



## Regular Town Council Meeting Agenda

Tuesday, May 18<sup>th</sup>, 2021 @ 6:30pm\*

Town Council Chambers

[www.oobmaine.com/town-council](http://www.oobmaine.com/town-council)

*\*Due to covid-19 restrictions, space within Council Chambers is limited. Members of the public interested in attending the meeting will need to follow all covid-19 protocols; including the use of face masks. Members of the public wishing to view the meeting from home may tune into Local Access TV or by logging onto [https://townhallstreams.com/towns/oob\\_maine](https://townhallstreams.com/towns/oob_maine). FMI click on the Communications Tab @ [www.oobmaine.com](http://www.oobmaine.com).*

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### ACKNOWLEDGEMENTS

### GOOD & WELFARE

### ACCEPTANCE OF MINUTES

Accept the Regular Council Meeting from Tuesday May 4th, 2021 **and** Budget Workshop from Tuesday, May 11th, 2021.

Chair: Shawn O'Neill

### PUBLIC HEARING

#### **PH1: *USDA Rural Development Grant***

Shall the Town Council consider the acceptance of the USDA Rural Development Grant, if awarded, in order to offset up to fifteen percent (15%) of the cost of the purchase of a new ambulance for the Town of Old Orchard Beach.

Chair: Shawn O'Neill

#### **PH2: *Tattoo Art Studio & Boutique in the NC-3 zoning district***

Shall the Town Council amend the Code of Ordinances, Chapter. 78, Art. I, Sec. 78-1; Chapter 78, Art. VI, Sec. 78-869 (8); Chapter 8, Article VII, Sec. 78-1280 1 – 3 to allow “*Tattoo Art Studio and Boutique*” in the NC-3 District.

Chair: Shawn O'Neill

**PH3: *Dog Leash Ordinance Amendment***

Shall the Town Council amend the Code of Ordinances, Chapter 14, Animals, Section 14-1, Definitions and Section 14-6.—Animals on beach, public streets and sidewalks; by requiring dogs to be on a leash when allowed on the beach between April 1<sup>st</sup> and September 30<sup>th</sup>.

Chair: Shawn O’Neill

**PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:**

Alberto Grajales, (304-6-2-105), 70-72 East Grand Avenue #105, one seasonal rental.

Natalia Erb d/b/a Krug Real Estate, LLC, (304-6-2-106-109), 72 East Grand Avenue #106 & #109, two year round rentals.

Lindsay & Ian Verville, (304-6-2-103), 70-72 East Grand Avenue #103, one year round rental.

Steve Patino, (304-6-2-104), 70-72 East Grand Avenue #104, one year round rental.

Marc & Kiersten Rattunde, (304-6-2-102-108-113), 70-72 East Grand Avenue #102, #108 & #113, three year round rentals.

Dan St. Germain, (304-6-2-114-111), 70 East Grand Avenue #111 & #114, two year round rentals.

David Correa, (304-6-2-107-110), 72 East Grand Avenue #107 & #110, two year round rentals.

William Jipson: WAJ, LLC d/b/a/ Sir Charles Motel, (304-7-6), 90 East Grand Avenue, twelve year round rentals.

Thomas Pouravelis: Moontide, LLC d/b/a Moontide Motel, (304-4-6), 85 East Grand Avenue, eight year round rentals.

Thomas Pouravelis: Moontide, LLC d/b/a Moontide Motel, (304-5-3), 87 East Grand Avenue, four seasonal rentals, five year round rentals.

Andrea & Jan Pieter van Voorst van Beest, (206-24-4), 8 Idlewild Avenue, one year round rental.

William & Michelle Fournier, (302-6-8-1-2-3), 23 Puffin Street Units 1, 2, & 3, three year round rentals.

Chair: Shawn O’Neill

**PUBLIC HEARING – BUSINESS LICENSE & APPROVALS: - *continued***

Rinaldi 5 Properties, LLC d/b/a Sophia’s Ocean Parking, (206-32-1-D), 15 Old Orchard Street, seasonal parking lot.

Michael LaPointe, (205-6-6-6), 6 Imperial Court #6, one year round rental.

Shawnee & Brent Kinney: Island Dreams Café, LLC d/b/a Island Dreams Café, (306-6-1-C), 2 Old Orchard Street, victualers w/prep.

Paul Golzbein: Pier Leasing Company d/b/a The Pier Arcade, (306-6-1-D), 2 Old Orchard Street, arcade.

Chair: Shawn O’Neill

**PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT APPROVALS:**

William Marshall d/b/a The Whaler, (206-31-17), 20 Staples Street, inside acoustic music from 8pm to midnight. \*

*\*note: change from 5/2020: inside acoustic music 8:30pm to 12:30am.*

Keith O’Leary: Pun Saloon, LLC d/b/a Uptown O’Leary’s Public House, (206-31-9), 41 Old Orchard Street, inside & outside acoustic blues music from 7pm to 11pm. \*

*\*note: change from 5/2019: inside & outside acoustic blues 8p to midnight.*

Chair: Shawn O’Neill

**TOWN MANAGER REPORT**

**NEW BUSINESS**

**#7436 Discussion with Action:** Approve the liquor license renewals for the following:

William Marshall d/b/a The Whaler, (206-31-17), 20 Staples Street, m-s-v in a Class A lounge.

