

**CITY COUNCIL MEETING MINUTES
THURSDAY, JANUARY 23, 2020 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Mr. Barr, Ms. Bergman, Mr. DeVlieger, Mr. Hartzell, Mr. Wilson, 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.

REPORTS – MAYOR & ADMINISTRATION

Mr. Savastano gave an extensive report on beach replenishment and the dredging project ongoing in the back bays and lagoons and repair to the CDF site #83 to increase the berm height. Mr. Savastano also addressed the award of a contract to TBA of NJ LLC that is on the agenda this evening. Mr. Savastano gave a brief discussion about the contract and the value to the city for the award of this contract.

CITIZEN COMMENT

ED O'DONNELL – Port O-Call – complimented the Mayor for his speech at the Martin Luther King event recently held. He expressed his concerns on what is viewed on TV and social media. He also spoke on the hazards of second hand smoke.

JANE DEAL – 2837 Central Avenue – expressed the concern on the parking issues the city faces and is being undermined by newly constructed single family homes with a den that can be turned into a bedroom after a CO is given. Asked the city to look for a way to refine the proposed ordinance #19-14 so this could not be circumvented.

CHUCK DEAL 2837 – Central Avenue – provided a construction plan to Council members depicting how the charade of Ordinance 19-14 can be altered to include a den that could be turned into a bedroom circumventing the parking regulation. He said he recently had a conversation with a construction official who said this will continue if it is not addressed.

SUZANNE HORNICK - 2962 West Avenue – appreciated the report given by Mr. Savastano regarding the TBA Contract awarded and asked why not use the contractors that are already on staff. Questioned the appointment of Mr. Wilson that would have to recuse himself due to his involvement as a contractor in the city.

NELSON-CLARKE HOUSE OF DICE – 12th and Central Avenue –he believes there is not one official act in the last 10 years that has been lawful due to an official oath of allegiance given because it does not state “Under the Authority of the People” in the verse. He will file an official misconduct criminal charge to all officials within 30 days.

DONNA MOORE – 21 Ocean Avenue – asked Mr. Savastano if eco-friendly landscaping contract has been awarded because the season clock is ticking to use chemicals on public lands. She asked to have ways to trim expenses when using lobbyists.

APPROVAL OF MINUTES

Mr. Madden asked for a motion to adopt the regular city council meeting minutes of Thursday, January 9, 2020. Motion offered by Mr. Wilson, seconded by Ms. Bergman. All ayes followed.

Mr. Madden asked for a motion to adopt the closed executive session minutes of Thursday, January 9, 2020. Motion offered by Mr. DeVlieger, seconded by Ms. Bergman. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

There were no further reports given.

REPORTS – CITY COUNCIL

Ms. Bergman reported a Tourism meeting held recently where a presentation was given on new creative and innovative ways to promote our city on social media. She suggested she would like to have a public meeting in the near future to discuss.

Mr. Wilson said he attended a Chamber of Commerce Business Summit at the Flanders this week complimenting Congressman Jeff Van Drew on one of his best speeches ever and a wonderful event for the Chamber.

ORDINANCES: FIRST READING & INTRODUCTION:

Mr. Madden asked for a motion to introduce Ordinance #20-01 on first reading and introduction. Motion moved by Mr. Wilson, Seconded by Mr. DeVlieger. All ayes followed. The clerk read the ordinance by title: **#20-01 – An Ordinance Authorizing the Execution of an Amendment to the Redevelopment Agreement Regarding the Palen Avenue and Tenth Street Area in Need of Rehabilitation in the City of Ocean City, New Jersey.**

Solicitor Ms. McCrosson explained that the area of 10th & Palen Avenue was in need of a rehabilitation. The city acquired the 10th Street Wharf LLC and remediated the property. The Ocean City Planning Board amended the site plan and the subdivisions were approved for the consolidation of eight lots into four lots where new lots lines were approved by the Planning Board. In order for the Redevelopment agreement to be consistent with the Planning Board Resolution it must be amended to reflect the lot consolidation. She explained that this was the first time in many years that the city would have an operating marina and gas docks in that area.

There was no discussion from council members at this time.

Mr. Madden then asked for a motion to adopted Ordinance #20-01 on first reading and introduction. Motion moved by Ms. Bergman seconded by Mr. Barr. All ayes followed. Mr. Madden announced that second reading and public hearing will be held on Thursday, February 13, 2020 in council chambers at 7:00 pm and will be published according to law.

