

**CITY COUNCIL MEETING MINUTES  
THURSDAY, JANUARY 10, 2019 – 7:00 PM  
CITY HALL COUNCIL CHAMBERS**

**ATTENDANCE:** Mr. Barr, Ms. Bergman, Mr. DeVlieger, Mr. Hartzell (7:10 p.m.), Mr. McClellan, Mr. Wilson and Mr. Madden. Present also was Mayor Gillian, Business Administrator, Mr. Savastano and Solicitor, Ms. McCrosson.

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:**

**Dave Breeden – 114 Victoria Lane** – said he is in favor of Ordinance No. 19-01. He gave his comments on the regarding the Klause property located on 16<sup>th</sup> and Haven.

**Steve Fenichel – 2117 Bay Avenue** – said that he is proud of the way that Ocean City honors, Dr. Martin Luther King, Jr. He also spoke about Ordinance No. 19-01 and he is not in favor.

**APPROVAL OF MINUTES:**

Mr. Madden asked for a motion to approve the regular city council meeting minutes of Thursday, December 27, 2018. Motion moved by Mr. McClellan, seconded by Mr. Barr. All ayes followed.

**REPORTS – MAYOR & ADMINISTRATION:**

There weren't any reports given.

**REPORTS – CITY COUNCIL:**

There weren't any reports given.

**ORDINANCES: FIRST READING & INTRODUCTION:**

Mr. Madden asked for a motion to take up Ordinance No. 19-01 on first reading and introduction. Motion moved by Mr. Barr, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title.

**Ordinance No. 19-01** - An Ordinance Amending Chapter XXV, Ocean City Zoning and Land Development Ordinances of the City of Ocean City, Section 25-203.5, "Prohibited Uses and Structures In All Zones"

Solicitor, Ms. McCrosson provided an explanation. This ordinance will prohibit businesses which cultivate, manufacture, test or sell marijuana and marijuana paraphernalia.

Mr. Madden asked for a motion to approve Ordinance No. 19-01 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 on Ordinance No. 19-01 is scheduled for Thursday, February 14, 2019 and will be published according to law.

**RESOLUTION – NON-CONSENT:**

The clerk read the title of the non-consent resolution. - **19-55-121 - #1** - A Resolution Adopting the 2019 Budget of the Special Improvement District of the City of Ocean City

CFO, Mr. Donato provided an explanation and there was discussion between the governing body members.

Mr. Madden opened the meeting up for public comment on the resolution.

**Dave Breeden – 114 Victoria Lane** – said he is in favor of the budget of the Special Improvement District. He said it operates well and does and does a number of good things for the City.

Mr. Madden closed the public comment portion of the meeting and asked for a motion to approve Resolution No. 1. Motion moved by Mr. Barr, seconded by Mr. McClellan. All ayes followed.

Solicitor, Ms. McCrosson requested that council amend the consent agenda to add a resolution "Authorizing Change Order #20 to City Contract #17-53, North End Drainage Improvements"

Mr. Madden asked for a motion to amend the consent agenda to add a resolution authorizing Change Order #20 to City Contract #17-53, North End Drainage Improvements." Motion moved by Ms. Bergman, seconded by Mr. DeVlieger. All ayes followed.

Mr. DeVlieger asked to remove Resolution No. 22 from the consent agenda because he wanted to abstain from voting on that particular resolution.

The clerk read the resolution title. **19-55-142 - #22** - A Resolution Authorizing the Payment of Claims

Mr. Madden opened the meeting up to the public and no one wished to speak. Mr. Madden closed the public comment portion of the meeting on Resolution No. 22.

Mr. Madden asked for a motion to approve Resolution No. 22. Motion moved by Mr. Barr, seconded by Mr. Wilson. All ayes followed with the exception of Mr. DeVlieger who abstained.

