

**CITY COUNCIL MEETING MINUTES
THURSDAY, MARCH 10, 2016 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Ms. Bergman, Mr. DeVlieger, Mr. Guinosso, Mr. Madden, Mr. McClellan, Mr. Wilson, and Mr. Hartzell. Present also was Mayor Jay A. Gillian, Administrator James Mallon and Solicitor Dorothy McCrosson.

Council President Keith Hartzell called the meeting to order at 7:00 pm and asked everyone to rise for the flag salute and prayer. Mr. Hartzell then announced that the meeting had been advertised in accordance with P.L. 1975, Chapter 231.

CITIZEN COMMENT

Suzanne Hornick – 2962 West Avenue – Ms. Hornick expressed her concerns about the artificial turf and said that it is not a necessary purchase. Some other concerns discussed were safety and health issues due to the chemicals in the turf.

Joe Pratt – 603 Tuckahoe Road (Upper Township) – Mr. Pratt spoke to council about the 21st Annual Donor Dash being held Sunday, April 17, 2016 at the Philadelphia Museum of Art. He spoke about how one organ donor can enhance the lives of up to 50 people. He had a double lung transplant in which he received lungs from a donor and is doing very well; it saved his life. His team “Team Skysolider” is participating in the Donor Dash and he encouraged council to participate and would like to have an event like this in Ocean City in the future.

Georgina Shanley – 2117 Bay Avenue – Ms. Shanley asked council to consider conducting more studies before moving forward with the turf project. Also, Ms. Shanley suggested changing the permit fee from \$50.00 to \$25.00 for the street performers. She also wanted to know if council has considered any other locations for street performers besides 5th and 6th Street on the boardwalk. She asked council if they had any long term plans relative to the sea rising. She suggested scientific studies be done to protect the city.

Wes Kazmarck - 1154 Boardwalk – Mr. Kazmarck is a boardwalk merchant and he supports Ordinance #16-04. He said that he looks forward to designating that portion of the boardwalk to the performer’s and hopes that council will support the proposed ordinance as well.

APPROVAL OF MINUTES

Mr. Hartzell asked for a motion to approve the Regular City Council Meeting Minutes from February 25, 2016. Motion moved by Mr. Guinosso, second by Mr. Wilson. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

The Mayor presented a proclamation to Aodhan Daly for his volunteerism. Council also stood with the Mayor as he presented the proclamation to Aodhan Daly, 6th grade Ocean City honor student. The proclamation was followed by a round of applause and council personally thanked Aodhan for his giving back to his community.

Administrator Jim Mallon reported that the alley project that council supported will begin in Monday, March 14, 2016 and residents are being notified this week. The project consists of 6 alleys throughout town. Also, the boardwalk project is moving along and that portion of the boardwalk is now open to the public. The road and drainage project in the 14th and 16th street area has started. The contractor has been asked to mill and pave Central Avenue from 24th to 28th Street. Mr. Mallon commented on the resolution on the agenda awarding the construction of the turf filed at Carey Stadium. School administration and the coaches are supportive of the project and we will not lose any home track meets. Comcast will be closing the local payment center located off of Tennessee Avenue and they will most likely open a customer care center by March 28th located at the Consumer Shopping Center by the Hamilton Mall. Mr. Mallon then asked Doug Bergman, the city’s public information officer to come forward with an update on a great opportunity and honor for the City.

Doug Bergman informed council that Ocean City has been chosen to participate in the Greatest Beaches of America contest. Online voting will determine the winner of the nationwide contest sponsored by Coastal Living magazine. The contest is set up like a March Madness grid with the top beaches in 30 coastal states competing. In order for Ocean City to win the title we have to win 5 rounds. A link will be available on Ocean City’s website where you can vote and you can vote on Ocean City’s tourism website which is www.ocvacation.com

REPORTS – CITY COUNCIL

Mr. Madden reported that he attended the Tourism Commission meeting today and postcard for this spring has been put out showing all the upcoming events. Also, the TV commercial is up and running for the summer and other topics were discussed at the meeting as well to ensure that the city is staying busy with events.

Ms. Bergman reported that she attended the Chamber meeting last week and she informed council of the

events scheduled for the spring. There is the Mr. Maturity event this Saturday; two Easter egg hunts on Saturday March 19 and March 26th; also the sunrise service on Easter Sunday at the Music Pier that starts at 6 a.m. Also on April 9th through the 11th there will be a "Girl's Weekend" on Asbury Avenue which includes a fashion show and various store discounts. Ms. Bergman also encouraged everyone to vote for Ocean City as the best beach.

Mr. Wilson asked for more information about "Team Skysoldier" so Mr. Pratt approached the podium and provided more information about the Donor Dash and what council can do to support his team and charity.

ORDINANCES: INTRODUCTION & FIRST READING:

Mr. Hartzell asked for a motion to take up Ordinance No. 16-04 on a first reading. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed.

The Clerk read the ordinance by title: **Ordinance #16-04 – An Ordinance Supplementing the Revised General Ordinances of the City of Ocean City, Street Performers**

Solicitor, Ms. McCrosson explained that this ordinance allows for an area on the boardwalk from 5th Street to 6th Street and areas in town to be set aside for street performers. There will be a permit fee of \$50.00 required and for a group the most that they can be charged is \$100.00. Also, the proposed ordinance will also set forth times that street performers are permitted to be on the boardwalk. The ordinance has regulations as well relative to decibel levels. It also provides that if street performers do not abide by the regulations set forth then they are subject to suspension of their permit after three strikes and after 5 strikes the permit is taken away.

