

**CITY COUNCIL MEETING MINUTES
THURSDAY, DECEMBER 17, 2015 – 5:00 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Ms. Bergman, Mr. Guinosso, Mr. DeVlieger, 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 5:00 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 – There were no comments.

APPROVAL OF MINUTES

Mr. Madden asked for a motion to adopt the City Council Meeting Minutes of Thursday, December 3, 2015. Motion moved by Ms. Bergman; seconded by Mr. Guinosso. (Mr. Hartzell was absent). All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

Mr. Mallon provided an update on the north end beach replenishment project and announced Baker International won the annual engineering excellence award by the American Council of Engineering Companies of NJ for their work in Merion Park.

REPORTS – CITY COUNCIL –

Mr. DeVlieger reported an anonymous donor provided a Christmas tree to the skate park and skaters and their families are welcome to decorate the tree and contribute can goods which will be taken to the food cupboard.

Mr. Guinosso reported the Ecumenical Council received 8,000 lbs of food from the community food drive.

RESOLUTIONS

15-51-312 #1. A Resolution Honoring the Boy Scouts of America of Ocean City's Troop 32 that Achieved the Rank of Eagle Scout During the Calendar Year 2015. Mr. Hartzell called Eagle Scout Frank Sheppard Faverzani, Eric Tin Yao Lam, Evan William Megargee and Tanner Jack Mitzel forward to accept their recognition and speak about their community project.

15-51-313 - #2. A Resolution Introducing and Approving the 2016 Budget of the Special Improvement District of the City of Ocean City. Mr. Donato reviewed the \$513,448 SID budget and announced City Council will hear the budget at the Council meeting on January 14, 2016 at 7:00 pm.

Mr. Hartzell requested representatives from the downtown and boardwalk representatives make a short presentation at the at the January 14th hearing on the SID budget.

PUBLIC COMMENT – There were no comments on Resolution #1 and #2.

Mr. Hartzell asked for a motion to adopt Resolution #1 and #2. Motion moved Ms. Bergman; seconded by Mr. McClellan. All ayes followed.

ORDINANCES: INTRODUCTION & FIRST READING

Mr. Hartzell asked for a motion to introduce Ordinance #15-30 on first reading. Motion moved by Mr. Guinosso; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#15-30: An Ordinance Amending Chapter V (General Licensing) and Chapter XXX (Municipal Fees) of the Revised General Ordinances of the City of Ocean City, New Jersey Regarding Peddlers, Hawkers and Vendors.** Ms. McCrosson explained the ordinance amends the hours of operation from 10:00 am to 6:00 pm and reduces the number of annual licenses from 20 to 10 based upon recommendations from the city's purchasing agent.

Ms. Bergman asked if the licenses could be used anywhere in the City. Ms. McCrosson said the licenses are restricted to beach street ends only.

Mr. Hartzell asked for a motion to adopt Ordinance #15-30 on first reading and publish according to law. Motion moved by Mr. Wilson; seconded by Ms. Bergman. All ayes followed. Mr. Hartzell announced second reading and public hearing will be held on January 14, 2016.

ORDINANCES: SECOND READING & PUBLIC HEARING

Mr. Hartzell asked for a motion to take up Ordinance #15-26 on second reading and public hearing. Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#15-26: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Residential R-2 Zones (Half-Story)**. Ms. McCrosson explained detached single family homes are permitted 2.6 total stories on lots less than 5,000 square feet and 2.4 total stories on lots 5,000 square feet or greater in Residential R-2 zones and will be subject to the same zoning and design regulations that currently apply to half-stories in the R-1 single family zones. The ordinance does not permit an increase in the size of the building in any way.

Mr. Guinosso questioned the floor area ratio for beachfront homes. Ms. McCrosson explained the ordinance does not apply to the beach zone.

PUBLIC COMMENT – Ordinance #15-26

Roy Wagner, 2824 Wesley Avenue - commented regarding the R-2 and R-1 zones in the ordinance.

Mr. Hartzell asked for a motion to adopt Ordinance #15-26 on second reading. Motion moved by Mr. Wilson; seconded by Ms. Bergman. All ayes followed, except Mr. Guinosso, voted No.

Mr. Hartzell asked for a motion to take up Ordinance #15-29 on second reading. Motion moved by Ms. Bergman; seconded by Mr. Wilson. All ayes followed. The clerk read the ordinance by title: **#15:29: A Bond Ordinance Appropriating \$2,100,000.00 and Authorizing the Issuance of \$1,995,000.00 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**. Mr. Donato explained this ordinance is for a single purpose bonding for road reconstruction and drainage improvements from 14th to 17th Street, Bay Avenue to the bay front with some additional side streets and some alleys.

PUBLIC COMMENT – There were no comments on Ordinance #15-29

Mr. Hartzell asked for a motion to adopt Ordinance #15-29. Motion moved by Mr. Wilson; seconded by Mr. Guinosso. All ayes followed.

