

**CITY COUNCIL MEETING MINUTES
THURSDAY, MARCH 22, 2018 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Mr. Barr, Ms. Bergman (7:05 p.m.), Mr. DeVlieger, Mr. McClellan, Mr. Wilson and Mr. Madden. Present also was Mayor Jay A. Gillian, Business Administrator, James Mallon and Solicitor, Dorothy McCrosson. Mr. Hartzell was absent.

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

CITIZEN COMMENT:

David Breeden – 114 Victoria Lane – Mr. Breeden commented that the Emergency Management team and the Department of Public Works did a great job keeping everyone informed during the past storm and the streets were well taken care of. Mr. Breeden also had questions and comments about resolutions on the agenda for approval, specifically resolution numbers 2, 11 and 13.

APPROVAL OF MINUTES:

Mr. DeVlieger asked that the minutes of the March 8, 2018 regular city council meeting be amended; during public comment both Mr. Giordano and Mr. Grimes asked council to consider legalizing cannabis medically and also for recreational use in Ocean City.

Mr. Madden asked for a motion to approve the regular city council meeting minutes of March 8, 2018 as amended. Motion moved by Mr. DeVlieger, seconded by Mr. McClellan. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION:

Business Administrator, James Mallon spoke about Resolution No. 11 on the agenda for approval which is an important step toward improving the city's standing in the National Flood Insurance Program's CRS program. Also, Resolution No. 12 on the agenda for approval is a partnership with NJ DEP Division of Fish and Wildlife. The city is pursuing parallel paths for the beneficial reuse of dredge materials and this resolution puts the city in the position to begin to rebuild wetlands in the bay, and specifically Shooting Island, the size of which has been reduced by erosion. Mr. Mallon also reported that all floors of gardens plaza are re-opened and residents are allowed to return. Thanks go out to the city's construction team for helping expedite permit applications and inspections to aid residents. In regard to the city's efforts to acquire 903 Bay Avenue, the former Exxon gas station property, Mr. Mallon reported that the trial judge conducted a settlement conference in the condemnation proceeding with the goal of resolving the litigation without further attorney's fees and court costs for either party. However, the defendant's expectations of value so greatly exceeded the appraised value of the property that the city was unable to reach an agreement. In light of what the city would have to pay in combined litigation and acquisition costs, the city voluntarily withdrew its condemnation complaint. The city will continue to pursue more cost-effective opportunities for using taxpayer dollars to acquire open space. The owner is now free to pursue whatever plans he has for the property. Lastly, Mr. Mallon informed everyone that the 34th Street Bridge will be closed for two hours overnight from 3:00 a.m. until 5:00 a.m.

REPORTS – CITY COUNCIL:

Mr. Barr reported that the Utility Advisory Commission is looking to make changes to their ordinance and once the board is ready he will bring the proposed ordinance forward.

ORDINANCES: FIRST READING & INTRODUCTION

Mr. Madden asked for a motion to take up Ordinance No. 18-04 on first reading and introduction. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 18-04 – An Ordinance Amending Ordinance #87-17, Chapter XXX, “Municipal Fees” of the Revised General Ordinances of the City of Ocean City, New Jersey (Electric Golf Cart Fees)**

Ms. McCrosson explained that this ordinance allows for a minor change to the fee for the Electric cart rental per person. The proposed fee will be \$10.00 per player, year round as opposed to \$20.00 per round.

Mr. Madden asked for a motion to adopt Ordinance No. 18-04 on first reading and introduction. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed. Mr. Madden announced that second reading and public hearing will be held April 12, 2018 and will be published according to law.

Mr. Madden asked for a motion to take up Ordinance No. 18-05 on first reading and introduction. Motion moved by Mr. Wilson, seconded by Mr. Barr. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 18-05 – An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank per (N.J.S.A. 40A:4-45.14) for Calendar Year 2018**

CFO, Frank Donato explained that this ordinance relates to the 2018 Local Municipal Budget. There are two (2) caps that the city is required to comply with as per state law. This allows the city to increase the budget up to 3.5% or bank it for future budgets.

Mr. Madden asked for a motion to adopt Ordinance No. 18-05 on first reading and introduction. Motion moved by Mr. Barr, seconded by Ms. Bergman. All ayes followed. Mr. Madden announced that second reading and public hearing will be held April 26, 2018 and will be published according to law.

