

CITY COUNCIL MEETING MINUTES
THURSDAY, SEPTEMBER 8, 2016 – 7:00 PM
CITY HALL COUNCIL CHAMBERS

ATTENDANCE: Mr. Barr, Ms. Bergman, Mr. DeVlieger, Mr. Hartzell, Mr. McClellan, Mr. Wilson and Mr. Madden. Present also was Mayor Gillian, Administrator, James Mallon; Director of Community Services, Michael Allegretto; and Solicitor Dorothy McCrosson.

Council President Peter Madden called the meeting to order and asked everyone to rise for the flag salute and prayer.

CITIZEN COMMENT:

Robert Blue, Jr. – 73 Walnut Road – Mr. Blue spoke to council about a tree that is on his property which is 13 feet and 9 inches off of the curb line. He had a question about the design criteria and moving the tree. He submitted photos to the governing body for their review.

Mike Colombo – 42 Walnut Road – Mr. Colombo thanked Mr. Allegretto for all of his efforts and hard work in regard to the pickle and tennis ball courts.

Mike Hinchman – 281 W. Atlantic Blvd - Mr. Hinchman suggested the city re-bid on the fireworks; he commented on the proposal for Ocean City to lend police officers to Wildwood; he spoke about accountability in reference to the rock road on 34th Street that has sunk; he asked who is bearing the cost for the private spoils from the lagoon dredging; he commented on the American Legion stating that he spoke with the FBI and the Department of Community Affairs; he proposed that the American Legion should purchase the property for above market.

Ed Manning – 1844 West Avenue – Mr. Manning spoke about the pickle and tennis ball courts and discussed the hours for court time. He wanted to know if there was going to be a charge to use the pickle ball courts and if so, how much.

Charlie Ward – 1829 Haven Avenue – Mr. Ward expressed his concerns about the safety relative to the drop off at the Intermediate School while the pickle ball courts are in use and he also spoke about the noise factor relative to the courts.

Don Hepner – 3615 Central Avenue – Mr. Hepner supports Mr. Allegretto's plan for the pickle and tennis ball courts. He spoke about alternatives and solutions to the noise issue as well as the parking at the pickle ball courts.

APPROVAL OF MINUTES:

Mr. Madden asked for a motion to approve the Regular City Council Meeting Minutes of Thursday, August 25, 2016. Motion moved by Mr. Barr, seconded by Mr. DeVlieger. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION:

Business Administrator James Mallon thanked the entire community, city team members and members of council who helped to prepare for the forecasted storm. Also, he thanked the emergency management team, Mayor, council and residents as well as guests and business owners who were well prepared. Mr. Mallon also reported that the contractor working on the 2016 dredging job is making good progress and should be done in Snug Harbor by Wednesday of next week; next will be Glen Clove lagoon. Regarding the road to 83, the last big pipe was put in today and the road should be finished next week. Also, the city has oversight on the private dredging jobs, but the homeowners are responsible for the cost of dredging and disposal. On the agenda this evening there is a resolution to authorize the city to go out to bid for traffic signal improvements. Council has authorized a professional services contract to an engineering firm to assist the city with these improvements. The traffic lights that are being replaced are very old and technology has come a long way since they were last installed. There is significant electrical work associated with the replacement of traffic lights and is not work that the city's engineers perform on a regular basis. This is specialized work, which is why it tends to be costly. Mr. Mallon reminded everyone that the annual September 11th remembrance ceremony will be held on Sunday at 6:00 p.m. at the Firehouse between 5th and 6th Street on Asbury Avenue and a very special speaker will be at the ceremony.

Director of Community Services, Michael Allegretto provided an update on the pickle ball and tennis courts. The pickle ball courts will be on 18th Street; three existing artificial turf tennis courts will be converted into a pickle ball court bringing a total of 12 pickle ball courts that will have an asphalt playing surface. Also, the total number of artificial turf tennis courts in the city will increase from 11 to 12. There will be three turf courts on 18th and Haven that will remain as tennis courts. In addition, four asphalt tennis courts on 34th Street will be converted into an artificial-turf surface. Mr. Allegretto also mentioned that the courts on Sixth Street will remain as asphalt tennis courts.

REPORTS – CITY COUNCIL:

Mr. Madden reported that the Tourism Commission has worked on having advertisements placed in the AC Press, Philadelphia Inquirer as well as on a billboard on I95. Also, the committee has been discussing a phone app that people can download to browse events and other city related activities as well as hotels, restaurants and much more.

