

**CITY COUNCIL MEETING MINUTES
THURSDAY, JUNE 23, 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 Gillian, 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.

CITIZEN COMMENT:

Ed O'Donnell – Port-O-Call – Mr. O'Donnell spoke about the Ocean City clothes closet, people being rude and the wonderful cleanliness of Ocean City's public bathrooms.

Bill Hartranft – 728 Battersea Road – Mr. Hartranft said that Mr. Guinosso has done a marvelous job as a councilman and was always involved and he thanked him.

Vic Staniec – 907 3rd Street – Mr. Staniec thanked Mr. Guinosso; he said he has always done a great job, has done his research and investigated issues at hand. Again, he thanked Mr. Guinosso for his effort and time which has been much appreciated.

Joanne Pariesis – 113 Brenton Court – Ms. Pariesis is a member of the Ocean City Garden Club and spoke to council in regard to her concerns about the parking situation during the flower show that takes place on the boardwalk. She suggested having assistance from the Police Department moving forward.

Joe Fertsch – 238 Crescent Road – Mr. Fertsch spoke on behalf of the flower show saying that it is a great, well attended event, but parking is an issue. Also, he said that Mr. Guinosso is a great person and he has done a great job. He suggested council comment on coastal cottages.

Peg Kendrick – 822 Stenton Place – Ms. Kendrick thanked Mr. Guinosso and wished him well.

Al Kelleher – Haven Avenue - Mr. Kelleher thanked Mr. Guinosso and said that he will be missed.

Julie Bumgardner – Ms. Bumgardner is a former Ocean City resident and she thanked Mr. Guinosso and said what a great person he is.

Tom Tumulty – VFW Post 524 – Mr. Tummeltee thanked the Mayor and Administration for having the flagpole put up in enough time.

APPROVAL OF MINUTES:

Mr. Hartzell asked for a motion to approve the minutes of the Regular City Council Meeting held on Thursday, June 9, 2016. Motion moved by Mr. Madden, seconded by Mr. Guinosso. All ayes followed with the exception of Mr. Wilson who abstained.

BOND ANTICIPATION NOTES ANNOUNCEMENT READ BY THE CITY CLERK:

The Chief Financial Officer of the City of Ocean City, in the County of Cape May, New Jersey certifies that he has issued Note 2016-01 and 2016-02, the details of which are as follows: Note 2016-01 is dated June 16th, 2016, in the amount of \$31,050,000. The note consists of \$31,050,000 in Bond Anticipation Notes. Ocean City received 4 bids and the note was awarded to TD Securities, LLC. The maturity date is January 6, 2017, with a Net Interest Cost of .69% (*point six-nine percent*) payable at maturity. Note 2016-02 is dated June 16th, 2016, in the amount of \$15,000,000. The note consists of \$15,000,000 in Bond Anticipation Notes. Ocean City received 4 bids and the note was also awarded to JP Morgan Securities, LLC. The maturity date is June 15, 2017, with a Net Interest Cost of .85% (*point eight-five percent*) payable at maturity.

REPORTS – MAYOR & ADMINISTRATION:

Business Administrator James Mallon presented the following proclamation:

- *Recognizing June 2016 as National Safety Month*

Mr. Mallon also reported that the city's beach tag revenue at the end of May was \$2.02 million. This number is slightly down from 2015 which was \$2.048 million as of May 31st. That is a difference of \$28,000.00. Also, on the agenda tonight there is a resolution in regard to the 29th Street Firehouse. As the Mayor has stated, the city is moving forward with a new building. We are confident with the collaborative effort on the design and is optimistic to receive favorable bids. Ocean City was named the best beach in the Garden State this week in NJ Monthly's shore town showdown. The Philadelphia Inquirer also announced Ocean City as the best beach. NJ Sea Consortium announces their winners on the 30th of June at the Music Pier.

REPORTS – CITY COUNCIL:

Mr. Hartzell asked for a motion to move resolution #2 from the consent agenda and move it to city council reports. Motion moved by Ms. Bergman, seconded by Mr. Madden. All ayes followed.

16-52-170-#1 - Honoring David James Laverty of the Boy Scouts of America, Upper Township's Troop 79 Who Has Achieved the Rank of Eagle Scout During the Calendar Year 2015-2016

16-52-171-#2 - A Resolution Honoring 4th Ward Councilman Peter Guinosso

Mr. Hartzell asked for a motion to approve resolutions #1 and #2 on the agenda. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed.

