

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, MAY 19, 2015
TOWN HALL COUNCIL CHAMBERS
7:00 p.m.**

**Pledge to the Flag
Roll Call**

**PRESENTATION BY THE VETERANS MEMORIAL PARK COMMITTEE
To
JAY CHASE**

**PRESENTATION BY CHAIR SHAWN O'NEILL
to
JAMES (BUD) HARMON
EXECUTIVE DIRECTOR
Old Orchard Beach Chamber of Commerce**

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: Town Council Minutes of May 5, 2015; Town Council Workshop of May 6, 2015; Town Council Workshop of May 13, 2015; and Administrative Review Board Minutes of May 5, 2015.

PUBLIC HEARING:

MARIJUANA ORDINANCE

Shall We Amend the Town of Old Orchard Beach Code of Ordinances as follows: Chapter 78 – ZONING, Article I – IN GENERAL, Section 78-1 – DEFINITIONS; Chapter 78 – ZONING, Article VI – DISTRICTS, Division 8 – GENERAL BUSINESS DISTRICT 1 (GB-1), Section 78-803 – CONDITIONAL USES; Chapter 78 – ZONING, Article VI – DISTRICTS, Division 11 – INDUSTRIAL DISTRICT (ID), Section 78-903 – CONDITIONAL USES and Section 78-904 – PROHIBITED USES; Chapter 78 – ZONING, Article VI – DISTRICTS, Division 16 – HISTORIC OVERLAY DISTRICT (HO), Section 78-1135 – PROHIBITED USES; Chapter 78 – ZONING, Article VII – CONDITIONAL USES, Division 2 – CONDITIONS, Section 78-1277 – MEDICAL MARIJUANA; Chapter 18 – BUSINESSES, Article XI – RESERVED, Sections 18-601 – 18-606 – Reserved; Appendix A – SCHEDULE OF LICENSE, PERMIT AND APPLICATION FEES – LICENSE ORDINANCE CATEGORIES.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

Mike & Jaime Vallee (205-8-15), 32 Imperial Street, one year round rental; Mark Lindquist (206-7-2), 8 Eden Lane, one year round rental; Charles A. Johnston, Jr. dba/Bulldog Café Restaurant (206-27-13-E), 8 Heath Street, Victualers with Preparation with no Alcohol Sales; Meghan & James Laplante dba/Miss Meghan’s Lobster Catch (210-2-4A), 1 Olympia Avenue, Victualers with Preparation with no Alcohol Sales, Retail; Iuliia Stolkner dba/Sip of Europe (306-1-2), 1 East Grand Avenue, Victualers with Preparation with no Alcohol Sales; Kathleen Gross dba/Jungalicious (306-6-1KY), 2 Old Orchard Street, Victualers with Preparation with no Alcohol sales; Lori & Kavein Hammond (315-9-8), 34 Park Avenue, two seasonal rentals; and Sarah Boutin (316-5-2-2), 15 Seacliff Avenue, #2, one seasonal rental.

PUBLIC HEARING AMUSEMENT PERMITS:

GFB Scottish Pub LLC dba/GFB Scottish Pub (205-3-1), 32 Old Orchard Street, DJ’s & Bands Inside – 1:00 p.m. – 1:00 a.m.; William Marshall dba/The Whaler (206-31-17), 20 Staples Avenue, Acoustic Inside – 8:30 p.m. – 12:30 a.m.; Bernard L. Orne dba/Weekend at Bernies Beach Club (307-3-1), 8 West Grand Avenue, Music Live & Recorded – Inside 12:00 p.m. – 1:00 a.m.

TOWN MANAGER’S REPORT

NEW BUSINESS

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|---|------------------------------------|
| <p>#6415 Discussion with Action: Accept the bid of \$18,000 from RHR Smith & Company for auditing services for each fiscal year June 30, 2015, June 30, 2016, and June 30, 2017 from Account Number 20102-50303 – Audit Services Expense Account, with a recommended balance of \$18,000, for the June 30, 2015 Audit, subject to final approval of the FY2016 budget.</p> | <p>Town Manager
Larry Mead</p> |
| <p># 6416 Discussion with Action: Approve the transfer of \$10,550 from Account Number 20118 - 50350, Contingency with a balance of \$88,926.06; to the Ballpark Account Number 30414-50804, Ballpark Improvements Expense with a balance of \$4,545.01, for expenditures in FY15.</p> | <p>Town Manager
Larry Mead</p> |
| <p># 6417 Discussion with Action: Approve the purchase of furniture from Creative Office Pavilion in the amount of \$10,599.53 from Account Number 31144-50396 – Library Expense Bond, with a balance of \$338,009.31.</p> | <p>Tom Manager
Larry Mead</p> |

