

**CITY COUNCIL MEETING MINUTES  
THURSDAY, SEPTEMBER 24, 2020 – 7:00PM  
HOWARD STANTON SENIOR CENTER**

**ATTENDANCE:** Ms. Bergman, Mr. DeVlieger, Mr. Hartzell, Mr. Levchuk, Mr. Madden, Mr. Rotondi and Mr. Barr. Present also was Mayor Gillian, Business Administrator, Mr. Savastano and Solicitor, Ms. McCrosson.

Council President Mr. Barr called the meeting to order and asked everyone to rise for the flag salute and prayer.

Mr. Hartzell led the prayer. Mr. Barr announced that adequate notice of this meeting had been given pursuant to Public Law 1975, Chapter 231.

Mr. Barr asked for a motion to go into a Closed Executive Session to discuss interviews for Boards and Commission. Motion moved by Mr. DeVlieger, seconded by Ms. Bergman. All ayes followed.

**RESOLUTION – NON-CONSENT:**

**20-57-104 - #1** - A Resolution Authorizing a Closed Executive Session for the Purpose of Conducting Interviews for Board & Commission Appointments (Environmental Commission)

Mr. Barr called the meeting back to order at 7:00 pm. He announced there was a resolution honoring a special individual this evening. The clerk read the resolution in its entirety.

**RESOLUTION – NON-CONSENT:**

**20-57-105 - #2** - A Resolution Honoring Eagle Scout Caleb Schumacher

Mr. Barr asked for a motion to adopt Resolution #2. on the Non-Consent Agenda. Motion moved by Mr. DeVlieger, seconded by Ms. Bergman.

Mr. Schumacher came forward and all congratulated him on his achievement as an Eagle Scout.

Mr. Barr asked for a motion to adopt Resolution #2. Motion moved by Mr. DeVlieger, seconded by Mr. Hartzell. All ayes followed.

**REPORTS – MAYOR & ADMINISTRATION**

Mayor Gillian gave his condolences to the loss of Edwina Wagner's family. He said recently there were problems with the outfall pipes that were jammed with a lot of sand and will continue to look at the pipes throughout the city. Cameras will be used to check out other areas of concern. Mayor Gillian announced he will be conducting town hall meetings soon now that things are opening back up due to the Covid restrictions. He said ongoing maintenance will continue on the dredging and drainage. Open space will also be a topic that will be discussed and all will be publicized.

Mr. Levchuk said he has had many calls from residents regarding the area of Carnival Bayou and 14<sup>th</sup> Street looking for a short term solution for the flooding that is occurring in those areas. Mayor Gillian responded to Mr. Levchuk's concerns. He said that they are hoping to partner up with the gas and water company to address those areas.

**CITIZEN COMMENT**

**Shari Thompson – 737 Simpson Avenue** – Gave many thanks to residents, council and the Mayor for donations made to the Tabernacle Baptist Church for taxes to fight the tax sale of the church.

**Bill Long - 2621 Haven Avenue** – Presented a petition signed by 26 residents to oppose the additional lighting proposed along the Bike Path on Haven Avenue between 25<sup>th</sup> & 29<sup>th</sup> Street.

**Sandra Finsel 201-03 29<sup>th</sup> Street** – Voiced her concerns against the proposed lighting.

**Bill O'Neill - 2419 Bay Avenue** – Opposed the additional lighting. Asked to have something done about the bikes on the Boardwalk.

**Bill Hartranft – 728 Battersea Road** – Said he usually comes to the meeting with happiness and dismayed about the many things he sees happening in our country. He spoke about the Cedar Tree massacre and asked to have the Cedar trees replanted. He asked for explanation of funds that were questioned at the meeting on August 13, 2020 that were not identified.

**Nelson Dice – 12<sup>th</sup> & Central Avenue** – Announced he is foreign sovereign, not a citizen and not a citizen of the United States. He read a verse from the Bible. Asked for help from Legislature to help him from the harassment by the police department when trying to attend church.

**Suzanne Hornick - 2962 West Avenue** – Asked why Ocean City doesn't have an island wide flood mitigation remediation plan. Ocean City Flooding Committee is requesting that plan. ACT engineering was paid \$30,000 for a 4-page document that in her opinion was not even up to a 4<sup>th</sup> grade level.

