

**CITY COUNCIL MEETING MINUTES
THURSDAY, NOVEMBER 16, 2017 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

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

Council President Mr. Madden called the meeting to order and asked everyone to rise for the flag salute and prayer. Ms. Bergman led the prayer. Mr. Madden announced that adequate notice of this meeting has been given pursuant to Public Law 1975, Chapter 231.

CITIZEN COMMENT:

Drew Fasey – Mr. Fasey spoke about the importance of open space and said that he is in favor of Ordinance No. 17-19.

Paul Chiolo – 1 Atlantic Avenue – Mr. Chiolo informed council that the planning board gave its approval for the Keller Williams building on 9th Street. He showed council an enlarged photo of the proposed building and explained that it was a two year process to complete the plan and get all of the necessary approvals. All of the financing is in place and the building would consist of 22% coverage.

Wayne Mozzo – 1333 Pleasure Avenue – Mr. Mozzo spoke about his concerns regarding the check valves on 14th Street. He had questions about the purchase of the check valves; he wanted to know what the preventive measures will be and he wanted to know when the new check valves will be installed.

David Breeden – 114 Victoria Lane – Mr. Breeden asked about the fire alarm system for the 6th Street bathrooms. He also spoke about having the funding in place for various city projects and asked specifically about the salt storage facility. He wanted to know the status and the budgeted amount for that structure.

REPORTS – MAYOR & ADMINISTRATION:

Business Administrator, James Mallon informed everyone about some up-coming events. Earlier than the Bird is on Saturday morning, November 18th; the city's annual Christmas tree lighting is next Friday, November 24th; and horse and carriage rides are being held both weekends. Mr. Mallon reminded everyone to check the Ocean City app for all the latest updates. Also, Mr. Mallon thanked everyone who attended and participated on Veteran's Day, especially Mr. and Mrs. Strange the guest speakers and he wished everyone a Happy Thanksgiving.

REPORTS – CITY COUNCIL:

Mr. DeVlieger informed everyone about the Homeless Youth fundraiser event being held at DiOrio's in Somers point on Saturday, November 18th at 6:00 p.m.

Ms. Bergman provided an update on the Tourism Commission and informed everyone about the workshop being held December 5th which will be a public meeting to discuss the Tourism budget for 2018.

ORDINANCES: FIRST READING & INTRODUCTION:

Mr. Madden asked for a motion to take up Ordinance No. 17-21 on first reading and introduction. Motion moved by Ms. Bergman, seconded by Mr. Barr. All ayes followed. The clerk read the ordinance. **Ordinance No. 17-21 – An Ordinance Establishing and Fixing a Range and Maximum Salary for Department Heads**

Business Administrator, James Mallon explained that this ordinance sets a salary range for department heads to allow for consistency and fairness when the administration is pursuing promotions and hiring team members.

There was some discussion between the governing body.

Mr. Madden asked for a motion to adopt Ordinance No. 17-21 on first reading and introduction. Motion moved by Mr. McClellan, seconded by Ms. Bergman. All ayes followed. Mr. Madden announced that second reading and public hearing will be held on November 30, 2017 and will be published according to law.

ORDINANCES: SECOND READING & PUBLIC HEARING:

Mr. Madden asked for a motion to take up Ordinance No. 17-19 on second reading and public hearing. Motion moved by Mr. McClellan, seconded by Mr. DeVlieger. All ayes followed with the exception of Mr. Hartzell who recused himself. The clerk read the ordinance by title. **Ordinance No. #17-19 – A Bond Ordinance Providing For Appropriating \$650,000 and Authorizing the Issuance of \$617,500 Bonds or Notes of the City to Finance Part of the Cost of the Acquisition By Negotiation or Condemnation of the Property Known as 903 Bay Avenue (Block 908-Lot 14)**

Ms. McCrosson explained that there is a hearing scheduled for December 4, 2017 and the determination will be made as to whether or not the city is entitled to pay the money into the court regarding the filing the declaration of taking. After the taking is on the record and money is in court, the city will then become owners of the property known as 903 Bay Avenue (Block 908-Lot 14).

