

**CITY COUNCIL MEETING MINUTES
THURSDAY, MAY 26, 2016 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Ms. Bergman (Arrived at 7:40 p.m.), Mr. DeVlieger, Mr. Guinosso, Mr. Madden, Mr. McClellan (Arrived at 8:10 p.m.), Mr. Wilson and Mr. Hartzell. Present also was Business Administrator, James Mallon and Solicitor, Dorothy McCrosson.

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

CITIZEN COMMENT

Mike Morrissey – 327 Asbury Avenue – Mr. Morrissey thanked the governing body and Mayor Gillian on behalf of VFW Post 6650 for honoring one of the founding fathers Mr. Frank Pileggi.

Henry Balbirer – 1226 Haven Avenue – Mr. Balbirer lives in Costeria Cottages and is very happy. He thinks that the cottages are beautiful, built well and is happy to be living in Ocean City.

Ray McNeely – 1301 Simpson Avenue – Mr. McNeely is not in favor Coastal Cottages, but is in favor of single family homes being built.

Wayne Mozzo – 1333 Pleasure Avenue – Mr. Mozzo is not in favor of Coastal Cottages; he thinks that they de-value surrounding properties and that they have a negative effect on the neighborhood.

Mr. Hartzell announced that Ms. Bergman and Mr. McClellan are not in attendance at the current moment, but are on their way to the meeting. He suggested entertaining a motion to change the format of the agenda so that the ordinance introductions and second readings will be held at the end of the meeting which will allow for all members of the governing body the opportunity to vote. Mr. Hartzell asked for a motion to suspend the agenda format for tonight's meeting. Motion moved by Mr. Madden, seconded by Mr. Wilson. All ayes followed.

APPROVAL OF MINUTES

Mr. Hartzell asked for a motion to approve the minutes of the Regular City Council Meeting held on Thursday, May 12, 2016. Motion moved by Mr. Madden, seconded by Mr. Guinosso. All members present voted in favor.

REPORTS – MAYOR & ADMINISTRATION

Business Administrator, James Mallon presented two proclamations:

- Designating Beach Safety Week from May 28th to June 5, 2016
- Recognizing May 2016 as National Water Safety Month

Mr. Mallon also reported that the beach replenishment on the south end is complete and the contractor is going to restore the parking lot sometime next week. Road and drainage projects are in full swing and the 11th Street bulkhead and road project is complete. The gas company officials have been told by administration that they can begin replacing gas mains after the holiday weekend until mid June (located around 8th and 9th Street, Atlantic Avenue to the boardwalk). The New Jersey Department of Transportation notified the city that they will be doing post construction bridge inspections on the 9th Street Bridge beginning June 7th. Inspections will last for about two weeks and portions of the right hand outbound lane will be closed on week days between 9:00 a.m. and 3:00 p.m. The city is going to be sending their second Sustainable New Jersey certification application; currently the city is a bronze community, but has the opportunity to upgrade to a silver community which is the highest certification. There will be some resolutions on the agenda's in June in support of the Sustainable Jersey application. The unlocking of the beach ceremony is being held tomorrow at noon and will take place next to the Music Pier. Also, tomorrow is the opening of the surf exhibit at the museum from 10:00 a.m. to 4:00 p.m. Memorial Day services are going to be held Monday, May 30, 2016 at 11:00 a.m. at Veteran's Park. Mr. Mallon wished everyone a safe and happy Memorial Day weekend.

REPORTS – CITY COUNCIL

There were no reports, but there was discussion between the governing body.

Mr. Hartzell asked for a motion to move Resolution #1 to the top of the agenda. Motion moved by Ms. Bergman, seconded by Mr. Madden. All ayes followed.

RESOLUTION

16-52-138 - #1 - A Resolution Remembering Frank C. Pileggi

Council President, Mr. Hartzell read the resolution "Remembering Frank C. Pileggi" and he was joined by the governing body as they presented the resolution to Mr. Pileggi's family members who were in attendance.

Mr. Hartzell asked the clerk to read the consent agenda.