There was much discussion between the governing body relative to the distance between the performers, the amount of warnings, the fee structure, first amendment rights, reasonable regulations and some other suggestions. It was decided that the ordinance be amended relative to the amount of warnings given.

Mr. Hartzell asked for a motion to amend Ordinance #16-04 to read "The Chief of Police may revoke a permit for the remainder of the calendar year if a performer has received three fines during that calendar year." Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed with the exception of Mr. Guinasso who voted no.

Mr. Hartzell asked for a motion to amend Ordinance #16-04 relative to the penalties section of the ordinance to read "a performer has been convicted of or pled guilty to two (2) violations of the Ordinance within one calendar year." Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed with the exception of Mr. Guinasso who voted no.

Mr. Hartzell asked for a motion to approve the amended Ordinance #16-04 on a first reading. Motion moved by Ms. Bergman, seconded by Mr. Wilson. All ayes followed with the exception of Mr. Guinasso who voted no.

Mr. Hartzell announced that Ordinance #16-04 will be scheduled for a second hearing and public comment at the March 24, 2016 regular council meeting held at 7:00 p.m. in Council Chambers.

RESOLUTIONS – CONSENT AGENDA:

16-52-072 - #1 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-17, Supply & Delivery of Lifeguard Uniforms

16-52-073 - #2 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-20, Supply & Delivery of Lumber & Piling

16-52-074 - #3 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-21, Fabrication & Delivery of Welded Aluminum 2-Rail for Boardwalk Railing, Including All Incidentals

16-52-075 - #4 - A Resolution Authorizing the Award of City Contract #16-03, Concession Licenses for the Sale of Food, Ice Cream & Beverage Related Products at Designated City Owned Street Ends

16-52-076 - #5 - A Resolution Authorizing the Award of City Contract #16-14, Supply & Delivery of Sand Fence & Post and Post & Rail Fence Materials For the City of Ocean City & the Ocean City Cooperative Pricing System (251COCCPS)

16-52-078 - #7 - A Resolution Authorizing City's Participation in the National Cooperative Purchase Alliance (NCPA) for RFP#07-15, Parking Meters, Single & Multi Space with IPS Group, Inc. for Lease of Parking Meters for use by the Department of Financial Management, Division of Parking Regulations & Revenue Collection

16-52-079 - #8 - A Resolution Authorizing the Preparation and Execution of the 2015 New Jersey Department of Environmental Protection Recycling Tonnage Grant

16-52-080 - #9 - A Resolution Authorizing the Release of a Performance Guarantee For a Construction Project at 66 E. Station Road Block 70.07, Lot 14, Project #14-023ZC

16-52-081 - #10 - A Resolution Authorizing the Release of a Performance Guarantee For a Construction Project at 801 St. Charles Place Block 102, Lot 54, Project #14-020ZC

16-52-082 - #11 - A Resolution Authorizing the Payment of Claims

16-52-083 - #12 - A Resolution Approving Tax Overpayment Refund 2016-4 to 11

Mr. Hartzell asked for a motion to approve the consent agenda. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed. After some discussion between council Mr. Hartzell asked for a motion to remove Resolution #6 from the consent agenda. Motion moved by Mr. Guinosso, seconded by Mr. Wilson. All ayes followed.

NON CONSENT AGENDA

The Clerk read resolution #6 by title:

16-52-077- #6 - A Resolution Authorizing the Award of City Contract #16-18, Installation of Artificial Turf at Carey Field

Mr. Guinosso expressed his concerns about the safety and health factors relative to the turf option for Carey Field. There was discussion between council, the administrator and solicitor. Mr. Mallon explained that the turf will have a useful life of about 10 to 12 years and just the top portion will need replacing in the future.

There was no public comment.

Mr. Hartzell asked for a motion to approve Resolution #6. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed.

PENDING BUSINESS

Ms. Bergman wanted to clarify the cost, time frame and location for parking meters around town and she would like to post information on Ocean City's website as well as the Tourism website so that visitors and residents are aware. Also, ShopRite in Marmora is not allowing any more overnight parking and she would like to know if there is any way that the city can come up with some locations/spots off of the island that we can direct citizens to park in the event that there will be a storm or flood.

Mr. McClellan congratulated the coach and Ocean City's Girl's Varsity basketball team for winning the South Jersey Championship and also the high school is doing great in all of their athletics.

Mr. Wilson wanted to know when the asphalt plants were opening up.

NEW BUSINESS

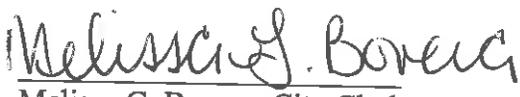
Mr. McClellan mentioned that the flyer put out by the Chamber of Commerce states that the Unlocking of the Beach is on Saturday, but usually it is held on a Friday. He wanted to know if there was a reason why the date was changed.

Mr. DeVlieger wished everyone an upcoming Happy St. Patrick's Day and to celebrate responsibly.

CITIZEN COMMENT

Mike Tobin – 4600 West Avenue – Mr. Tobin commented on the street performing. He suggested marking off the 100 foot distance that has to be between the performers. He also said that he would like a return call in regard to his flooding issues.

Mr. Hartzell asked for a motion to adjourn. Motion moved by Mr. Wilson, seconded by Mr. McClellan. Meeting adjourned at 8:21 pm.


Melissa G. Bovera, City Clerk