**David Breeden – 114 Victoria Lane** – Acknowledged and thanked Mayor Gillian's for his comments noting that public input is important. Mr. Breeden cautioned Council members on Mr. Dice's comments when interfering with law enforcement. Said he was delighted with the plans for the 11<sup>th</sup> Street restrooms that are needed.

**Donna Moore – 21 Ocean Avenue** – Agreed with Ms. Hornick's comments on the Flood mitigation plan that is needed. She spoke about the Railroad embankment that provides a living shoreline and ecological wetlands habitat that should not be disturbed.

Mayor Gillian interjected that there would be no additional lighting on the bike path. He said he appreciates the resident's input and comments.

### **APPROVAL OF MINUTES**

Mr. Barr asked for a motion to adopt the regular city council meeting minutes of Thursday, September 10, 2020. Motion moved by Ms. Bergman, Seconded by Mr. DeVlieger. All ayes followed.

### **REPORTS – CITY COUNCIL**

Mr. DeVlieger reported on the First Ward meeting held on Saturday September 19, 2020. Mr DeVlieger asked to have stop signs installed to calm the speed in the area suggested. He also noted that bike safety will be discussed at his next meeting.

Ms. Bergman reported on the Tourism Commission meeting held since the beginning of the year because of Covid-19. Noting that most of community events have been cancelled. She would ask that people support the local and boardwalk merchants.

Mr. Levchuk said that businesses are thriving and would like to see that continue. He recently met with residents of West 17<sup>th</sup> Street with flooding issues that seems to have changed recently that needs to be addressed sooner rather than later. He also noted he was unaware of plans for a sewage pumping station slated for 17<sup>th</sup> Street that may have been done prior to his taking office.

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

Mr. Barr asked for a motion to take up Ordinance #20-12 on second reading and public hearing. Motion moved by Mr. Hartzell seconded by Mr. Madden. All ayes followed.

The clerk read the Ordinance by title: **No. 20-12 - 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.**

Ms. McCrosson explained that Ordinance #20-12 revises the annual vehicle beach fee to \$150.00 for 2021 and 2022 to \$175.00.

Mr. Barr then asked for anyone who wished to speak on Ordinance 20-12.

**David Breeden – 114 Victoria Lane** – Thanked Council and Administration for the adoption of the Ordinance #20-12, it was a wise move.

**Suzanne Hornick - 2962 West Avenue** - Asked if there was a study done for the trucks that may be damaging the beach.

**Donna Moore – 21 Ocean Avenue** – Ms. Moore said there definitely is damage by the erosion to the beach by the trucks that disturbs the sand.

Mr. Barr asked for a motion to adopt Ordinance #20-12 on second reading and public comment. Motion moved by Mr. Hartzell, seconded by Mr. DeVlieger. All ayes followed.

### **RESOLUTIONS – CONSENT AGENDA:**

**20-57-106 - #3** - A Resolution Authorizing the Advertisement of City Contract #20-35: Installation of Geo-Tubes at Various Locations

**20-57-107 - #4** - A Resolution Authorizing the Award of City Contract #20-10 R1: Ocean City Lifesaving Station 30 Renovation Project – Phase 4

**20-57-108 - #5** - A Resolution Authorizing the Award of City Contract #20-24: Improve Airport Erosion Control – Install Artificial Turf – Phase III

**20-57-109 - #6** - A Resolution Authorizing the Award of City Contract #20-25: Supply & Installation of an Irrigation System in the Roosevelt Blvd Garden Plots

**20-57-110 - #7** - A Resolution Authorizing the Award of City Contract #20-34: Supply & Installation of Kentucky Bluegrass Sod

**20-57-111 - #8** - A Resolution Authorizing the Award of a Contract to Tackle Direct for Law Enforcement Foul Weather Gear

**20-57-112 - #9** - A Resolution Authorizing the Award of a Contract to Walters Marine Construction, Inc. for Outfall Repair at Various Locations

**20-57-113 - #10** - A Resolution Authorizing the Award of a Professional Services Contract to William McLees Architecture for New Boardwalk Restrooms – 11th Street

**20-57-114 - #11** - A Resolution Authorizing the City's Participation in the Sourcewell National Cooperative (NJPA) for Contract #120716-NAF for the Purchase of a 2021 Dodge Durango SXT Plus AWD

**20-57-115 - #12** - A Resolution Authorizing the City's Participation in the Sourcewell National Cooperative (NJPA) for Contract #120716-NAF for the Purchase of a 2021 Chevrolet Silverado 1500 4WD Crew Cab