RESOLUTIONS – CONSENT AGENDA

16-52-139 - #2 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-30, Acquisition & Installation of Two (02) Power Loading Cot Fastener Systems

16-52-141 - #4 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-19, Supply & Delivery of Uniforms & Sportswear Apparel

16-52-143 - #6 - A Resolution Authorizing the Award of a Contract Between Beesley's Point Sea Doo, Inc. and the City of Ocean City for Acquisition, Repair & Maintenance of the Sea Doos

16-52-144 - #7 - A Resolution Authorizing the Award of a Contract Between Starlite Productions and the City of Ocean City

16-52-145 - #8 - A Resolution Authorizing the Award of City Contract #16-03, R-2, Concession Licenses for the Sale of Food, Ice Cream & Beverage Related Products at Designated City Owned Street Ends

16-52-146 - #9 - A Resolution Authorizing the City's Participation in the Houston – Galveston Area Council of Governments National Cooperative Purchasing Program (HGAC-Buy) for Contract #VE11-15, Current Model Cars & Light Trucks with Bill Knight Ford Fleet Center D/B/A United Ford South, LLC

16-52-147 - #10 - A Resolution Authorizing City's Participation in the National Joint Powers Alliance (NJPA) for RFP #070313, DAC, Grounds Maintenance with Related Equipment, Accessories and Supplies with John Deere

16-52-148 - #11 - A Resolution Supporting an Application for New Jersey Department of Transportation Safe Routes to School Program

16-52-149 - #12 - A Resolution Adopting the City of Ocean City's Floodplain Management Committee & Program for Public Information Committee

16-52-150 - #13 - A Resolution Authorizing the City's Participation in State Contract #T-0099, Vehicles, Automobiles, Sedans/Crossover for the Purchase of Four (4) 2016 or Newer Ford Fusion Sedan S, FWD, Vehicles for Use by the Police Department

16-52-151 - #14 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-33, Installation of Obstruction Lighting at the Ocean City Municipal Airport

16-52-152 - #15 - A Resolution Amending the 2016 Budget of the City of Ocean City to Include Additional Revenue From the Office of the Prosecutor, County of Cape May

16-52-153 - #16 - A Resolution Amending the 2016 Budget of the City of Ocean City to Include Additional Revenue from the State of New Jersey Department of Transportation Airport Improvement Program, for Airport Obstruction Removal

16-52-154 - #17 - A Resolution Authorizing the Reassignment of One (1) Motor Vehicle Concession License Awarded by City Contract #16-03, Concession Licenses for the Sale of Food, Ice Cream & Beverage Related Products at Designated City Owned Street Ends

16-52-155 - #18 - A Resolution Authorizing the Payment of Claims

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

Mr. Hartzell asked the clerk to read the non-consent agenda.

RESOLUTIONS - NON-CONSENT

16-52-140 - #3 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-31, 2016 Aquatic & Fitness Center Pool Improvements

Mr. Guinosso had questions about what was going to be done with the electric. Mr. Mallon said that the filter has been checked and everything is ok; electrical has been updated and this resolution allows for the pool to be painted.

16-52-142 - #5 - A Resolution Authorizing the Award of City Contract #16-26, Recreational Skateboard Camp Program

Mr. Guinosso asked about the age limits for children to be a part of this camp suggesting the cost for the camp is expensive. Mr. Mallon informed Mr. Guinosso that camps run for children from ages 6 to 14, but he will find out what the age range is for this particular camp.

There was some discussion between the governing body about the camp.

There was no public comment.

Mr. Hartzell asked for a motion to approve the non-consent agenda. Motion moved by Mr. Guinosso, seconded by Ms. Bergman. All ayes followed.

PENDING BUSINESS

There was no pending business.

NEW BUSINESS

Mr. McClellan wished everyone a happy Memorial Day and said to enjoy the official kick-off to summer. Mr. DeVlieger also wished everyone a happy Memorial Day and to enjoy the start of the summer season.

ORDINANCES: INTRODUCTION & FIRST READING

Mr. Hartzell asked for a motion to take up Ordinance No. 16-12 on introduction and first reading. Motion moved by Mr. Wilson, seconded by Mr. Madden. All ayes followed. The clerk read the ordinance by title: **#16-**

12 - An Ordinance Amending Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City, Riviera and Bayou

Solicitor, Ms. McCrosson explained that this ordinance is re-inserts into our zoning ordinance the permitted yard encroachments in the Riviera and Bayou sections which were inadvertently omitted by a prior ordinance. It is also converting the bulk head measurement; it will not alter the height of the permitted patios.

There was some discussion between the governing body and the Solicitor.

Mr. Hartzell asked for a motion to approve Ordinance No. 16-12 on introduction and first reading and publish according to law. Motion moved by Mr. Guinosso, seconded by Ms. Bergman. All ayes followed. Mr. Hartzell announced that Ordinance No. 16-12 is scheduled for second reading and public hearing on June 23, 2016 during the regularly scheduled council meeting.