**RESOLUTIONS – CONSENT AGENDA:**

19-55-122 - #2 - A Resolution to Authorize the Advertisement and Approval of Specifications For City Contract #19-17, Site 83 Confined Disposal Facility Dredge Material Removal

19-55-123 - #3 - A Resolution Authorizing the Award of a Contract to Fire & Safety Services, Ltd for Warranty, Maintenance & Service of the Pierce Fire Trucks for the Department of Fire & Rescue Services for the 2019 Calendar Year

19-55-124 - #4 - A Resolution Authorizing the Award of a Contract to VCI, Emergency Vehicle Specialists for Maintenance and Service of the Department of Fire & Rescue Services Ambulances for the 2019 Calendar Year

19-55-125 - #5 - A Resolution Authorizing the Award of a Contract between the City of Ocean City and Edmunds and Associates, Inc. for the 2019 Software Maintenance Contract for the Financial Management System

19-55-126 - #6 - A Resolution Authorizing the Award of a Contract between the City of Ocean City and Cody Computer Services, Inc. for the 2019 Software Maintenance Contract for Computer Aided Dispatch (CAD) Records Management Services (RMS) for the City of Ocean City

19-55-127 - #7 - A Resolution Authorizing the Award of a Contract between Beesley's Point Sea Doo and the City of Ocean City for Acquisition, Repair & Maintenance of Sea Doo's

19-55-128 - #8 - A Resolution Authorizing the Award of a Contract between Atlantic City Cycle and the City of Ocean City for Acquisition, Repair & Maintenance of Polaris Vehicles

19-55-129 - #9 - A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & ARH Associates for LSRP & Engineering Services for the City's Fuel Facilities Project

19-55-130 - #10 - A Resolution Authorizing an Agreement for Substitute Municipal Prosecutors for the Ocean City Municipal Court for the 2019 Calendar Year

19-55-131 - #11 - A Resolution Authorizing Final Acceptance and Final Payment of City Contract #17-09, R-1, Community Center Cooling Tower Replacement & Cold Air Intrusion

19-55-132 - #12 - A Resolution Authorizing the Usage of Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12(A) & N.J.A.C. 5:34-7.29(C) for the Calendar Year 2019

19-55-133 - #13 - A Resolution Establishing the Ocean City's "Green Team" for the Calendar Year 2019

19-55-134 - #14 - A Resolution Appointing Joseph S. Clark, QPA City Purchasing Manager as the Public Agency Compliance Officer (P.A.C.O.) for the City of Ocean City

19-55-135 - #15 - A Resolution Reappointing Melissa Rasner, RMC as City Clerk of the City of Ocean City

19-55-136 - #16 - A Resolution Establishing Interest Rates for Delinquent Tax Payments and Other Municipal Charges

19-55-137 - #17 - A Resolution Providing for a Temporary Budget for the City of Ocean City, New Jersey for Fiscal Year 2019

19-55-138 - #18 - A Resolution Authorizing the Tax Assessor to File Tax Appeals on Behalf of the City of Ocean City

19-55-139 - #19 - A Resolution Deferring School Tax to 2019

19-55-140 - #20 - A Resolution Authorizing Transfers of Appropriation Reserves of the 2018 Local Municipal Budget Per N.J.S.A. 40A: 4-59

19-55-141 - #21 - A Resolution Authorizing a Cash Management Plan for the City of Ocean City

Added at the Table - #23 - 19-55-143 - A Resolution Authorizing Change Order #20 to City Contract #17-53, North End Drainage Improvements

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

**PENDING BUSINESS:**

Mr. Barr reminded everyone about the next 4<sup>th</sup> ward meeting being held January 26<sup>th</sup> at 10:00 a.m. in the lecture hall at the Ocean City Free Library. Cape May County Prosecutor Jeffrey Sutherland will be at the ward meeting discussing some of the next initiatives that the prosecutor's office is undertaking as well as services that his office offers to the community.

Mr. McClellan reminded everyone about the annual Dr. Martin Luther King, Jr. celebration being held, Monday January 21<sup>st</sup> at noon at the Bill and Nancy Hughes Performing Arts Center (Ocean City High School). Following the ceremony, the community soul food dinner will be in the cafeteria. Also, the 2019 Martin Luther King Community Service Award will be given to Sally Onesty for her commitment to fighting the opioid epidemic.

**NEW BUSINESS:**

Business Administrator, Mr. Savastano reminded everyone about the town hall meeting being held Saturday, January 12, 2019 at the Tabernacle to discuss Affordable Housing. The meeting is open to the public and will begin at 10:00 a.m.

**CITIZEN COMMENT:**

**Marie Hayes – 641 Battersea Road** – said that she is in favor of Ordinance No. 19-01.

**ADJOURN:**

Mr. Madden asked for a motion to adjourn. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed. 7:25 p.m.



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**Melissa Rasner, City Clerk**