ORDINANCES: SECOND READING & PUBLIC HEARING:

Mr. Madden asked for a motion to take up Ordinance No. 16-24 for second reading and public hearing. Motion moved by Ms. Bergman, seconded by Mr. Wilson. All ayes followed. The clerk read the ordinance by title.

Ordinance No. 16-24 – An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised Ordinances of the City of Ocean City, Residential Mechanical 2016-1

Solicitor Ms. McCrosson explained that Section 1 of this Ordinance inserts the previously adopted On-Boardwalk Schedule of District Regulations which was inadvertently removed from the ordinance. Section 2 will limit the number of principal-use buildings permitted on each lot in the Hospitality Zone. The revisions to Section 25-205.7.2 permit only one (1) building containing a principal use on any lot. These revisions are consistent with the General Provision contained in Section 25-300.14 that limits buildings containing a principal use to one (1) per lot. Section 3 provides internal consistency between the Hospitality Zone Schedule of District Regulations and accompanying notes by distinguishing between the Building Coverage's related to lot sizes for Corinthian-style buildings. Section 4 revises the residential building standards by permitting a *secondary building element* on the rear building façade to promote better design.

Mr. Madden opened up the meeting for public comment on Ordinance No. 16-24. There was not anyone from the public who wished to speak on the ordinance.

Mr. Madden asked for a motion to adopt Ordinance No. 16-24 on second reading. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed.

Mr. Madden asked for a motion to take up Ordinance No. 16-26 on second reading and public hearing. Motion moved by Mr. Barr, seconded by Mr. Hartzell. All ayes followed. The clerk read the ordinance by title.

Ordinance No. 16-26 – An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised Ordinances of the City of Ocean City, Residential Mechanical 2016-2

Solicitor Ms. McCrosson explained that Section 1 of this Ordinance provides an exception to the *change of use* definition that will alleviate the need to obtain site plan approval when a triplex is proposed to be converted to a duplex or single-family dwelling. In a continuing effort to simplify the code, Section 2 removes zone-specific garage and driveway requirements in deference to the general requirements in §25-1700 that apply to all residential zones. Section 3 replaces *Building Area* with *Habitable Space* as the criteria used to determine the minimum number of required parking spaces for single-family dwellings. *Building Area* tends to over-estimate parking spaces since it includes the floor area of all principal and accessory buildings. Section 4 reduces the required minimum driveway width for single-family and duplex dwellings from 10' to 9' to reduce impervious site coverage attributed to paved driveways.

Mr. Madden opened up the meeting for public comment on Ordinance No. 16-26. There was not anyone from the public who wished to speak on the ordinance.

Mr. Madden asked for a motion to adopt Ordinance No. 16-26 on second reading. Motion moved by Mr. Wilson, seconded by Mr. Barr. All ayes followed.

Mr. Madden asked for a motion to take up Ordinance No. 16-27 for second reading and public hearing. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title.

Ordinance No. 16-27 – An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised Ordinances of the City of Ocean City, Rear Yard Setbacks

Solicitor Ms. McCrosson explained that this ordinance describes and formalizes a procedure utilized by the Zoning Office to establish the required rear yard setback on irregular lots that have unequal side yard dimensions. The methodology described in the ordinance is sensitive to the impact of the zoning requirements on irregularly-shaped lots and provides a procedure that maintains the intent of the zone plan while providing equity to the land owner.

Mr. Madden opened up the meeting for public comment on Ordinance No. 16-27. There was not anyone from the public who wished to speak on the ordinance.

Mr. Madden asked for a motion to adopt Ordinance No. 16-27 (including the amendment discussed) on second reading. Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

16-52-253-#1 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-36, 2016 Traffic Signal Improvements

16-52-254-#2 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-42, Supply of I-5 Soil Aggregate

16-52-255-#3 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-44, Acquisition of a 43,000 GVW Dump Truck

16-52-256-#4 - A Resolution Authorizing the Award of a City Contract #17-01, 2017-2019 Fireworks Shows for the City of Ocean City & #251COCCPS Members

16-52-257-#5 - A Resolution Authorizing the Award of a City RFP #Q-16-004 to Fralinger Engineering PA for Professional Surveying Services on an "As Needed Basis"