There was discussion between the governing body.

Mr. Madden opened the meeting up for public comment on Ordinance No. 17-19.

Jim Tweed – 1512 Wesley Avenue – Mr. Tweed expressed his thoughts on eminent domain and he stated that he was in support of Ordinance No. 17-19.

Mr. Madden closed the public comment portion of the meeting.

Mr. Madden asked for a motion to adopt Ordinance No. 17-19 on second reading and public hearing. Motion moved by Mr. McClellan, seconded by Ms. Bergman. All ayes followed.

Mr. Madden asked for a motion to take up Ordinance No. 17-20 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.
Ordinance No. 17-20 - An Ordinance to Grant an Assignment of Easement by the City of Ocean City, Cape May County, New Jersey to the State of New Jersey, Department of Environmental Protection for the Purpose of Providing Access for the United States Army Corps of Engineers to Construct the Great Egg Harbor Inlet and Pecks Beach, New Jersey Project on Block 70.41, Lots 2 & 3 in the City of Ocean City

Business Administrator, James Mallon explained that this ordinance is asking council to approve the assignment of rights to the easement from the City alone, to the State and the city in order to enable the city and Army Corps of Engineers, the city's partners in beach projects, to construct and maintain the beach. This assignment will help maintain regular beach projects in the future.

There was discussion between the governing body.

Mr. Madden opened the meeting up for public comment on Ordinance No. 17-20. There was no public comment. Mr. Madden closed the public comment portion of the meeting.

Mr. Madden asked for a motion to adopt Ordinance No. 17-20. Motion moved by Mr. Barr, seconded by Mr. McClellan. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

The clerk read the consent agenda.

17-53-323 - #1 - A Resolution to Authorize the Advertisement of Specifications for City Contract #17-53, North End Drainage Improvements

17-53-324 - #2 - A Resolution to Authorize the Advertisement of Specifications for City Contract #18-16, Supply, Installation, Removal & Storage of City Owned Holiday Decorations for Various Locations

17-53-325 - #3 - A Resolution to Authorize the Advertisement of Specifications for City Contract #18-18, Downtown Streetscape Improvements

17-53-326 - #4 - A Resolution to Authorize the Advertisement of Specifications for City Contract #18-19, 9th Street Outfall Improvements

17-53-327 - #5 - A Resolution to Authorize the Advertisement of Specifications for City Contract #18-20, 2018 Mechanical Improvements to Various City Buildings – Phase I

17-53-328 - #6 - A Resolution Authorizing the Award of City Contract #17-13, 2017 Road Improvement Program - Phase II

17-53-329 - #7 - A Resolution Authorizing the Award of City Contract #18-07, Supply & Delivery of Police & Fire Department Uniforms

17-53-330 - #8 - A Resolution Authorizing the Award of RFP #Q-18-001, City Physician Services for the City of Ocean City

17-53-331 - #9 - A Resolution Authorizing the Award of RFP #Q-18-003, Risk Management Consultant Services for the City of Ocean City

17-53-332 - #10 - A Resolution Authorizing the Award of a Professional Service Contract between the City of Ocean City & Randy Scheule, Scheule Planning Solutions, LLC for Professional Planning Services for the Calendar Year 2018

17-53-333 - #11 - A Resolution Authorizing Change Order #3, Final Acceptance & Final Payment of City Contract #16-38, 2016 Road Improvement Program – Phase III

17-53-334 - #12 - A Resolution Authorizing Change Orders #1, 2, 6 & 7 Final Acceptance & Final Payment of City Contract #16-32, Site 83 Confined Disposal Facility Dredged Material Removal

17-53-335 - #13 - A Resolution Authorizing Change Order #1 to City Contract #17-49, Furnishing & Installation of Video Equipment at the Ocean City Music Pier

