

**CITY COUNCIL MEETING MINUTES  
THURSDAY, APRIL 12, 2018 – 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 Jay A. Gillian, Solicitor, Dorothy McCrosson, and Director of Community Services, Michael Allegretto. Business Administrator, James Mallon 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.

Mayor and Council presented a proclamation recognizing April 2018 as Parkinson Awareness Month. Mr. Madden read the proclamation aloud.

**RESOLUTIONS – NON-CONSENT:**

Mr. Madden announced that “A Resolution Remembering William John Meis, Jr.” has been removed from the agenda this evening and will be presented at a later date.

Council and Administration presented “A Resolution Remembering Nancy Hughes.” Mr. Hartzell read the resolution aloud. Mr. Hughes who was joined by his family, spoke about his wife, their love of Ocean City and he thanked the administration and council for recognizing her tonight.

Mr. Madden opened the meeting up to the public for comments on the resolution. No one wished to speak. Mr. Madden closed the public comment portion of the meeting.

Mr. Madden asked for a motion to adopt the resolution. Motion moved by Mr. Hartzell, seconded by Mr. Wilson. All ayes followed.

**CITIZEN COMMENT:**

**Ed O'Donnell – Port O' Call** – Mr. O'Donnell spoke about what you can do for self-renewal to feel better and he also spoke about the news media being kinder, nicer and fair.

**Wayne Mozzo – 1333 Pleasure Avenue** – Mr. Mozzo spoke about the check valves at 14<sup>th</sup> and Pleasure. The most recent storm left no flooding and zero water under the houses. He thanked the Mayor, Mr. Hartzell and Mr. Bekier for following up over the winter months. He also suggested doing a post-moratorium on the experience to determine what worked and what had failed.

**Donna Moore – 21 Ocean Avenue** – Ms. Moore spoke about her concerns in regard to chemicals that are being put in the soil and she recommended an environmentally safe option for the city to consider.

**Ed Price – 7 Marlin Court** – Mr. Price respectfully asked council to cancel bond ordinances 17-18 and 17-19. He also wanted to know why the city is still storing salt at the Shelter Road facility.

**John Flood – 22 Arkansas Avenue** – Mr. Flood said it was very nice to recognize Ms. Hughes this evening. Also, he had questions about resolutions 9, 10 and 11 on the agenda for approval.

**Dave Breeden – 114 Victoria Lane** – Mr. Breeden asked about agenda items having to do with entertainers and performers being charged to the operating budget. He said that he supports the 6<sup>th</sup> Street bathrooms and asked that all aspects of the project be fully disclosed.

**APPROVAL OF MINUTES:**

Mr. Madden asked for a motion to approve the regular city council meeting minutes of Thursday, March 22, 2018. Motion moved by Mr. Hartzell, seconded by Mr. Wilson. All ayes followed.

**REPORTS – MAYOR & ADMINISTRATION:**

Mr. Allegretto provided an explanation on resolutions 9, 10 and 11 on the agenda for approval. Having the entertainers is an opportunity to offset the costs and the performers are also going to participate in Night and Venice and appear in the boat parade. Doing so helps to create the opportunity to promote Ocean City to reach an even larger market.

**REPORTS – CITY COUNCIL:**

Mr. Barr reported that the Utility Advisory Commission plans to bring forward revisions to their ordinance and hopes to adopt the new version in the fall.

Mr. Hartzell commented on Community Services and stated that it is designed to give back to the community and also to help put forth the effort to keep kids safe.

Mr. DeVlieger stated that he wants to continue to look at ways to draft an ordinance opposing the legalization of recreational marijuana in Ocean City. Also, Mr. DeVlieger commended the Police Department for the Share Your Keys program that they have done at the schools.

Ms. Bergman reported on the Tourism Commission meeting that was held today. They discussed their 2018 advertising campaign and the commission will utilize TV and social media as well as a contest which will track the advertising on the internet. Ms. Bergman reported that last year there was over 3 million views on the Facebook page. She encouraged everyone to download the new app on their phones which will include a calendar of events, rental information and Chamber of Commerce information. She also said that she is happy to see events being enhanced with celebrities.

Mr. Wilson addressed Ms. Moore's comments and he said he does understand the concern about toxins.

#### **ORDINANCES: SECOND READING & PUBLIC HEARING**

Mr. Madden asked for a motion to take up Ordinance No. 18-04 on second reading and public hearing. Motion made by Mr. Wilson, seconded by Ms. Bergman. 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 (Electric Golf Cart Fees)**

Solicitor, Ms. McCrosson explained 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 opened the meeting up for public comment on Ordinance No. 18-04. There was not anyone who wished to speak. Mr. Madden closed the public comment portion of the meeting.

Mr. Madden asked for a motion to adopt Ordinance No. 18-04 on second reading. Motion moved by Mr. Wilson, second by Mr. McClellan. All ayes followed.

Mr. Madden asked for a motion to take up Ordinance No. 18-06 on second reading and public hearing. Motion moved by Mr. Barr, seconded by Mr. Wilson. 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 opened the meeting up for public comment on Ordinance No. 18-06. There was not anyone who wished to speak. Mr. Madden closed the public comment portion of the meeting.

Mr. Madden asked for a motion to adopt Ordinance No. 18-06 on second reading. Motion moved by Mr. Wilson, seconded by Mr. Barr. All ayes followed.

