

**CITY COUNCIL MEETING MINUTES
THURSDAY, FEBRUARY 13, 2020 – 6:15 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Mr. Barr, Ms. Bergman, Mr. DeVlieger (absent), Mr. Hartzell, Mr. Wilson (absent), 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:

No reports were given.

RESOLUTION – NON-CONSENT:

20-56-224 - #1 - A Resolution Authorizing a Closed Executive Session for the Purpose of Conducting Candidate Interviews for the Vacant Ward Two (2) City Council Seat Created by the Resignation of Councilman Antwan McClellan

Mr. Madden read the resolution title opened the meeting up for public comment on Resolution No. 1. No one wished to speak. 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 Ms. Bergman. All ayes followed.

Council members came out of closed session and discussed the candidates who interviewed for the 2nd Ward council seat vacancy. Mr. Madden made a motion to appoint Mr. Gabe Staino, seconded by Mr. Barr. All ayes followed with the exception of Mr. Hartzell who abstained. Motion failed due to the number of votes so the seat will be left vacant until the May 2020 Municipal Election.

CITIZEN COMMENT:

Sue Cracovaner – 156 Asbury Ave – is not in favor of “byob” or supper clubs in Ocean City. She said there will be a meeting February 25th at 7:00 p.m. at the Ocean City Free Public Library to discuss loopholes in the law that are allowing restaurants to have private clubs.

Marie Hayes – 641 Battersea Road – referenced the 2012 referendum regarding “byob” and said she is not in favor of “byob” or supper clubs in Ocean City. She said there will be a meeting February 25th at 7:00 p.m. at the Ocean City Free Public Library to discuss loopholes in the law that are allowing restaurants to have private clubs.

Dave Hayes – 641 Battersea Road – referenced the 2012 referendum regarding “byob” and said he is not in favor of “byob” or supper clubs in Ocean City. He said there will be a meeting February 25th at 7:00 p.m. at the Ocean City Free Public Library to discuss loopholes in the law that are allowing restaurants to have private clubs.

Suzanne Hornick – 2962 West Ave – spoke about the meeting regarding wind farms and asked the city to have another public meeting with a power point presentation that includes questions and answers.

Donna Moore – 21 Ocean Ave – spoke about the eco-friendly landscape contract and said that the youth athletic fields are not included in the contract.

Georgina Shanley – not in favor of “byob”/supper clubs in the City. Spoke about autism and chemicals in utero affecting babies. She supports Donna Moore and asked the City to do more to eliminate toxic chemicals being used.

Chuck Deal – 2837 Central Ave – expressed concerns about parking and overly dense homes that are being built.

Jane Deal – 2837 Central Ave – referenced Ordinance No. 19-14 and expressed concerns about parking and overly dense homes that are being built.

David Breeden – 114 Victoria Lane – commented on the police department’s K-9 unit. Spoke about Resolution #3 and the cost per day/maintenance.

APPROVAL OF MINUTES:

Mr. Madden asked for a motion to adopt the regular city council meeting minutes of Thursday, January 23, 2020. Motion moved by Ms. Bergman, seconded by Mr. Barr. All ayes followed. Mr. Madden asked for a motion to adopt the closed executive session minutes of Thursday, January 23, 2020. Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION:

No reports were given.

REPORTS – CITY COUNCIL:

No reports were given.

ORDINANCES: FIRST READING & INTRODUCTION:

Mr. Madden asked for a motion to take up Ordinance No. 20-05 on first reading and introduction. Motion moved by Mr. Hartzell, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title. **Ordinance #20-05 – An Ordinance Amending a Portion of Ordinance #87-17, Chapter XXX, “Municipal Fees” of the Revised General Ordinances of the City of Ocean City to Reflect Changes**

Solicitor, Ms. McCrosson provided an explanation. This ordinance increases the annual beach vehicle permit fee from \$125.00 to \$250.00

Mr. Madden asked for a motion to adopt Ordinance No. 20-05 on first reading and introduction. Motion moved by Mr. Barr, seconded by Mr. Hartzell. All ayes followed. Mr. Madden announced that second reading and public hearing will be held on Thursday, February 27, 2020 and will be published according to law.

Mr. Madden asked for a motion to take up Ordinance No. 20-06 on first reading and introduction. Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed. The clerk read the ordinance by title. **Ordinance #20-06 – An Ordinance Amending Chapter XVIII – Beaches, Boardwalks and Recreational Areas (Motor Vehicles on Beaches)**

Solicitor, Ms. McCrosson provided an explanation. This ordinance addresses some of the language recommended by the Chief of Police specific to the permit application process.

Mr. Madden asked for a motion to adopt Ordinance No. 20-06 on first reading and introduction. Motion moved by Mr. Hartzell, seconded by Mr. Barr. All ayes followed. Mr. Madden announced that second reading and public hearing will be held on Thursday, February 27, 2020 and will be published according to law.

Mr. Madden asked for a motion to take up Ordinance No. 20-07 on first reading and introduction. Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 20-07 – An Ordinance Amending Ordinance #87-17 , Chapter XXX, “Municipal Fees” of the Revised General Ordinances of the City of Ocean City, New Jersey**

Solicitor, Ms. McCrosson provided an explanation. This ordinance adjusts the fees for golf and pickle ball.

Mr. Madden asked for a motion to adopt Ordinance No. 20-07 on first reading and introduction. Motion moved by Mr. Barr, seconded by Mr. Hartzell. All ayes followed. Mr. Madden announced that second reading and public hearing will be held on Thursday, February 27, 2020 and will be published according to law.