Mr. Madden asked for a motion to take up Ordinance No. 18-06 on first reading and introduction. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 18-06 - An Ordinance Amending and Supplementing Chapter X, Personnel Policies, Section 10-3 "Background Checks for Employees and Volunteers" of the Revised General Ordinances of the City of Ocean City**

Solicitor, Ms. McCrosson explained that this ordinance will keep the city in compliance with statute changes in regard to EOC guidance requirements.

Mr. Madden asked for a motion to adopt Ordinance No. 18-06 on first reading and introduction. Motion moved by Mr. Barr, seconded by Mr. Wilson. All ayes followed. Mr. Madden announced that second reading and public hearing will be held April 12, 2018 and will be published according to law.

RESOLUTION - NON-CONSENT:

18-54-125 - #1 - A Resolution Introducing the 2018 Local Municipal Budget (to follow)

CFO, Frank Donato provided an explanation and discussed the budget document with the governing body.

Mr. Madden opened the meeting up for public comment on the introduced budget.

David Breeden – 114 Victoria Lane – Mr. Breeden commented that the tax collection rate in in Ocean City is 99.3% and he also discussed allowance for uncollected taxes.

Mr. Madden closed the public comment portion of the meeting and asked for a motion to approve the introduction of the 2018 Local Municipal Budget. Motion moved by Ms. Bergman, seconded by Mr. Wilson. All ayes followed.

Mr. Madden announced that second reading and public hearing is scheduled for April 26, 2018 and will be published according to law.

RESOLUTIONS – CONSENT AGENDA:

18-54-126 - #2 - A Resolution Authorizing the Advertisement of Specifications for City Contract #18-27, Acquisition of One (1) 43,000 GVW Dump Truck

18-54-127 - #3 - A Resolution Authorizing the Award of City Contract #18-28, Acquisition of Two (2) 2018 or Newer One Man Refuse Collection System Vehicle

18-54-128 - #4 - A Resolution Authorizing the Award of City Contract #18-24 R-1, Lease of City Owned Beach Parcels

18-54-129 - #5 - A Resolution Authorizing the Award of City RFP #Q18-007 R-1, Professional Tennis Instructor Services for the City of Ocean City

18-54-130 - #6 - A Resolution Authorizing a Professional Services Contract between the City of Ocean City and Bestco Benefit Plans LLC D/B/A Benistar as the Provider of the Retiree Health Care Benefit Program

18-54-131 - #7 - A Resolution Authorizing Final Acceptance & Final Payment of City Contract #16-15, of Boardwalk Reconstruction from 8th to 10th Street

18-54-132 - #8 - A Resolution Authorizing the City's Participation in the National Joint Powers Alliance (NJPA) National Cooperative Purchasing Program for Contract #120716-NAF, Vehicles, Cars, Vans, SUVs and Light Trucks with National Auto Fleet Group for the Department of Fire & Rescue Services

18-54-133 - #9 - A Resolution Authorizing the City's Participation in State Contract T-2776, Police Vehicles: Sedans, Sport Utility Vehicles and Trucks for the Acquisition Purchase of One (1) 2018 or Newer Chevrolet Tahoe SSV 4WD Vehicle for the Department of Fire & Rescue Services

18-54-134 - #10 - A Resolution Authorizing the Installation of Telecommunications Equipment Pursuant to the Right-of-Way Use Agreement with NextG Networks of NY, Inc.

18-54-135 - #11 - A Resolution Approving Atlantic-Cape Multi-Jurisdictional Program For Public Information (Complete copy is available in the City Clerk's office)

18-54-136 - #12 - A Resolution Authorizing the Execution of a Memorandum of Agreement with the State of New Jersey, Department of Environmental Protection, Division of Fish and Wildlife Regarding the Placement of Dredge Materials on the Cape May County Wetland Wildlife Management Area

18-54-137 - #13 - A Resolution Authorizing the Sale of City Property That Has Been Deemed Surplus or Abandoned with Govdeals, Inc.

18-54-138 - #14 - A Resolution Authorizing the Payment of Claims

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

PENDING BUSINESS:

Mr. Barr reported that the recent 4th ward meeting went very well and he thanked the Mayor for attending.

Mr. McClellan wished everyone a Happy Easter and he also asked Mr. Bergan, Public Information Officer to let everyone know about the up-coming events including dates and times.

Mr. DeVlieger reminded everyone about the high school play, "The Adams Family" opening this weekend. The kids in the play put on a great performance and he encourages everyone to go and see it.

NEW BUSINESS:

No new business was discussed.

CITIZEN COMMENT:

David Breeden – 114 Victoria Lane – Mr. Breeden spoke about the 6th Street bathroom project and asked for more transparency.

ADJOURN:

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



Melissa Rasner, RMC
City Clerk