Mr. Madden asked for a motion to introduce Ordinance #20-02 on first reading and introduction. Motion moved by Mr. Wilson, Seconded by Mr. DeVlieger. All ayes followed. The clerk read the ordinance by title: **#20-02 – A Bond Ordinance Providing for the Acquisition of Property in and by the City of Ocean City, in the County of Cape May, New Jersey, Appropriating \$6,545,000 Therefor and Authorizing the Issuance of \$6,217,750 Bonds or Notes of the City to Finance Part of the Cost Thereof**

Solicitor Ms. McCrosson explained this Bond Ordinance is for the acquisition of the largest piece of the Klause Enterprise property and is still in negotiations for the purchase of the property. But whether negotiations are met or take the property by condemnation, the funds need to be in place for the purchase or be ready to pay into court so the process can begin. She further explained the appraisals given at this time are less than what was brought before Council previously.

Mr. Hartzell asked for clarity in the acquisition of property. Ms. McCrosson said there is an ordinance in place that requires 2 appraisals, if the appraisals come in and are not within 10% of each other, a third appraisal is needed to acquire a property. Ms. McCrosson said if this property ends in litigation there may be an opportunity to settle the case in court costing the city less to purchase.

Council further discussed scenarios of the purchase and best use of property for the city taxpayers. Mr. Wilson said he was happy to support this ordinance. In speaking with residents in the 3rd Ward no one wants to see other than one continuous piece of city owned property from 15th to 20th street.

Mr. Madden then asked for a motion to adopted Ordinance #20-02 on first reading and introduction. Motion moved by Mr. Hartzell seconded by Ms. Bergman. All ayes followed. Mr. Madden announced that second reading and public hearing will be held on Thursday, February 13, 2020 in council chambers at 7:00 pm and will be published according to law.

Mr. Madden asked for a motion to introduce Ordinance #20-03 on first reading and introduction. Motion moved by Mr. Wilson, Seconded by Mr. Barr. All ayes followed. The clerk read the ordinance by title: **#20-03 – A Bond Ordinance Providing for the Acquisition of Property in and by the City of Ocean City, in the County of Cape May, New Jersey, Appropriating \$3,000,000 Therefor and Authorizing the Issuance of \$2,850,000 Bonds or Notes of the City to Finance Part of the Cost Thereof**

Solicitor Ms. McCrosson explained this bonding is for the piece of property owned by Palmer Center LLC. Mr. DeVlieger asked if this piece of property was approved to build Coastal Cottages. Ms. McCrosson said this piece of property received approval for subdivisions under Coastal Cottage ordinance while it was still in effect. The appraisals have been taken into consideration for the purchase price.

Mr. Madden asked for a motion to adopt Ordinance #20-03 on first reading and introduction. Motion moved by Mr. DeVlieger, seconded by Ms. Bergman. All ayes followed. Mr. Madden announced that second reading and public hearing will be held on Thursday, February 13, 2020 in council chambers at 7:00 pm and will be published according to law.

Mr. Madden asked for a motion to introduce Ordinance #20-04 on first reading and introduction. Motion moved by Mr. Wilson, Seconded by Mr. DeVlieger. All ayes followed. The clerk read the ordinance by title: **#20-04 – A Bond Ordinance Providing for the Acquisition of Property in and by the City of Ocean City, in the County of Cape May, New Jersey, Appropriating \$2,340,000 Therefor and Authorizing the Issuance of \$2,223,000 Bonds or Notes of the City to Finance Part of the Cost Thereof**

Solicitor Ms. McCrosson said Bond Ordinance #20-04 pertains to the corner of 16th & Haven Avenue car dealership. She further explained there are no approvals for this parcel and that fact is baked into the appraisals.

There was no council discussion.

Mr. Madden asked for a motion to adopt Ordinance #20-04 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 on Thursday, February 13, 2020 in council chambers at 7:00 pm and will be published according to law.