ORDINANCES: SECOND READING & PUBLIC HEARING:

Mr. Madden asked for a motion to take up Ordinance No. 20-01 on second reading and public hearing. Motion moved by Ms. Bergman, seconded by Mr. Barr. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 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 provided an explanation. This ordinance is a housekeeping item relative to the Tenth Street wharf.

Mr. Madden opened the meeting up for public comment on Ordinance No. 20-01 and no one wished to speak. Mr. Madden closed the public comment portion of the meeting and asked for a motion to adopt Ordinance No. 20-01 on second reading. Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed.

Mr. Madden asked for a motion to take up Ordinance No. 20-02 on second reading and public hearing. Motion moved by Ms. Bergman, seconded by Mr. Barr. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 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 provided an explanation. This ordinance allows for the funds to be put in place for the purchase of the properties known as Block 1606, Lots 2, 3.01, 4, 5 and 6 on the tax maps of the City.

Mr. Madden opened the meeting up for public comment on Ordinance No. 20-02.

Dave Breeden – 114 Victoria Lane – Mr. Breeden said that there needs to be a majority number of council members present in order to be able to vote on the bond ordinances this evening.

Mr. Madden asked for a motion to table Ordinance No. 20-02. Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed. Second reading and public hearing is scheduled for Thursday, February 27, 2020.

Mr. Madden asked for a motion to table **Ordinance No. 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**; Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed. Second reading and public hearing is scheduled for Thursday, February 27, 2020.

Mr. Madden asked for a motion to table **Ordinance No. 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**; Motion moved by Mr. Barr, seconded by Ms. Bergman. All ayes followed. Second reading and public hearing is scheduled for Thursday, February 27, 2020.

RESOLUTIONS – CONSENT AGENDA:

20-56-225 - #2 - A Resolution to Authorize the Advertisement of Specifications for City Contract #20-05, Furnishing, Installation & Maintenance of Leased Coin Operated Binocular Viewing Machines for the City of Ocean City & the Ocean City Cooperative Pricing System (251COCCPS) Members

20-56-226 - #3 - A Resolution to Authorize the Advertisement of Specifications for City Contract #20-21, Falconry Based Bird Abatement (FBBA) Services on the Ocean City Boardwalk & the Beachfront Areas

20-56-227 - #4 - A Resolution Authorizing the Award of a Contract between the City of Ocean City and LML Music Presents for the Appearance of Simon & Garfunkel Revisited on Wednesday, July 22, 2020 at the Ocean City Music Pier

20-56-228 - #5 - A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & Mark S. Ruderman, Esquire of Ruderman & Roth for Labor Counsel Services for the Calendar Year 2020

20-56-229 - #6 - A Resolution Authorizing the Extension of City Contract #18-07, Supply & Delivery of Police & Fire Department Uniforms

20-56-230 - #7 - A Resolution Authorizing Change Order #1 to City Contract #19-31, 2018 Road Improvement at Various Locations – 2018 NJDOT 12th Street Neighborhood

20-56-231 - #8 - A Resolution Authorizing Change Order #38, Final Acceptance, Final Payment of City Contract #17-53, North End Drainage Improvements

20-56-232 - #9 - A Resolution Authorizing Change Order #1, Final Acceptance, Final Payment of City Contract #18-26, Pump Station Electric Installation

20-56-233 - #10 - A Resolution Authorizing Change Order #1, Final Acceptance, Final Payment of City Contract #18-42, 2018 Downtown Streetscape Improvement Program – Phase 2

20-56-234 - #11 - A Resolution Authorizing the Business Administrator to Sign New Jersey American Water Application to New Jersey Department of Environmental Protection (NJDEP) for West 17th Street Pump Station & Sanitary Sewer Replacement (TWA) Construction Permit

20-56-235 - #12 - A Resolution Consenting to City Council's Appointment of Patrick Mumman to the Aviation Advisory Board

20-56-236 - #13 - A Resolution Authorizing the Tax Collector of the City of Ocean City to Impose a Municipal Lien Upon the Property Located at 424 West Avenue, Block 409, Lot 8

20-56-237 - #14 - A Resolution Authorizing Tax Sale Premiums to Escheat to the City of Ocean City for Tax Sale Certificates #13-00001 & #14-00010

20-56-238 - #15 - A Resolution Approving Tax Overpayment Refund 2020-3 Thru 2020-7

20-56-239 - #16 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 101 Spruce Road, Block 1915, Lot 13, Project #17-035PBA

20-56-240 - #17 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 1545-51 West Avenue, Block 1504, Lot 5, Project #18-015PBA

20-56-241 - #18 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 306 11th Street, Block 1105, Lot 15, Project #18-024ZBA

20-56-242 - #19 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 1807 Wesley Avenue, Block 1801, Lot 9, Project #18-013ZBA

20-56-243 - #20 - A Resolution Authorizing the Payment of Claims

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

PENDING BUSINESS:

No pending business was discussed.

NEW BUSINESS:

No new business was discussed.

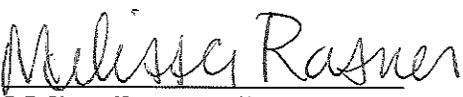
CITIZEN COMMENT:

Donna Moore – 21 Ocean Ave – spoke about the meeting regarding the wind farm. She also suggested that the city use a drone raptor in the future rather than the real ones that were used this past year.

David Breeden – 114 Victoria Lane – spoke about the Klaus properties, appraisals and coastal cottages.

ADJOURN:

Mr. Madden asked for a motion to adjourn. Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed. 8:15 p.m.


Melissa Rasner, City Clerk