ORDINANCES: INTRODUCTION & FIRST READING

Mr. Hartzell asked for a motion to take up Ordinance #16-15 on introduction and first reading. Motion moved by Mr. Guinosso, seconded by Mr. Madden. The Clerk read the ordinance by title: **Ordinance No. 16-15 - An Ordinance Amending Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City, Drive-In Business (DB) Zone**

Solicitor, Ms. McCrosson explained that this ordinance prohibits residential uses on the Ninth Street corridor in the Drive-In Business Zone and specifies the maximum density for residential uses other than on Ninth Street within the zone. The ordinance also revises side yard requirements on corner lots to maintain adequate setbacks on side streets consistent with adjacent uses and zoning designations.

Mr. Hartzell asked for a motion to approve Ordinance No. 16-15 on introduction and first reading. Motion moved by Ms. Bergman, seconded by Mr. McClellan. All ayes followed with the exception of Mr. Guinosso who voted no. Mr. Hartzell announced that Ordinance No. 16-15 is scheduled for second reading and public hearing on July 14, 2016 at the regularly scheduled council meeting.

ORDINANCES: SECOND READING & PUBLIC HEARING

Mr. Hartzell asked for a motion to take up Ordinance No. 16-12 on second reading and public hearing. Motion moved by Mr. Wilson, seconded by Mr. Guinosso. The Clerk read the ordinance by title: **Ordinance No. 16-12 - An Ordinance Amending and Supplementing 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 re-establishes permitted yard encroachments in the Riviera and Bayou Zones that were inadvertently deleted by a prior ordinance. The front yard encroachments previously permitted in the Bayou, however, are not be re-introduced due to conflict with the 10-foot setback required in this zone. Conversion of bulkhead measurement standard from MSL to NAVD (1988) does not alter the resulting bulkhead elevation.

Mr. Hartzell opened the meeting up for public comment on Ordinance No. 16-12. There was no public comment. Mr. Hartzell asked for a motion to adopt Ordinance No. 16-12 on second reading. Motion moved by Mr. Guinosso, seconded by Ms. Bergman. All ayes followed.

Mr. Hartzell asked for a motion to take up Ordinance No. 16-13 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: **Ordinance No. 16-13 - An Ordinance Amending and Supplementing 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 improves the internal consistency of the Zoning Code by revising the definition of *Architectural Projection* to indicate that "chimneys and the full length or depth of a garage wall" are not considered *Architectural Projections*. This ordinance also amends the section regulating *side yard encroachments* by re-establishing the chimney controls that were repealed by Ordinance 14-36.

Mr. Hartzell opened up the meeting for public comment on Ordinance No. 16-13. There was no public comment. Mr. Hartzell asked for a motion to adopt Ordinance No. 16-13 on second reading. Motion moved by Mr. Madden, seconded by Mr. Wilson. All ayes followed.

Mr. Hartzell asked for a motion to take up Ordinance No. 16-14 on second reading and public hearing. Motion moved by Mr. Guinosso, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title: **Ordinance No. 16-14 - An Ordinance Amending and Supplementing 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 this ordinance provides additional design flexibility regarding the porch qualifications attendant to the Design Incentives. The introduction of *decorative architectural railings* as a qualifying design element is more compatible with a range of building styles and will encourage greater creativity in building architecture.

Mr. Hartzell opened up the meeting for public comment on Ordinance No. 16-14. There was no public comment. Mr. Hartzell asked for a motion to adopt Ordinance No. 16-14 on second reading. Motion moved by Mr. Madden, seconded by Mr. Guinosso. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