RESOLUTIONS – CONSENT AGENDA:

20-56-208 - #1 - A Resolution to Authorize the Advertisement of Specifications for City Contract #20-01, Firework Shows for the City of Ocean City & #251COCCPS Members

20-56-209 - #2 - A Resolution to Authorize the Advertisement of Specifications for City Contract #20-16, Bulkhead Improvements at Various Locations

20-56-210 - #3 - A Resolution to Authorize the Advertisement of Specifications for City Contract #20-17, Improvements to Various Boardwalk Street End Ramps – Central

20-56-211 - #4 - A Resolution to Authorize the Advertisement of Specifications for City Contract #20-18, Improvements to Various Beach ADA Ramps - North

20-56-212 - #5 - A Resolution Authorizing the Award of a Contract to H. Barber & Sons, Inc. for Supply & Maintenance of the Beach Rakes for the Department of Public Works

20-56-213 - #6 - A Resolution Authorizing the Award of a Contract to TIX, Inc. for Event Ticket Management Services for the Department of Community Services

20-56-214 - #7 - A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & TBA of NJ, LLC to Provide Assistance with County, State or Federal Agencies for the 2020 Dredging & Flood Remediation Issues

20-56-215 - #8 - A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & Edmund F.X. Devlin, Esquire for Municipal Public Defender Legal Counsel Services for the City of Ocean City

20-56-216 - #9 - A Resolution Authorizing the City's Participation in State Contract #T-2776, Police Vehicles: Sport Utility Vehicles ½ Ton 4WD for the Purchase of Two (2) 2020 or Newer Chevrolet Tahoe (PP), 4WD Vehicle for use by the Police Department

20-56-217 - #10 - A Resolution Authorizing the Execution of a Shared Services Agreement between the City of Ocean City and the City of Sea Isle City, Cape May County, New Jersey for Project Management Services

20-56-218 - #11 - A Resolution Authorizing the Execution of a Collective Bargaining Agreement with the Communication Workers of America AFL-CIO, Local No. 1078

20-56-219 - #12 - A Resolution Authorizing the Execution of a Collective Bargaining Agreement with the Ocean City Firefighters Association IAFF, Local 4032

20-56-220 - #13 - A Resolution Consenting to City Council's Appointment of Councilman Anthony P. Wilson to the Ocean City Planning Board

20-56-221 - #14 - A Resolution to Adopt the 2020 Temporary Capital Budget

20-56-222 - #15 - A Resolution Authorizing the Payment of Claims

20-56-223 - #16 - A Resolution Authorizing a Closed Session for the Purpose of Discussing Pending Litigation to Which Ocean City is a Party (Strunk vs. City of Ocean City)

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

PENDING BUSINESS

Mr. Barr reiterated Mr. Wilson's comments regarding the Chamber of Commerce outstanding event at the Flanders. Mr. Hartzell thanked the Administration for the Martin Luther King event that the city offers to the community. Mr. DeVlieger and Ms. Bergman said Congressman Van Drew did an excellent job and was inspired by his speech.

Mr. Madden brought up the fact that Council will have 30 days (February 13, 2020) to fill Mr. McClellan's vacant seat on Council if they so choose. All Council members agreed by discussing around the table to go through the process and conduct interviews for a potential candidate. Council would render their decision and vote whether or not to appoint someone on council for the 2nd Ward at the next meeting. Mr. Madden asked to have the Clerk's office put out a notice they would be conducting interviews before the next council meeting in a closed session for the February 13, 2020 meeting. The deadline to receive resumes would be at 4:00 pm on February 12, 2020.

NEW BUSINESS

There was no new business.

CITIZEN COMMENT

SUZANNE HORNICK - 2962 West Avenue – Asked why there is a flag salute and prayer at each council meeting if there is a separation of church and state.

JERRY SEBERT – 5 Faith Run – CMCH – Speaking as a volunteer member of an organization called U.S. Term Limits for Congress asked Ocean City Council members to join the American people and sign a petition to limit terms for Congress.

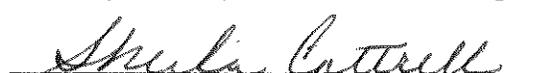
MICHAEL WALSH – 34 Asbury Avenue – asked the city to consider buying property at 10th & Asbury for parking since parking is so limited in the downtown.

DONNA MOORE – 21 Ocean Avenue – recently said she attended a sustainable New Jersey "idea session" that she learned that many towns in New Jersey are struggling to secure points for sustainable funds in New Jersey to obtain grant money, etc.

NELSON-CLARKE HOUSE OF DICE – 12th and Central Avenue – encouraged people to join the "March for Life" in Washington to stop where you are this Friday from 3:00 to 3:15 to and kneel pray and asked to have waterproof cushions when kneeling for this event to be donated to this cause.

ADJOURN

Mr. Madden asked for a motion to go into closed session. Motion moved by Mr. Wilson, seconded by Mr. DeVlieger. All ayes followed. Meeting adjourned at 8:05 into closed session.


Sheila Cottrell, Deputy Municipal Clerk