RESOLUTIONS – CONSENT AGENDA

15-51-314 - #3. A Resolution to Authorize the Advertisement of Specifications for City Contract #15-33, Ocean City Welcome Center Modifications

15-51-315 - #4. A Resolution Authorizing the Award of City Contract #15-12, Supply & Delivery of Police & Fire Department Uniforms

15-51-316 - #5. A Resolution Authorizing the Award of City Contract #15-39, 2015 Alley Improvements at Various Locations

15-51-317 - #6. A Resolution Authorizing the Award of City Contract #15-40, Sand Hauling Services

15-51-318 - #7. A Resolution Authorizing the Award of City Contract #16-05, Lease of City Owned Beach Parcels

15-51-319 - #8. A Resolution Authorizing the Award of a Contract between Foveonics Imaging and the City of Ocean City for Document Conversion, Imaging, Computerization and Software Maintenance

15-51-320 - #9. A Resolution Authorizing the Award of a Contract to Municipal Equipment Sales, Inc. & the City of Ocean City for the Acquisition of One (1) 2015 Victory T-600 Sweeper

15-51-321 - #10. A Resolution Authorizing Professional Services Contracts between the City of Ocean City & AtlantiCare Physician Group, PA; Shore Physicians Group, PC; Dr. Gary W. Raab, DO T/A Ocean City Family Practice and Dr. Chandrakant I. Udani, MD for City Physician Services for the Calendar Year 2016

15-51-322 - #11. A Resolution Authorizing City's Participation in the Houston-Galveston Area Council of Governments National Cooperative Purchasing Program (HGAC-Buy) for Contract #RH08-14, Refuse Handling Equipment with Wayne Engineering, LLC for the Acquisition of One (1) Refuse Handling Compactor for use by the Department of Public Works

15-51-323 - #12. A Resolution Approving a Modification to the City of Ocean City 2014 Annual Action Plan for the United States Department of Housing and Urban Development Community Development Block Grant Program

15-51-324 - #13. A Resolution Authorizing the City of Ocean City to Apply for Multiple Post Sandy Planning Assistance Grants through the New Jersey Department of Community Affairs Local Planning Service

15-51-325 - #14. A Resolution Authorizing the Sale of Abandoned Bicycles & Surplus City Property through Public Auction to be held on Monday, July 25, 2016 (Rain Date: Tuesday, July 26, 2016)

15-51-326 - #15. A Resolution Authorizing Transfers of Appropriations of the 2015 Local Municipal Budget per N.J.S.A. 40A:4-58

15-51-327 - #16. A Resolution Authorizing the Tax Collector to Cancel any 2015 Property Tax Refund or Delinquency of Less than \$10.00 & Certain 2014 S.I.D. Taxes

15-51-328 - #17. A Resolution Approving Tax Overpayment Refund 2015-19 to 25

15-51-329 - #18. A Resolution Authorizing the Payment of Claims

15-51-330 - #19. A Resolution Establishing Dates for Workshop and Regular Council Meetings for the City of Ocean City for Calendar Year 2016

15-51-331 - #20. A Resolution Authorizing the Execution of a Collective Bargaining Agreement with the American Federation of Musicians, Local 661-708

15-51-332 - #21. A Resolution Consenting to the Mayor's Reappointment of Frank Donato as a Member to the Ocean City Lifeguard Pension Commission

15-51-333 - #22. A Resolution Consenting to the Mayor's Reappointment of Holly Buck and Roslyn Lifshin as Members to the Tourist Development Commission

15-51-334 - #23. A Resolution Consenting to the Mayor's Reappointment of Ann Gallagher and Susan Clark as Members to the Local Assistance Board

15-51-335 - #24. A Resolution Consenting to the Mayor's Reappointment of Sandra Simpson as a Member to the Shade Tree Committee

15-51-336 - #25. A Resolution Consenting to City Council's Reappointment of Francis Walicki, John W. Quinn, Edward McConnell and Michael Hyson as Members to the Utility Advisory Commission

15-51-337 - #26. A Resolution Consenting to the Mayor's Reappointment of Brian Broadley as a Member to the Ocean City Library Board of Trustees

15-51-338 - #27. A Resolution Consenting to City Council's Reappointment of Scott Halliday as a Member to the Ocean City Housing Authority

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

RESOLUTIONS – NON CONSENT AGENDA

15-51-339 - #28. A Resolution Authorizing the Execution of an Agreement Between the City of Ocean City and the City of Wildwood, Cape May County, New Jersey. Mr. Wilson announced he would step away from the table and recuse himself from voting. Mr. Mallon explained under this agreement Wildwood would provide conflict sub-code inspections when needed. He requested an amendment to add the word HVAC under Section 2 in the first sentence to read, Wildwood will provide Uniform Construction Code plumbing and HVAC sub-code services to Ocean City.

PUBLIC COMMENT – There were no comments on Resolution #28.

Mr. Hartzell asked for a motion to adopt Resolution #28 as amended. Motion moved by Mr. DeVlieger; seconded by Mr. McClellan. All ayes followed, except Mr. Wilson recused himself from voting.

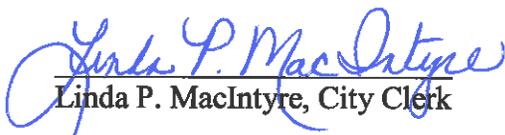
PENDING BUSINESS

Mr. Hartzell spoke about the new FAA regulations on drones and asked Ms. McCrosson if those regulations would affect the recent drone ordinance council passed with a sunset clause. Ms. McCrosson stated it does not affect the ordinance as adopted and that the 5 mile prohibition still stands.

NEW BUSINESS – There was no new business.

CITIZEN COMMENT – No comments were made.

Mr. Hartzell asked for a motion to adjourn. Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed. The meeting adjourned at 6:06 pm.


Linda P. MacIntyre, City Clerk