

**TOWN OF OLD ORCHARD BEACH  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, APRIL 21, 2015  
TOWN HALL COUNCIL CHAMBERS  
7:00 p.m.**

Pledge to the Flag  
Roll Call

**ACKNOWLEDGEMENTS:**

**ACCEPTANCE OF MINUTES:** Town Council Meeting Minutes of April 7, 2015; Town Council Workshop of April 8, 2015; and Town Council Workshop of April 15, 2015.

**PUBLIC HEARING: TAX INCREMENT FINANCING DISTRICT**

Shall “An Order DESIGNATING THE PINES AT OCEAN PARK AFFORDABLE HOUSING DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT AND ADOPTING THE DEVELOPMENT PROGRAM FOR SUCH DISTRICT, Town Council order 2015-1” be adopted?

**PUBLIC HEARING: SPECIAL AMUSEMENT PERMIT ORDINANCE**

Shall the Town Council Amend the Town of 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?

**PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

Pun Saloon LLC dba/Uptown O’Leary’s Public House (206-31-9), 41 Old Orchard Street, Victualers with Preparation with Beer, Wine and/or Liquor; Alexander Chou (210-2-2), 32 Smithwheel Road, one year round rental; Zettran LLC dba/Little Miss Cottages (302-6-5), 173 East Grand Avenue, Rental of Merchandise, No Outside Display Allowed, Laundromat; Surfs Up Inc. dba/Surf 6 Restaurant & Lounge (306-2-9), 2 Cortland Avenue, Victualers with Preparation and/or Liquor on premise; 2 Coin Operated Devices; 3 Vending Machines; Isaac Naim dba/Blue Ocean OOB (307-3-3), 4 West Grand Avenue, Retail, one Vending Machine; William & Julie Kelly (310-6-1-250), 39 West Grand Avenue, Unit #250, one year round rental; and Tardif Holdings Inc. (315-15-2) 126 West Grand Avenue, one seasonal rental;

**PUBLIC HEARING SPECIAL AMUSEMENT PERMITS:**

Strike Zone Restaurant & Pub LLC dba/Strike Zone Restaurant & Pub (205-4-1), 20 Old Orchard Street, Live Music Amplified Acoustic – Outside & Inside, 11:00 a.m. – 12:00 a.m.; Last Call Inc. dba/Last Call (206-31-19), 4 First Street, Live Bands Amplified Inside – 11:00 a.m. – 1:00 a.m.; Oceanside Investment Group dba/Myst Restaurant (306-1-2), 1 East Grand Avenue, Acoustical & Amplified Music – Inside & Outside, 12 p.m. to 1 a.m.; TPR Inc. dba/Tequila Frogs Local Cantina (306-5-3), Solo, Duets, D.J. – Inside & Outside, 12:00 p.m. – 1:00 a.m.; Patio Pub Inc. dba/Pier Patio Pub (306-6-1), 2 Old Orchard Street, Bands, Amplified, D.J. Solo, Comedy, Inside & Outside, 11:00 a.m. – 1:00 a.m.; and Patio Pub Inc. dba/Hooligan’s Landing (306-6-1), 2 Old Orchard Street, Solo’s, Duets, Comedy, DJ’s, Inside – 11:00 a.m. – 1:00 a.m.

**PUBLIC HEARING LIQUOR LICENSE: (NEW)**

**Pun Saloon LLC dba/Uptown O’Leary’s Public House (206-31-9), 41 Old Orchard Street, m-s-v in a Restaurant; and Surf’s Up Inc. dba/Surf 6 (306-2-9), 2 Cortland Street, m-s-v in a Restaurant/Lounge.**

**PUBLIC HEARING SPECIAL AMUSEMENT PERMITS: (NEW)**

**Pun Saloon LLC dba/Uptown O’Leary’s Public House (206-31-9), 41 Old Orchard Street, Acoustic Inside – 8:00 p.m. – 12:00 a.m.; and Surf’s Up Inc. dba/Surf 6 (306-2-9), 2 Cortland Street, Acoustical & Amplified Music- Outside & Inside, 11:00 a.m. – 1:00 a.m.**

