Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed.

**REPORTS – MAYOR & ADMINISTRATION**

Mr. Mallon provided an update on the following topics: the north point pump station, the beach replenishment project, November dune grass planting and announced the Army Corp and DEP are completing a survey of the beach due to the recent storm. Mr. Mallon also spoke regarding the services provided under Resolution #3 and announced the city engineering department is doing an island wide comprehensive assessment of roads and drainage. Mr. Mallon spoke about the work to be done under Resolution #1; the City's building at 1501 West Avenue. He reported the total cost of repairs to that building is approximately \$58,000.

Mr. Hartzell asked Mr. Mallon if stop signs could be installed as requested by Mr. Marzulli. Mr. Mallon indicated he would reach out to Chief Callahan to see if there were any studies done in the area.

**REPORTS – CITY COUNCIL**

Mr. Guinosso provided an explanation on a public meeting held by the Airport Advisory Board and FAA representatives regarding airport safety issues, applying for grants and enhancements to the airport property. Ms. McCrosson spoke about a small controversy regarding the ownership of land around the airport which the City is working with the FAA to resolve.

Mr. DeVlieger announced the official ribbon cutting for the Skate Park would be held this Saturday at 12:00 Noon.

**ORDINANCES: INTRODUCTION & FIRST READING**

Mr. Hartzell asked for a motion to introduce Ordinance #15-23 on first reading. Motion made by Mr. Madden; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#15-23: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Building Height.** Ms. McCrosson said the ordinance establishes the elevation from which the building height will be measured in the Neighborhood Business, Marine Village and 34<sup>th</sup> Street Gateway zones which is consistent with recent amendments to the Central Business and Drive-In Business zones and the elevation for building height for non-residential and mixed use buildings is to be measured.

Mr. DeVlieger indicated there should be communication with the businesses in the Marine Village zone about the ordinance prior to second reading and that he would reach out to those businesses in the zone. Mr. Guinosso said he felt the building height should be higher.

Mr. Hartzell asked for a motion to adopt Ordinance #15-23 on first reading. Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed. Mr. Hartzell announced Ordinance #15-23 will be sent to the Planning Board for consistency review with second reading and public hearing will be held on November 12, 2015.

Mr. Hartzell asked for a motion to introduce Ordinance #15-24 on first reading. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed. The clerk read the ordinance by title: **#15-24: An Ordinance Amending and Supplementing Chapter II (Administration), Part I (Adoption of Administrative Code), Article 4 (Administrative Branch) Section 2-1.20 (Administrative Branch Generally) of the Revised General Ordinances of the City of Ocean City (Change Name of Advisory Council on Physical Fitness and Sports to Ocean City Healthy Living Advisory Council)**. Mr. Mallon explained the name change provides a better vision of the direction the council is headed.

Mr. McClellan said the Advisory Council's vision is to work with the community promoting events for healthy lifestyle changes. He announced the Advisory Council will be holding a Fitness Week starting November 16th with many planned health related events.

Mr. Hartzell asked for a motion to adopt Ordinance #15-24 on second reading. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed. Mr. Hartzell announced second reading and public hearing will be held on October 22, 2015.

#### **RESOLUTIONS – CONSENT AGENDA:**

**15-51-246 - #1.** A Resolution to Authorize the Advertisement of Specifications for City Contract #15-41, Alterations to 1501 West Avenue

**15-51-247 - #2.** A Resolution Authorizing the Award of City Contract #15-27 R-1, Improvements to Various Racquet Courts at Various Locations

**15-51-249 - #4.** A Resolution Authorizing a Grant Application and the Ability to Execute a Grant Contract with the New Jersey Department of Transportation Bike Grant Program for Resurfacing & Widening of the Bikeway behind the Ocean City Primary School

**15-51-250 - #5.** A Resolution Authorizing a Grant Application and the Ability to Execute a Grant Contract with the New Jersey Department of Transportation Year 2016 Municipal Aid Program for Reconstruction of Tennessee Avenue

**15-51-251 - #6.** A Resolution Authorizing a Grant Application and the Ability to Execute a Grant Contract for State Aid to Counties and Municipalities under the New Jersey Transportation Trust Fund Authority Act Safe Streets to Transit

**15-51-252 - #7.** A Resolution Authorizing an Emergency Appropriation for Department of Public Works; Vehicle Maintenance Division: Other Expense

**15-51-253 - #8.** A Resolution Authorizing the Payment of Claims

**15-51-254 - #9.** A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 716 Moorlyn Terrace, Block 803, Lot 5, Project #14-012ZD

**15-51-255 - #10.** A Resolution Appointing Councilman Peter V. Madden as a member of the Tourist Development Commission

**15-51-056 - #11.** A Resolution Appointing Councilman Peter V. Madden to the Business and Neighborhood Development Association (B.A.N.D.)

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

#### **RESOLUTIONS – NON CONSENT AGENDA:**

**15-51-248 - #3.** A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Michael Baker Jr., Inc., a Michael Baker International Company for Survey & Preliminary Design for 26<sup>th</sup> to 34<sup>th</sup> Streets, West Avenue to Bay Avenue Roadway & Drainage Improvement Project. Mr. Guinosso removed the resolution and spoke about his concerns that the study doesn't have a negative impact on other areas. Mr. Mallon said that is why professionals are being brought in to make sure there is no negative impact to homeowners.

**PUBLIC COMMENT** – There was no comment on Resolution #3.

Mr. Hartzell asked for a motion to adopt Resolution #3. Motion moved by Mr. Guinosso; seconded by Mr. McClellan. All ayes followed.

#### **PENDING BUSINESS**

Mr. Hartzell requested changing the time of the October 22<sup>nd</sup> council meeting to 5:30 pm due to a conflict with a community association event. Mr. Hartzell responded to an article that appeared in *The Press* newspaper which lead the readers to believe the City might have been in violation of the sunshine law; which he clarified Council was not in violation.

## **NEW BUSINESS**

Mr. Wilson announced he is looking for suggestions on topics so he can hold a 4<sup>th</sup> Ward meeting.

Mr. DeVlieger announced there will be a surfing contest Saturday morning on the 8th Street beach starting at 7:30 am.

## **CITIZEN COMMENT**

**Dale Braun, 326 West Avenue** – said he was looking forward to the neighborhood meeting planned for discussion of the 3<sup>rd</sup> Street pump station.

**Suzanne Hornick, 30<sup>th</sup> & West, OC Flooding group** – expressed gratitude for responding to the groups concerns to remediate the flooding in the area and asked the city convene a committee of experts and residents to work together.

**Al Keleher, 3304 Haven Avenue** – questioned work being done by New Jersey American Water Company and said he was concerned about the company selling water line maintenance service to homeowners.

Mr. Mallon responded to citizens' comments stating a neighborhood meeting regarding the pump station will be announced within the next six weeks; he will speak with Baker Engineering about meeting with the flood committee and he will follow up with NJ American Water Company.

Mr. Hartzell asked for a motion to adjourn. Motion moved by Wilson; seconded by McClellan. All ayes followed. The meeting adjourned at 8:26 pm.

  
Linda P. MacIntyre, City Clerk