

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, MAY 5, 2015
TOWN HALL COUNCIL CHAMBERS
7:00 p.m.**

**Pledge to the Flag
Roll Call**

**PRESENTATION TO THE TOWN AND BALLPARK
by
THE NEW ENGLAND PARKINSON'S RIDE
and the
MICHAEL J. FOX FOUNDATION**

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: Town Council Meeting of April 21, 2015; Town Council Workshop of April 23, 2015; and Town Council Workshop of April 28, 2015.

PUBLIC HEARING:

REFERENDUM QUESTION # 1

Public Hearing: Referendum Question #1: Shall Order 2015-A entitled "Order to Authorize Issuance of \$1,200,000 in Town of Old Orchard Beach General Obligation Bonds to acquire a Heavy Duty Ladder Fire Truck," be adopted?

TRAFFIC ORDINANCE

Shall we 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?

SPECIAL EVENT PERMIT ORDINANCE

Shall We Amend the Special Event Permit Ordinance, Section 42-256 (Required), Section 42-258 (Fee), Section 42-259 (Conditions)?

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

Jason P. Giusto dba/Haute Shades (205-3-5-2), 46 Old Orchard Street, Unit #2, Retail; Stacy Kilroy (206-5-8), 3 Bower Lane, one year round rental; Duffy's Tavern & Grill OOB Inc. dba/Duffy's Tavern & Grill OOB (208-1-6), 168 Saco Avenue, Victualers with Preparation with Beer, Wine and/or Liquor on Premise; Retail; Lynn Dube (210-2-6-30), 18 Smithwheel Road, #30, one year round rental; 27 West Grand LLC dba/The Shack (307-1-3), 27 West Grand Avenue, Victualers with Preparation with Beer, Wine and/or Liquor on Premise; Joseph F. Agri & Gail R. Ritchey (310-7-2-8), 64 West Grand Avenue #8, one year round rental; Nancy J. Williams (319-5-4-2), 17 Tunis Avenue, Unit #2, one year round rental; and Susan & Paul Martin (325-5-11), 7 New Salt Road, one year round rental.

PUBLIC HEARING AMUSEMENT PERMITS:

Jumpin Jakes LLC dba/Jumpin Jakes Café (208-3-3), 181 Saco Avenue, Music Amplified Outside & Inside – 12:00 p.m. – 12:00 a.m.

PUBLIC HEARING AMUSEMENT PERMITS:

(NEW)

Duffy's Tavern & Grill OOB Inc. dba/Duffy's Tavern & Grill OOB (208-1-6), 168 Saco Avenue, Music/Comic Inside – 11:00 a.m. – 12:00 a.m.

PUBLIC HEARING LIQUOR LICENSE:

(NEW)

JTG Hospitality Inc. dba/Ballpark Beer (207-3-6X), 7 Ballpark Way, Malt in an Outdoor Stadium; Duffy's Tavern & Grill OOB Inc. dba/Duffy's Tavern & Grill OOB (208-1-6), 168 Saco Avenue, m-s-v in a Restaurant; and 27 West Grand LLC dba/The Shack (307-1-3), 27 West Grand Avenue, m-s-v in a Restaurant/Lounge.

TABLED ITEM: # 6368 MEDICAL MARIJUANA ORDINANCE

Discussion with Action: 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 V 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.

TOWN MANAGER'S REPORT

NEW BUSINESS

- # 6404 Discussion with Action: Approve the contract for 2016 with Animal Welfare in the amount of \$12,047.73 annually, beginning July 1, 2015 from Account Number 20131-50310 – Service Contracts, with a recommended balance of \$353,000, subject to final approval of FY16 budget.**
- Town Manager
Larry Mead**
- # 6405 Discussion with Action: Authorize the Town Manager to negotiate a contract with ACS – Advanced Collection services with a flat commission of 35 % of recovered funds for the collection of unpaid and outstanding receivables for Rescue Billing, Parking Fines, Personal Property Taxes, and any other aging unpaid receivable.**
- Town Manager
Larry Mead**
- # 6406 Discussion with Action: Amend the Old Orchard Beach Code of Ordinance as follows: Table of Contents – Part II, Code of Ordinances, Chapter 6 Alcoholic Beverages; Chapter 6 – Alcoholic Beverages; Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 1 – Generally, Section 6-26 – Definitions, Section 6-27 – Purpose, Section 6-30 – Admission Charge; Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 2 – Permit, Section 6-61 – Required, Section 6-67 – Term.**
- Chair Shawn O’Neill**
- # 6407 Discussion with Action: Set a Public Hearing date of May 19, 2015 to 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.**
- Chair Shawn O’Neill**

- # 6408 Discussion with Action: Reenact the Emergency Ordinance establishing a Moratorium on Medical Marijuana Non-Residential Cultivation approved January 12, 2015; and expiring on May 13, 2015 and extend for an additional sixty (60) days to expire on July 12, 2015. Chair Shawn O'Neill
- # 6409 Discussion with Action: Approve the Liquor License Renewals for Jumpin Jakes LLC dba/Jumpin Jakes Café (208-3-3), 181 Saco Avenue, m-s-v in a Restaurant/Lounge; and Chrysanthe & Demetris Dikos dba/Chrys's Restaurant (306-5-1), 6 East Grand Avenue, m-v in a Restaurant. Chair Shawn O'Neill
- # 6410 Discussion with Action: Appoint Michelle Belanger as a regular member of the Community Animal Watch Committee, term to expire 12/31/15. Chair Shawn O'Neill
- # 6411 Discussion with Action: Approve the Special Event Permit Application for Thornton Academy to hold a Beach Picnic, to include a Campfire, for their off-Campus Life Programs, on the beach at the end of Colby Avenue on Friday, May 29th, 2015, from 5:00 p.m. to 8:00 p.m.; and a request to waive the fee. Chair Shawn O'Neill
- # 6412 Discussion with Action: Approve the Special Event Permit application for Palace Playland and the Pier to hold Fireworks displays every Thursday at 9:45 p.m. on the beach in front of Palace Playland, starting June 25th, 2015 to September 3rd, 2015, to also include July 3rd and 4th, with a rain date of July 5th. Approval by the State Fire Marshall's Office to be provided to the Town Clerk's Office at least one week prior to the first display; and a request to waive the fee. Chair Shawn O'Neill
- # 6413 Discussion with Action: Approve the Special Event Permit application for Spike University, LLC to hold an Old Orchard Beachfest Volleyball Tournament on Sunday, May 31st, 2015, on the beach in front of Palace Playland. Set-up from 5-8 a.m.; Tournament 8 am to 3 p.m.; breakdown 3-5 p.m. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least two weeks prior to the event. Chair Shawn O'Neill
- # 6414 Discussion with Action: Authorize the Town Manager to sign the easement with Central Maine Power for the installation of a Mid Span Pad Transformer for the Skateboard Park on Ballpark Way. Town Manager
Larry Mead

**GOOD AND WELFARE:
ADJOURNMENT**