16-52-258-#6 - A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & ACT Engineering, Inc. for Dredging Program Support Scope & Budget Proposal Additional 2016 Construction Support, Long Range Planning & 2017 Design

16-52-259-#7 - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Parker McCay, P.A. for Special Legal Counsel Services

16-52-260-#8 - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & McManimon & Scotland & Baumann, LLC for General Municipal Bond Counsel Services

16-52-261-#9 - A Resolution Authorizing a Professional Service Contract between the City of Ocean City and Innovative Risk Solutions, Inc. For Broker of Record Services for the City of Ocean City's Employee Benefit Program

16-52-262 - #10 - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Northeast & Bucks Company, T/A Mullin & Lonergan Associates for Consulting Services for the Community Development Programs

16-52-263-#11 - A Resolution Authorizing Change Orders #1, Final Acceptance and Final Payment of City Contract #15-37, 2015 Bulkhead & Road Improvement at Various Locations

16-52-264-#12 - A Resolution Authorizing 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 Silsbee Ford Inc.

16-52-265-#13 - A Resolution Authorizing the Acceptance of a Colorado Timing System from the Ocean City C-Cerpants, Inc. for Use in the Natatorium at the Ocean City Aquatic and Fitness Center

16-52-266-#14 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 870 3rd Street, Block 302, Lot 22, Project #14-032ZC

16-52-267-#15 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 1402 West Avenue Block 1406, Lot 5, Project #15-026ZC

16-52-269-#17 - Authorizing the Execution of a Shared Services Agreement with the City of Wildwood, New Jersey for Police Assistance during Special Events

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

NON-CONSET AGENDA:

16-52-268-#16 - A Resolution Authorizing the Payment of Claims

Mr. DeVlieger stated that it would be a conflict of interest for him to vote on the bill list due to OCNJ Daily being a vendor that the city pays, so moving forward he will recuse himself from voting on this particular resolution.

Mr. Madden opened the meeting up for public comment on Resolution No. 16. There was not any public comment.

Mr. Madden asked for a motion to approve Resolution No. 16. Motion moved by Mr. Barr, seconded Ms. Bergman. All ayes followed with the exception of Mr. DeVlieger who recused himself.

PENDING BUSINESS:

Mayor Gillian informed everyone about the passing of Edna May at the age of 90. "Edna was the first lady of Ocean City's south end, and many in town were familiar with her indomitable spirit and love of the "Deep South." Her collection of photographs and memorabilia provide in invaluable history of that part of the island. Edna was one of the many colorful characters who make our community so rich. I'd like to extend my condolences to all of Edna's family and friends, and encourage everybody to celebrate a life well-lived. The south end won't be the same without her. Funeral Services will be held at Union Chapel on 55th Street."

Mr. Barr also mentioned the passing of Edna May and said that she had great pictures of Ocean City. He also informed everyone of the passing of Teresa Cogshall who had been an active OCCA member, serving as Recording Secretary and Chairperson of the Environmental and Beautification Committee for several years.

Mr. Hartzell said that both Edna May and Teresa Cogshall were great contributors to our town and they will both be missed.

Mr. DeVlieger commented on the ceremony taking place on 9/11 saying that it is critical that the kids attend. He encourages everyone to attend the ceremony. Also, Mr. DeVlieger said how impressed he was with the lifeguards during the Hermine storm watch.

Ms. Bergman thanked the administration for their efforts over the weekend relative to the Hermine storm watch. The city and administration was diligent in following the storm and the necessary actions needed step by step.

Mr. Wilson reminded everyone about the event being held by the Chamber of Commerce at the Flanders Hotel; the event is the Roast of Mr. Batastini and he encourages everyone to buy tickets and attend this event.

NEW BUSINESS:

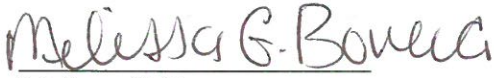
There wasn't any new business up for discussion.

CITIZEN COMMENT:

There was not anyone from the public who wished to speak.

Mr. Allegretto reminded everyone of the Street Rods event and also that the John Williams Tribute performed by the POPS has been rescheduled.

Mr. Madden asked for a motion to adjourn. Motion moved by Mr. Barr, seconded by Mr. Wilson. All ayes followed. 8:15 p.m.

A handwritten signature in cursive script that reads "Melissa G. Bovera". The signature is written in dark ink and is positioned above the printed name and title.

Melissa G. Bovera
City Clerk