

**CITY COUNCIL MEETING MINUTES
THURSDAY, AUGUST 8, 2019 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

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

City Clerk, Melissa Rasner called the meeting to order and asked for a motion to designate one of the council members in attendance to preside over tonight's meeting. Mr. Barr nominated Mr. Hartzell, seconded by Ms. Bergman. All ayes followed. Mr. Hartzell asked everyone to rise for the flag salute and prayer. Ms. Bergman led the prayer. Mr. Hartzell announced that adequate notice of this meeting has been given pursuant to Public Law 1975, Chapter 231.

ADMINISTRATIVE REPORTS:

Business Administrator, Mr. Savastano provided a report on the hiring of East Coast Falcons as related to Resolution # 2 on the agenda for approval.

CITIZEN COMMENT:

David Hayes – 641 Battersea Road – gave comments regarding Ordinance No. 19-12 and asked what the city's plan is for the property. He said that he supports the ordinance.

Rick Bertsch – 117 Bark Drive – provided comments about Resolution No. 2 and said that he understands the need, but said it is also the responsibility of the boardwalk merchants to pay for the cost.

Marty Mozzo - 3803 Westminster Lane – said that the pump by Westminster Lane appeared to not be working and he referenced an OPRA request that he submitted. He said that inspections need to be done more often because the pumps are the last defense to keep flood waters out.

Donna Moore – 21 Ocean Avenue – thanked Mr. Savastano for providing a report on East Coast Falcons and thanked councilmen for taking time to speak with her about her concerns. She suggested the city research other options for the seagull issues; a more semi-permanent solution that would save the city money. She is concerned about hungry birds.

APPROVAL OF MINUTES:

Mr. Hartzell asked for a motion to approve the regular city council meeting minutes of Thursday, July 25, 2019. Motion moved by Mr. Barr, seconded by Ms. Bergman. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION:

No reports were given.

REPORTS – CITY COUNCIL:

Mr. DeVlieger said that he has noticed a reduction of seagulls on the beach and in the Gardens section of the city. He thinks it is a good experiment so far with the falcons and suggested reviewing the issue again in the fall.

Mr. Barr supports Resolution No. 2 and said that it was scary to see seagulls swarming during an incident where teenagers put a box of popcorn in the middle of the boardwalk.

ORDINANCE: FIRST READING & INTRODUCTION:

Mr. Hartzell asked for a motion to take up Ordinance No. 19-11 on first reading and introduction. Motion moved by Mr. DeVlieger, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 19-11 – An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised Ordinances of the City of Ocean City, Drive-In Business (DB) Zone**

Solicitor, Ms. McCrosson provided an explanation. This ordinance eliminates the requirement for access via rear alley or private driveway for the R-1-30 conditional use in the Drive-In Business Zone.

Mr. Hartzell asked for a motion to adopt Ordinance No. 19-11 on first reading and introduction. Motion moved by Ms. Bergman, seconded by Mr. DeVlieger. All ayes followed. Mr. Hartzell announced that second reading and public hearing for Ordinance No. 19-11 is scheduled for Thursday, September 12, 2019 and will be published according to law.

Mr. Hartzell asked for a motion to take up Ordinance No. 19-12 on first reading and introduction. Motion moved by Mr. McClellan, seconded by Mr. DeVlieger. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 19-12 – An Ordinance of the City of Ocean City, County of Cape May, New Jersey, Authorizing the Acquisition by Purchase or Condemnation of (1) 1600 Haven Avenue (Block 1606, Lot 3) and (2) 1601-43 Simpson Avenue, 1620 Haven Avenue, 1628-38 Haven Avenue, 1640 Haven Avenue and 1644-46 Haven Avenue (Block 1606, Lots 2, 3.01, 4, 5 and 6)**

Solicitor, Ms. McCrosson provided an explanation. This ordinance allows city council to authorize the acquisition of the listed properties by either contract or condemnation if an agreement cannot be reached with the owners.