**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**

- # 6384      Discussion with Action: Be it Ordained by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled that Order 2015-1 , be adopted, DESIGNATING THE PINES AT OCEAN PARK AFFORDABLE HOUSING DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT AND ADOPTING THE DEVELOPMENT PROGRAM FOR SUCH DISTRICT”.**

**Chair Shawn O’Neill**
  
- # 6385      Discussion with Action: Authorization of Agreement Regarding Property Tax with The Pines at Ocean Park, LP.**

**Chair Shawn O’Neill**
  
- # 6386      Discussion with Action: Order 2015-2A, 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” and inclusion of an attested copy of Order 2015-2A with meeting minutes.**

**Town Manager  
Larry Mead**

- # 6387 Discussion with Action: Order 2015-2B, entitled “Order to Submit Order 2015-2A to the Voters and to Call Public Hearing ON Tuesday, May, 5, 2015,” and inclusion of Order 2015-2B with the minutes of this Meeting. Town Manager  
Larry Mead
- # 6388 Discussion with Action: Accept the proposal from Girard Plumbing and Heating in the amount of \$8,970 to install outdoor wash sink at the Waste Water Comfort Station from Account Number 20118-50350 – Contingency Expense, with a balance of \$124,400. Town Manager  
Larry Mead
- # 6389 Discussion with Action: Approve the acquisition of a new model one-ton pickup truck with plow assembly for the Fire Department either through direct purchase or through a lease/purchase utilizing the State of Maine bid process at a cost not to exceed \$37,000 not including potential financing costs, with funds from Account Number 20118-50350 – Contingency Expense, with a balance of \$124,400. Chair Shawn O’Neill
- # 6390 Discussion with Action: Set the public hearing date of May 5<sup>th</sup>, 2015, to 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. Town Manager  
Larry Mead
- # 6391 Discussion with Action: Authorize the Registrar’s Office to be open during the office hours of the Town Clerk only for the five business days prior to the June 9<sup>th</sup>, 2015 election. Chair Shawn O’Neill
- # 6392 Discussion with Action: Amend the Special Event Permits for the Salvation Army Pier Ministry Events and parade during the summer 2015 and 2016 seasons, that were approved October 1<sup>st</sup>, 2013, as follows: Change time of parade from 3:50 p.m. to 3 p.m., and for the concert that follows to be 90 minutes instead of 60 minutes; add Friday, July 25<sup>th</sup>, 2015 and Friday July 29<sup>th</sup>, 2016 to their ministries permit to allow for an additional day of setting up the stage, starting at 8 a.m. Friday; instead of setting up at 5 p.m. on Saturdays and Sundays, they request to start set-up at 11 a.m. each day; Thursday will be the same set-up time, but load-out by 11:30 p.m. instead of 11 p.m. Friday, load-out by 1 a.m. instead of 11 p.m.; for all days, there will be a stage and video set-up at the end of the Square; Saturday, July 25<sup>th</sup> of 2015, they request permission for a performing artist, Phil Keaggy, to sell DC’s in front of the stage after the show. Chair Shawn O’Neill