17-53-336 - #14 - A Resolution Authorizing the City's Participation in the Houston-Galveston Area Council of Governments National Cooperative Purchasing Program (HGAC-Buy) for Contract #PR-11-16, Parks & Recreation Equipment for the Department of Public Works & Community Services

17-53-337 - #15 - A Resolution Authorizing the City's Participation in the South Jersey Power Cooperative (SJPC) for the Award of SJPC Bid Contract # ITB A-29/2017, Natural Gas Supply Service

17-53-338 - #16 - A Resolution Authorizing the Application For and the Execution of a Subcontract with the County of Cape May for the Upper Township/Ocean City Municipal Alliance Program

17-53-339 - #17 - A Resolution Authorizing Transfers of Appropriations Reserve of the 2017 Local Municipal Budget Per N.J.S.A. 40A: 4-59

17-53-340 - #18 - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 872 St. James Place Block 6, Lot 28.01, Project 13-031PMSP

17-53-341 - #19 - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 4633 Central Avenue Block 4601, Lot 4, Project #16-020ZC

17-53-342 - #20 - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 636 West Avenue Block 606, Lot 10, Project #14-015ZSPF

17-53-343 - #21 - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 879 First Street Block 6, Lot 28.04, Project 13-031PMSP

17-53-344 - #22 - A Resolution Authorizing the Release of a Performance & Maintenance Guarantee for a Construction Project at 4445-47 Central Avenue Block 4401, Lot 1, Project #15-007ZC

17-53-345 - #23 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 15 Harbor Road Block 600 Lot 16, Project 16-005PMSF

17-53-346 - #24 - A Resolution Authorizing the Release for a Performance Guarantee for a Construction Project at 401 Asbury Avenue Block 407 Lot 10, Project 15-006PMSSP

17-53-347 - #25 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 1212-1238 Haven Avenue Block 1207, Lot 13-19.01, Project #13-033PMSSP

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

REMOVED RESOLUTION:

The clerk read the removed resolution.

17-53-348 - #26 - A Resolution Authorizing the Payment of Claims

Mr. DeVlieger said he would like to abstain from voting on the payment of claims resolution.

Mr. Madden opened the meeting up for public comment on Resolution No. 26. There was no public comment. Mr. Madden closed the public comment portion of the meeting.

Mr. Madden asked for a motion to adopt Resolution No. 26. Motion moved by Mr. Barr, seconded by Mr. McClellan. All ayes followed with the exception of Mr. DeVlieger who abstained.

PENDING BUSINESS:

Mr. Barr reminded everyone about the next 4th Ward meeting. Also, he asked about the decorative lights at 34th Street and wanted to know when they will be put up. Mr. Barr sends his condolences to Mr. Hartzell whose mother recently passed away.

Mr. McClellan asked when the 34th Street Bridge will be closed.

Mr. Hartzell thanked everyone for the outpouring of love and support for his mother who has recently passed away. He also thanked the OCNJ Daily for writing a tribute piece about his mother and he thanked Godfrey Funeral Home for their professionalism and their kindness.

Mr. DeVlieger sends his condolences to Mr. Hartzell. He also commented on the family who were the guest speakers on Veteran's Day and said what a phenomenal job they did. Mr. DeVlieger told everyone about the beef and beer event, Sleeping out for the Homeless Youth.

Ms. Bergman thanked the Chamber of Commerce for the recent event that was held, "Citizen of the Year." She also said that Mr. Hartzell's mother June will be greatly missed and said that Mr. Hartzell was a great son to his mother.

NEW BUSINESS:

Council wished everyone a very Happy Thanksgiving.

CITIZEN COMMENT:

There wasn't anyone from the public who wished to speak.

ADJOURN:

Mr. Madden asked for a motion to adjourn. Motion moved by Mr. McClellan, seconded by Mr. Hartzell. All ayes followed. 8:04 p.m.



Melissa G. Rasner, RMC
City Clerk