Mr. Hartzell asked for a motion to adopt Ordinance No. 19-12 on first reading and introduction. Motion moved by Mr. McClellan, seconded by Mr. Barr. All ayes followed. Mr. Hartzell announced that second reading and public hearing for Ordinance No. 19-12 is scheduled for Thursday, August 22, 2019.

RESOLUTIONS – CONSENT AGENDA:

- 19-56-001 - #1** - A Resolution Authorizing the Award of City Contract #18-40, Music Pier Roof Replacement
- 19-56-002 - #2** - A Resolution Declaring that an Emergent Condition Exists and Authorizing an Award of a Contract to East Coast Falcons for Seagull Abatement for the City of Ocean City
- 19-56-003 - #3** - A Resolution Authorizing the Award of a Contract between the City of Ocean City & Engineering Design Associates, P.A. for Analysis of the City of Ocean City's Outfalls
- 19-56-004 - #4** - A Resolution Authorizing the Award of a Contract between the City of Ocean City & Engineering Design Associates, P.A. for the Redesign of Grimes Field
- 19-56-005 - #5** - A Resolution Authorizing Change Order #6 & #5 Revisions for City Contract #16-45, Ocean City Drainage Improvements
- 19-56-006 - #6** - A Resolution Authorizing Change Order #2 to City Contract #19-17, 2019 Site 83 Confined Disposal Facility Dredged Material Removal
- 19-56-007 - #7** - A Resolution Authorizing Change Order #3 to City Contract #18-31, 2018 Back Bay Mechanical Dredging
- 19-56-008 - #8** - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 2953 West Avenue, Block 2903, Lot 3, Project #18-017ZBA
- 19-56-009 - #9** - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 107 & 111 E. Atlantic Blvd, Block 70.34, Lot(s) 8 & 9, Project #16-003PMN
- 19-56-010 - #10** - A Resolution Authorizing the Extension of the Grace Period for the August 2019 Tax Quarter
- 19-56-011 - #11** - A Resolution Authorizing and Establishing a General Policy for the Utilization of Fund Balance as Part of the Municipal Budget Process
- 19-56-12 - #12** - A Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2019, of the City of Ocean City, in the County of Cape May, New Jersey, Into a Single Issue of Bonds Aggregating \$85,000,000 in Principal Amount
- 19-56-013 - #13** - A Resolution Determining the Form and other Details of \$85,000,000 General Improvement Bonds, Series 2019, of the City of Ocean City, in the County of Cape May, New Jersey, and Providing for Their Sale
- 19-56-014 - #14** - A Resolution Authorizing the Payment of Claims

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

PENDING BUSINESS:

Mr. Barr asked that everyone keep Mr. Betson in their thoughts and prayers.

NEW BUSINESS:

Mr. McClellan spoke about the recent celebration honoring Mr. Joe Caserta. He said he is happy and proud to be a part of supporting Veterans.

Mr. DeVlioger spoke about Mr. Caserta and said that we are blessed to have him around and that he is a true inspiration.

Mr. Hartzell thanked the Mayor for helping out and being there for a catastrophe at his building. Also, Officer Gheen and Officer Hopely were there to help and Mr. Hartzell said as a taxpayer he couldn't be happier.

CITIZEN COMMENT:

Dave Hayes – 641 Battersea Road – spoke highly of the Ocean City Tabernacle, their services and their free concerts. He encouraged everyone to take part.

Donna Moore – 21 Ocean Ave – complimented the Gazette article about shade trees and talked about the value that trees offer. She suggested the city plant native trees on 9th Street.

Susan Cracovaner – 156 Asbury Ave – said that there has been an improvement with Gold Medal's services; kudos to Mr. Savastano. Also, she commented on the seagull abatement program and suggested the city put together a task force over the winter to help mitigate the problem with the seagulls.

ADJOURN:

Mr. Hartzell asked for a motion to adjourn. Motion moved by Mr. Barr, seconded by Ms. Bergman. All ayes followed. 8:00 p.m.


Melissa Rasner, City Clerk