Linda Cates: KTD, Inc d/b/a Bell Buoy Restaurant, (205-4-5-B), 24 Old Orchard Street, m-s-v in a Class A restaurant.

Keith O’Leary: Pun Saloon, LLC d/b/a Uptown O’Leary’s Public House, (206-31-9), 41 Old Orchard Street, m-s-v in a Class A restaurant.

Chair: Shawn O’Neill

**#7437 Discussion with Action:** Sign an approved Contract Zone Agreement between Estates at Bay View, LLC and the Town of Old Orchard Beach, for the property located at 211 East Grand Ave., Map 202, Block 2, Lot 2 in the RBD district and RA shoreland zoning district, pursuant to 30A M.R.S.A., Section 4352 (8) and Section 1.8 of the Old Orchard Beach Zoning Ordinance. This Contract Zone Agreement was approved by vote of the Town Council on May 4, 2021.

Chair: Shawn O'Neill

**#7438 Discussion with Action:** Order to Amend and Adopt a new Official Zoning Map per Section 78-457 of the Old Orchard Beach Zoning Ordinance and request the signature of the Chair of the Town Council to sign the updated Zoning Map, with the following information: On May 18, 2021, by official action of the Town Council, the following change was made in the Official Zoning Map: "Change the zoning district designation to Contract Zone 3 on a property located at 211 East Grand Ave. identified as Map/Block/Lot: 202/2/2", which entry shall be signed by the Chair of the Town Council and attested by the Town Clerk.

Chair: Shawn O'Neill

**#7439 Discussion with Action:** Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 42, Parks and Recreation, Section 42-144, Prohibitions and Restrictions, by adding the sub-section: "There shall be no fishing on the beaches in the Town of Old Orchard from Memorial Day to Labor Day, between 9 a.m. to 5 p.m. unless a public safety representative designated by the Police Chief or Fire Chief determines that surf fishing will not present a safety hazard to other people. The permission for surf fishing under this section may be withdrawn by the public safety representative. In the absence of a public safety representative the person may fish until directed otherwise."

Chair: Shawn O'Neill

**#7440 Discussion with Action:** Confirm the appointment and two year contract for Diana H. Asanza, Town Treasurer – Finance Director, effective July 1, 2021 to June 30, 2023 at the salary according to the FY 22 non-union salary proposal of \$90,565.

Chair: Shawn O'Neill

**#7441 Discussion with Action:** Approve the Special Event Permit application for Duffy's Tavern & Grill OOB to hold wedding ceremonies on the beach at the end of Cleaves Street on Sunday, May 30<sup>th</sup>, from 5 p.m. to 7 p.m.; Tuesday, June 29<sup>th</sup>, from 3 p.m. to 5 p.m.; Saturday, July 17<sup>th</sup>, from noon to 2 p.m.; Saturday, July 31<sup>st</sup>, from 1 p.m. to 3 p.m.; Saturday, August 14<sup>th</sup>, from 1 p.m. to 3 p.m.; and Saturday, August 28<sup>th</sup>, 2021 from 2 p.m. to 4 p.m.; including set-up and takedown. The sponsor and the host facility must ensure compliance with all Federal, State, County and Local Orders, rules and regulations and guidance relating to COVID-19 in effect at the time of the event.

Chair: Shawn O'Neill

**#7442 Discussion with Action:** Approve the Special Event Permit applications for the 2021 annual Ocean Park events, as follows: 1) Ocean Park Association to hold a sand sculpture contest on the beach between Randall and Winona Avenues on Monday, July 5<sup>th</sup>, set up from 1 p.m. to 2 p.m., event and takedown 2 p.m. to 5 p.m.; 2) Ocean Park Association to hold an Independence Day parade on Monday, July 5<sup>th</sup>, set up from 9-10 a.m., event and take down 10 a.m. to noon, rain date July 6<sup>th</sup>, same times; starting on Temple Avenue; 3) Ocean Park Association to hold the Ocean Park 5k Race on Friday, July 30<sup>th</sup>, set up from 3-5 p.m., event and take down from 5-8 p.m. in Ocean Park. The sponsor and the host facility must ensure compliance with all Federal, State, County and Local Orders, rules and regulations and guidance relating to COVID-19 in effect at the time of the event.

Chair: Shawn O'Neill

**#7443 Discussion with Action:** Consider the purchase of a storage shelf system from W.B. Mason for the Code and Planning office in the amount of \$10,170.22 from Contingency Expense 20118-50350 with a balance of 103,599.48.

Chair: Shawn O'Neill

**#7444 Discussion with Action:** Appoint Jennifer Hayes to the Biddeford Saco Old Orchard Beach Transit Committee (BSOOB).

Chair: Shawn O'Neill

**#7445 Discussion with Action:** Appoint Dawne-Marie Dunbar as an alternate member of the Conservation Commission, term to expire 12/31/2022.

Chair: Shawn O'Neill

### **BUDGET WORKSHOP**

There will be a Town Council Budget Workshop following the regular meeting of the Town Council to discuss the following:

Administrative Capital Improvements  
Revisits

Chair: Shawn O'Neill

### **ADJOURNMENT**