Mr. Hartzell asked for a motion to take up Ordinance No. 16-13 on introduction and first reading. Motion moved by Ms. Bergman, seconded by Mr. Wilson. All ayes followed. The clerk read the ordinance by title: **#16-13 - An Ordinance Amending Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City, Architectural Projections**

Solicitor, Ms. McCrosson explained that this ordinance will assist Mr. Jones in enforcing the zoning ordinance by clarifying what is and isn't an architectural projection. It makes it very clear that chimneys and the full length of the garage wall do not constitute architectural projections. It also amends the section regulating side yard encroachments by re-establishing the chimney control that was inadvertently omitted in a prior ordinance.

There was some discussion between the governing body and the Solicitor.

Mr. Hartzell asked for a motion to approve Ordinance No. 16-13 on introduction and first reading and publish according to law. Motion moved by Mr. Guinosso, seconded by Mr. Wilson. All ayes followed. Mr. Hartzell announced that Ordinance No. 16-13 is scheduled for second reading and public hearing on June 23, 2016 during the regular scheduled council meeting.

Mr. Hartzell asked for a motion to take up Ordinance No. 16-14 on introduction and first reading. Motion moved by Mr. Madden, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title: **#16-14 - An Ordinance Amending Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City, Decorative Architectural Railings**

Solicitor, Ms. McCrosson explained that currently to use the enhanced standards and get slightly more building coverage for a home there are certain qualifications which must be incorporated into the building design including porches. This ordinance would expand the kind of porches which would qualify for the enhanced standards by including decorative, architectural railings as opposed to a solid roof.

There was some discussion between the governing body and the Solicitor.

Mr. Hartzell asked for a motion to approve Ordinance No. 16-14 on introduction and first reading and publish according to law. Motion moved by Ms. Bergman, seconded by Mr. Madden. All ayes followed. Mr. Hartzell announced that Ordinance No. 16-14 is scheduled for second reading and public hearing on June 23, 2016 during the regular scheduled council meeting.

ORDINANCES: SECOND READING & PUBLIC HEARING

Mr. Hartzell asked for a motion to take up Ordinance No. 16-03 on second reading and public hearing. Motion moved by Mr. McClellan, seconded by Mr. Madden. All ayes followed with the exception of Mr. Wilson who recused himself. The clerk read the ordinance by title: **#16-03 – An Ordinance Amending Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City (Revoke Coastal Cottages)**

Solicitor Ms. McCrosson explained that this ordinance would repeal drive in business conditional uses and conditional use requirements pertaining to coastal cottages and in non-conforming structures uses and lots would amend that section to grandfather in coastal cottage developments that have been previously approved.

Mr. Hartzell opened the meeting for public comment on Ordinance No. 16-03.

John Flood – 22 Arkansas Avenue – Mr. Flood asked the governing body to vote down the ordinance and gave several reasons as to why they should. He also spoke about the 20% protest petition that was submitted to the clerk to be distributed to the governing body. He ultimately suggested amending the ordinance rather than repealing it.

There was discussion between the governing body as well as discussion with the Solicitor.

Mr. Hartzell asked for a motion to adopt Ordinance No.16-03 on second reading. Motion moved by Mr. McClellan, seconded by Mr. Madden. All ayes followed with the exception of Mr. Guinosso who voted no.

Mr. Hartzell asked for a motion to take up Ordinance No. 16-08 on second reading and public hearing. Motion moved by Ms. Bergman, seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#16-08 - An Ordinance Amending Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City (Show Setback to Power Lines on Plot Submitted With Application for Zoning Permit)**

Solicitor Ms. McCrosson explained that this ordinance would amend the list of items that need to be submitted in order to get a building permit to show the setbacks from primary and secondary electric power lines for a proposed building.

There was no public comment.

Mr. Hartzell asked for a motion to adopt Ordinance No. 16-08 on second reading. Motion moved by Ms. Bergman, seconded by Mr. McClellan. All ayes followed with the exception of Mr. Wilson who voted no.

Mr. Hartzell asked for a motion to take up Ordinance No. 16-11 on second reading and public hearing. Motion moved by Ms. Bergman, seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#16-11 - An Ordinance Authorizing a Modification to a Lease Agreement Dated May 31, 1988 Between the City of Ocean City and the Hangar Association of Ocean City, Inc**

Business Administrator, James Mallon explained that this ordinance will extend the lease that city currently has with the Hangar Association for another 15 years.

There was no public comment.


Mr. Hartzell asked for a motion to adopt Ordinance No. 16-11 on second reading. Motion moved by Mr. Guinasso, seconded by Mr. Wilson. All ayes followed.

CITIZEN COMMENT

There was no citizen comment.

ADJOURNMENT

Mr. Hartzell asked for a motion to adjourn. Motion moved by Ms. Bergman, seconded by Mr. Wilson. All ayes followed.


Melissa Bovera, City Clerk