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

16-52-172 - #3 - A Resolution Approving Tax Overpayment Refund 2016-14 to 25

- 16-52-173-#4** - A Resolution Authorizing the Recognition of the Community Emergency Response Team (CERT)
- 16-52-174-#5** - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-35, Construction of the 29th Street Firehouse
- 16-52-175-#6** - A Resolution Authorizing the Award of City Contract #16-15, Boardwalk Reconstruction From 8th Street to 10th Street
- 16-52-176-#7** - A Resolution Authorizing the Award of City Contract #16-30, Acquisition & Installation of Two (2) Power Loading Cot Fastener Systems
- 16-52-177-#8** - A Resolution authorizing the Award of City Contract #15-42, R-1, Ocean City Dredge Material Disposal
- 16-52-178-#9** - A Resolution Authorizing the Award of a Contract Between Bud Concrete, Inc. and the City of Ocean City for Curbs, Driveways, Sidewalks, and Handicap Ramp Access for the 59th Street Parking Lot
- 16-52-179 - #10** - A Resolution Authorizing the Award of City RFP #Q16-007, Municipal Public Defender Legal Counsel Services for the City of Ocean City
- 16-52-181-#12** - A Resolution Authorizing a Professional Services Contract Between the City of Ocean City & Czar Engineering, LLC for the Construction of the 29th Street Firehouse
- 16-52-182-#13** - A Resolution Authorizing a Grant Application to the Cape May County Open Space Program
- 16-52-183-#14** - A Resolution Approving the Annual Action Plan for Fiscal Year 2016 Beginning September 1, 2016 Through August 31, 2017 in Accordance With the United States Department of Housing and Urban Development Community Development Block Grant Program and An Amendment to the Annual Action Plans for FY 2014 and 2015
- 16-52-184 - #15** - A Resolution Authorizing Change Order #1, Final Acceptance and Final Payment for City Contract #15-39, 2015 Alley Improvements at Various Locations
- 16-52-185-#16** - A Resolution Amending the 2016 Budget of the City of Ocean City to Include Additional Revenue From the United States Department of Housing and Urban Development, Community Development Block Grant, Prepare Area Plan for Central Business District; Update Historic Preservation Plan and Create Economic Development Plan
- 16-52-186-#17** - A Resolution Amending the 2016 Budget of the City of Ocean City to Include Additional Revenue From the United States Department of Housing and Urban Development, Community Development Block Grant, Prepare Codes, Ordinances, Standards and Regulations
- 16-52-187-#18** - A Resolution Amending the 2016 Budget of the City of Ocean City to Include Additional Revenue From the United States Department of Housing and Urban Development, Community Development Block Grant, Develop Design Standards that Enhance Flood Resilience
- 16-52-188-#19** - A Resolution Amending the 2016 Budget of the City of Ocean City to Include Additional Revenue From the United States Department of Housing and Urban Development, Community Development Block Grant, Develop Floodplain Management and a Community Resilience Plan
- 16-52-189-#20** - A Resolution Amending the 2016 Budget of the City of Ocean City to Include Additional Revenue From the United States Department of Housing and Urban Development, Community Development Block Grant, Permit and Application Process Quality Improvement
- 16-52-190-#21** - A Resolution Authorizing the Payment of Claims

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

NON-CONSENT AGENDA:

- 16-52-180-#11** - A Resolution Authorizing the Award of a Professional Services Contract Between the City of Ocean City and Maser Consulting, P.A. For Traffic Signal Design Services

There was discussion between the governing body and the administration relative to the cost. Also, it was mentioned that the resolution be amended to read 14th Street and Wesley Avenue.

Mr. Hartzell asked for a motion to approve resolution #11 with the amendment. Motion moved by Mr. Madden, seconded by Mr. DeVlieger. All ayes followed.

PENDING BUSINESS:

Mr. McClellan thanked Councilman Guinosso and wished him well.

Mr. Guinosso reported that the curb on 56th and Asbury needs to be looked at; the grass at 56th and Asbury needs to be cut and Mr. Guinosso also mentioned that Roy Wagner has been in and out of the hospital and is staying at Wesley Manor.

Mr. Hartzell suggested looking into designating one block in each ward for dogs to be permitted on the beach.

NEW BUSINESS:

Mr. Wilson thanked Mr. Guinosso and said he has done a great job. Also, Mr. Wilson's phone is back up and running.

Mr. McClellan wished everyone a happy 4th of July.

Mr. Guinosso asked for an update on site 83.

Mr. Hartzell reminded everyone that the reorganization meeting and inauguration is being held July 1, 2016 at 12 noon at the Music Pier. He thanked the administration and governing body for their support while he was Council President and he also thanked Councilman Pete Madden for his support as Vice President.

CITIZEN COMMENT:

Al Kelleher – Mr. Kelleher thanked Mr. Hartzell for a job well done as the Council President.

ADJOURNMENT:

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



Melissa Bovera
City Clerk