- # 6418 Discussion with Action: Consider donation of \$8,000 from the Friends of the Libby Library (FOLL) towards the cost of a new book shed as part of the current Library expansion supported by bond funds; with stipulation that construction will include insulation, plasterboard wall, lighting and shelving; and \$10,000 in funding from Account Number 3144-50396, with a balance of \$338,009.31. Town Manager
Larry Mead
- # 6419 Discussion with Action: Approve the purchase of a replacement pump for the West Grand Pump Station from Hayes Pump Inc. in the amount of \$17,367.00, from Account Number 53002-50846 – Wastewater CIP, with a balance of \$339,512. Town Manager
Larry Mead
- # 6420 Discussion with Action: Accept the bid in the amount of \$15,485 from Burns Fencing, Inc., to construct a fence around the Skateboard Park, from Account Number 30210-50311 – Skatepark Expense, with a balance of \$49,177.34. Town Manager
Larry Mead
- # 6421 Discussion with Action: Request from Eileen Pfeiffer for a non-action letter for Map 205 Block 3 Lot 2, 2 Orchard Hill Terrace. Town Manager
Larry Mead
- # 6422 Discussion with Action: Amend Chapter 54, Traffic and Vehicles, Sections 54-1 (Definitions), Section 54-37 (Penalty), Section 54-142 (Parking at expired meters and overtime parking), Section 54-154 (All-Night Parking), Section 54-114 (Milliken Street parking lot), and Section 54-115 (Memorial Park parking lot), of the Town of Old Orchard Beach Traffic Ordinance. Chair Shawn O’Neill
- # 6423 Discussion with Action: Amend the Special Event Permit Ordinance, Section 42-256 (Required), Section 42-258 (Fee), Section 42-259 (Conditions.) Chair Shawn O’Neill
- # 6424 Discussion with Action: Approve the Liquor License Renewals for GFB Scottish Pub (205-3-1), 32 Old Orchard Street, m-s-v in a Restaurant; Brentland Beth Inc. dba/Bell Buoy Restaurant (205-4-5), m-s-v in a Restaurant; William Marshall dba/The Whaler (206-31-17), m-s-v in a Class A Lounge; Napoli Inc. dba/47 East (305-4-4), 47 East Grand Avenue, m-s-v in a Restaurant; Bernard L. Orne dba/Weekend at Bernies Beach Club 307-3-1, 8 West Grand Avenue, m-s-v in a Class A. Lounge; and Venetia Kouzounas dba/Venetia’s Restaurant (313-4-3), 93 West Grand Avenue, m-v in a Restaurant. Chair Shawn O’Neill

- # 6425 Discussion with Action: Act on Warrant and Notice of Election calling a Regional School Unit No. 23 Budget Validation Referendum for June 9, 2015. Chair Shawn O'Neill**
- # 6426 Discussion with Action: Approve the Special Event Permit application for the Milestone Foundation to gather in the Milliken Street Parking Lot from 10 a.m. to 11:30 a.m. on Saturday, September 12th, to start the motorcycle ride "Sixty Miles for Milestone". Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office no later than one month prior to the event. Request for a banner on Cascade Road from September 4th to the 14th, 2015; and a request to waive the fee. Chair Shawn O'Neill**
- # 6427 Discussion with Action: Approve the Special Event Permit application for JTG Hospitality Inc. to hold a Blues Festival at the Ballpark on Saturday, September 5th, rain date September 6th, 2015, from noon to 8 p.m. Alcohol to be served. Liquor Liability Insurance and general insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office no later than one month prior to the event. Requirement of one Old Orchard Beach Police Officer. Request for a banner on Saco Avenue for one month prior to the event. Chair Shawn O'Neill**
- # 6428 Discussion with Action: Approve the Special Event Permit application for the OOB Recreation Department to hold "Concerts in the Park" Thursday nights on July 9th, July 16th, July 23rd, July 30th, August 6th and August 13th, 2015. Set up from 5 p.m. to 6 p.m., 6 p.m. to 6:30 p.m. quiet time for Flag Raising Ceremony, performance 6:30 p.m. to 8 p.m., and a request to waive the fee. Chair Shawn O'Neill**
- # 6429 Discussion with Action: Approve the Special Event Permit application from RS Fireworks LLC to hold a Fireworks display on Tuesday, June 2nd, 2015 at approximately 9:45 p.m. at the Ballpark with a rain date of June 4th, 2015. Approval by the State Fire Marshall's Office and insurance listing the Town as additionally insured to be provided to the Town Clerk's Office at least one week prior to the event; and a request to waive the fee. Chair Shawn O'Neill**
- # 6430 Discussion with Action: Approve the Special Event Permit application for Kara Sprague and Steven Magee to hold their wedding ceremony and bonfire with tiki torches, on the beach in front of 4 Wavelet Street on Sunday, June 7th, 2015 from 2 p.m. to 10 p.m. Insurance listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one week prior to the event. Chair Shawn O'Neill**

6431 Discussion with Action: Approve Special Event Permit Application for Challenge Family (formerly REV3) to host Challenge Maine at Old Orchard Beach on Thursday, August 27th, 2015 at 8 a.m. through midnight on Sunday, August 30th, 2015; a request to close First Street from Staples to Heath Street during that time period, and the use of the Memorial Park Parking Lot and Memorial Park; close Staples Street on Sunday, August 30th for bike in/out; also a 5K on August 28th, 2015; request for a banner on Cascade Road and Saco Avenue, 8/22/15 to 8/30/15; Insurance listing the Town of Old Orchard Beach as additionally insured to be provided to the Town Clerk's office at least one month prior to the event; payment to be received within one week of approval. Town Council reserved dates of August 26th thru August 31st, 2015 for event on October 21st, 2014.

Chair Shawn O'Neill

GOOD AND WELFARE:

ADJOURNMENT