#### **RESOLUTIONS – CONSENT AGENDA:**

**18-54-140 - #3** - A Resolution Authorizing the Advertisement of Specifications for City Contract #18-35, Acquisition & Installation of Kentucky Bluegrass Sod

**18-54-141 - #4** - A Resolution Authorizing the Advertisement of Specifications for City Contract #18-37 Bayside Center Improvements-Phase 1A

**18-54-142 - #5** - A Resolution Authorizing the Award of City Contract #18-06, Digital Recording Production Services for the City of Ocean City & the Ocean City Cooperative Pricing System (#251COCCPS)

**18-54-143 - #6** - A Resolution Authorizing the Award of a Contract between the City of Ocean City and Scott Coutler/Spot On Entertainment for the Appearance of Wonderful Music of Oz with the Ocean City Pops on Sunday, August 12, 2018

**18-54-144 - #7** - A Resolution Authorizing the Award of a Contract between the City of Ocean City and Scott Coutler/Spot On Entertainment for the Appearance of Bernstein/Robbins: A Centennial Celebration or a Broadway Centennial with the Ocean City Pops on Wednesday, August 1, 2018

**18-54-145 - #8** - A Resolution Authorizing the Award of a Contract between the City of Ocean City and Scott Coutler/Spot on Entertainment for the Appearance of Jerry Herman: The Broadway Legacy Concert with the Ocean City Pops on Wednesday, August 15, 2018

**18-54-146 - #9** – A Resolution Authorizing the Award of a Contract between the City of Ocean City and Shade Global, Inc. for the Appearance of Val Chmerkovskiy as the Grande Marshall for the Night-In-Venice Parade & a Meet N Greet on Saturday, July 28, 2018

**18-54-147 - #10** - A Resolution Authorizing the Award of a Contract between the City of Ocean City and Shade Global, Inc. for the Appearance of Laurie Hernandez as the Grande Marshall for the Night-In-Venice Parade & a Meet N Greet on Saturday, July 28, 2018

**18-54-148 - #11** - A Resolution Authorizing the Award of a Contract between the City of Ocean City and New Leaf Marketing, Inc. for the Appearance of Jon Dorenbos on Friday, July 27, 2018 at the Ocean City Music Pier & at the Night-In-Venice Boat Parade

**18-54-149 - #12** - A Resolution Authorizing Change Order #3 for City Contract #17-13, 2017 Road Improvement Program – Phase 2

**18-54-150 - #13** - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 801 St. Charles Place, Block 102, Lot 54, Project #14-020ZC

**18-54-151 - #14** - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 66 E. Station Road, Block 70.07, Lot 14, Project #14-023ZC

**18-54-152 - #15** - A Resolution Amending City Policy 2.39 “Background Check Policy For Employees”

**18-54-153 - #16** - A Resolution Authorizing the Payment of Claims

**18-54-155 - #18** - A Resolution Authorizing the Award & Change Order #1 of City Contract #17-24, 2017 Landscape & Site Improvements at Various Locations – Alternate “A”

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

**RESOLUTION NON-CONSENT:**

**18-54-154 - #17** - A Resolution Authorizing a Closed Executive Session for the Purpose of Reviewing the Status of Pending Litigation to which Ocean City is a Party - Flood Development, LLC Intervention IMO the Application of the City of Ocean City; Affordable Housing Proposal

Administration had asked to pull this resolution, provided an explanation and Solicitor, Ms. McCrosson informed everyone that Mayor Gillian will not be present for the Executive Closed Session due to the election (he will recuse himself from all litigation).

Mr. Madden opened the meeting up for public comment on Resolution No. 17.

**John Flood – 22 Arkansas Ave** – Mr. Flood informed everyone that stated that he is not part of the litigation and that Flood, LLC is his son’s project.

Mr. Madden closed the public comment portion of the meeting and asked for a motion to adopt Resolution No. 17. Motion made by Mr. Barr, seconded by Ms. Bergman. All ayes followed.

**PENDING BUSINESS:**

Mr. DeVlieger thanked Ms. Moore for her efforts and said that the city should explore eco-friendly products and try to utilize them within reason.

Mr. McClellan thanked Mr. Allegretto and Ms. Carabello for their efforts helping with the Juneteenth event.

Mr. Barr commented that Ms. Moore is to be commended for her dedication to her cause and the city will continue to look at options and do their research. Also, Mr. Barr informed everyone that the American Legion will be having a ribbon cutting on Saturday at 12 noon and it is open to the public and the Ocean City Education Foundation is being held Friday at 6:00 p.m. at the Flanders Hotel. On Wednesday, April 18<sup>th</sup> the Ocean City Democratic Club will be hosting a non-partisan dinner at the Tuckahoe Inn honoring Mr. Grimes, Mr. Woods, Mr. Hughes and Mr. Salmon and the proceeds go to scholarships.

Mr. Wilson thanked the 7<sup>th</sup> Street Surf Shop for hosting the fashion show and said it was a great event and a lot of fun.

**CITIZEN COMMENT:**

**Donna Moore – 21 Ocean Avenue** – Ms. Moore had questions about Resolution No’s 3 and 18.

**Dave Breeden – 114 Victoria Lane** – Mr. Breeden spoke about the importance of keeping the boardwalk and schools safe. He suggested having an assigned, dedicated officer at the schools in an effort to do everything possible to protect kids.

Mr. Madden asked for a motion to go into closed session. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed.

**ADJOURN:**

Mr. Madden asked for a motion to adjourn. Motion moved by Mr. McClellan, seconded by Mr. Wilson. All ayes followed.



**Melissa Rasner, RMC**  
City Clerk