**20-57-116 - #13** - A Resolution Authorizing the City's Participation in the HGAC Buy National Cooperative for Contract #FS12-19 for the Purchase of a Pierce VC07 Enforcer Pumper

**20-57-117 - #14** - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 421 Battersea Road, Block 70.18, Lot (S) 34, 35 & 36 Project #18-023PBA

**20-57-118 - #15** - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 834 Pennlyn Place, Block 204, Lot 13 Project #18-024PBA

**20-57-119 - #16** - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 3040 Central Avenue, Block 3002, Lot 27 Project #19-010PBA

**20-57-120 - #17** - A Resolution Authorizing the Payment of Claims

Mr. Barr asked for a motion to adopt the consent agenda. Motion moved by Mr. DeVlieger, Seconded by Mr. Hartzell. All ayes followed.

#### **PENDING BUSINESS**

Mr. DeVlieger said he was remiss at offering condolences to the Wagner family, and commented on the teenagers in the Ocean City that is fortunate to have good kids in town.

Council members all agreed offering condolences to the Wagner family. Ms. Bergman said she was always present at many city events with a pleasant smile and she was a bright star. She will sorely be missed by this community.

Mr. Levchuk congratulated Caleb Schumacher on attaining Eagle Scout. Mr. Levchuk said he was totally impressed at the level of people responding to the City's Boards and Commissions, urging residents to continue to turnout.

Mr. Barr thanked the Mayor's and Administration on the 911 Ceremony held recently that was an honorable event. He hopes that this country will all come together as a nation united. He congratulated Caleb Schumacher.

#### **NEW BUSINESS**

Mr. Hartzell reiterated what Mr. Barr said, we should all be proud to be an American and praised the Police Force in Ocean City. Mr. DeVlieger also agreed with Mr. Hartzell and Mr. Barr's comments. He said he knows of other young men that will be honored at Eagle Scouts at a later time worthy of being honored.

#### **CITIZEN COMMENT**

**Suzanne Hornick - 2962 West Avenue** – Gave her praises to the parents of the recipients of Eagle Scouts and the Schumacher family, stating years of planning goes into the award of an Eagle Scout. Ms. Hornick thought the extension of lighting on the bike path attracts mosquitoes' and ticks that are harmful to the animals. She thanked the Mayor for his opposition of the extension of lighting on the bike path. She asked Council members when there is a large amount of money being spent on an item to remove it from the consent agenda, the taxpayer should have some input. Asked for an explanation of the \$11,000 fee listed to a Mercedes company on the bill list.

**Donna Moore – 21 Ocean Avenue** – Also questioned the \$11,700 fee listed on the agenda to Mercedes of Atlantic City. Requested that consent agenda items be read into the public recording of the meetings. Thanked Bill Hartranft for his remarks on the Cedar tree massacre that occurred in 2017 that Ocean City lost 42 mature trees along 52<sup>nd</sup> Street.

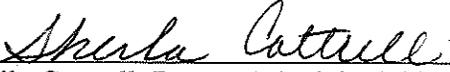
**Kim Lisinski - 100 W. 17<sup>th</sup> Street** Commented on the Mayor's remarks about partnering with the Gas and Sewer companies for street openings at the 17<sup>th</sup> Street area to address flooding in that area. She stated that water is coming up thru the bulkhead and sewer pipes. Residents cannot enter their homes due to the flooding and trash is littering the streets.

**Bill Long 2621 Haven Avenue** - Complained about the influx of rabbits along Haven Avenue.

**Nelson Dice – 12th & Central Avenue** – Gave the definition of Jurisdiction and what the stars on the flag signify. Read in part of the Declaration due to the lack of time to speak.

**David Breeden – 114 Victoria Lane** – Thanked Mr. Hartzell's comments regarding the Police Department, and said we are blessed to have such a fine police force. Remarked about the August 13<sup>th</sup> meeting where Ms. McCrosson spoke on the environmental study of the Klaus and Palmer property that is moving along nicely. Mr. Breeden said he would like to meet with the Mayor and staff to start a productive working relationship.

Mr. Barr asked for a motion to adjourn the meeting of September 24, 2020. Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed. Meeting adjourned at 8:20 pm.

  
Sheila Cottrell, Deputy Municipal Clerk