- # 6393 Discussion with Action: Approve the Special Event Permit application for the Mainiac Volleyball Club to hold their Volleyball Tournament on the beach, at the courts in front of Palace Playland, on Saturday, May 30<sup>th</sup>, Saturday, August 1<sup>st</sup>, and Saturday, August 29<sup>th</sup>, 2015, from 9 a.m. to 9 p.m. Chair Shawn O'Neill
- # 6394 Discussion with Action: Approve the Special Event Permit application for The Salvation Army to hold their 2<sup>nd</sup> annual Freedom 5K Run/Walk on Monday, July 27, 2015, starting at 7:30 a.m.; and a request to waive the fee. Chair Shawn O'Neill
- # 6395 Discussion with Action: Approve the Special Event Permit application for Mainely Dogs Rescue to hold an adoption meet/greet in the Square on Saturday, June 13<sup>th</sup>, 2015; set up starts at 8 a.m., event occurs from noon to 4 p.m.; immediate take-down, rain date Sunday, June 14<sup>th</sup>, 2015, includes a stage, outdoor games, raffles, live entertainment, vendors. Insurance, listing the Town of Old Orchard Beach as additionally insured, must be submitted to the Town Clerk's Office at least one month prior to the event. Request to waive the fee. Chair Shawn O'Neill
- # 6396 Discussion with Action: Approve the Special Event Permit application for the Veteran's Memorial Park Flag Raising Committee to hold their annual "Veterans Flag Raising" at 6:00 p.m., nightly, seven days a week, from May 25 to September 7, 2015; and at 6:00 p.m. on September 11, 2015; 11:00 a.m. on November 11, 2015; and 7:50 a.m. on December 7, 2015; and a request to waive the fee. Chair Shawn O'Neill
- # 6397 Discussion with Action: Approve the Special Event Permit application for OOB365 to hold their 5<sup>th</sup> annual "Smokin' at the Ballpark BBQ Fest", including smokers and grills, on Saturday and Sunday, June 20<sup>th</sup> and 21<sup>st</sup>, 2015, from 8 a.m. to 8 p.m., to include alcohol service by Jimmy the Greek. Request for a banner at the intersection of Saco Avenue/E. Emerson Cummings Boulevard from June 16<sup>th</sup>-22<sup>nd</sup>, 2015; and a request to waive the fee. Insurance, listing the Town of Old Orchard Beach as additionally insured, shall be submitted to the Town Clerk's Office at least one month prior to the event. Chair Shawn O'Neill
- # 6398 Discussion with Action: Approve the Liquor License Renewals for Strike Zone Restaurant & Pub LLC dba/ Strike Zone Restaurant & Pub (205-4-1), 20 Old Orchard Street, m-s-v in a Restaurant/Lounge; Last Call Inc. dba/Last Call (206-31-19), 4 First Street, m-s-v in a Class A Lounge; Oceanside Investment Group dba/Myst Restaurant (306-1-2), 1 East Grand Avenue, m-s-v in a Restaurant/Lounge; TPR Inc. dba/Tequila Frogs Local Cantina (306-5-3), 8 East Grand Avenue, m-s-v in a Restaurant/Lounge; Patio Pub Inc., dba/Pier Patio Pub (306-6-1), 2 Old Orchard Street, m-s-v in a

Restaurant/Lounge; Patio Pub Inc. dba/Hooligan's Landing (306-6-1), 2 Old Orchard Street, m-s-v in a Restaurant; and Base Distributors Inc. dba/Fat Bellies Deli (307-1-5), 33 West Grand Avenue, m-v in a Restaurant.

Chair Shawn O'Neill

# 6399 Discussion with Action: Set Public Hearing date of May 5<sup>th</sup>, 2015 to amend the Special Event Permit Ordinance, Sections 42-256 (Required), Section 42-258 (Fee), Section 42-259 (Conditions).

Chair Shawn O'Neill

# 6400 Discussion with Action: Amend the Special Event Permit of OOB365/Ralph Quaglietta, approved on August 19<sup>th</sup>, 2014, for a parade on June 13<sup>th</sup>, 2015, to include closing Old Orchard Street from 11 a.m. to 1 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 month prior to the event.

Chair Shawn O'Neill

# 6401 Discussion with Action: Designation of the Old Orchard Beach Public Safety Building as the Old Orchard Beach Fire Department Building.

Chair Shawn O'Neill

# 6402 Discussion with Action: Approve the Special Event Permit application for the Veterans Memorial Park Sub-Committee to hold "Illumination Night" in Memorial Park on Sunday, May 24, 2015, from 5 p.m. to 9 p.m., rain date, Monday, May 25, 2015; and a request to waive the fee.

Chair Shawn O'Neill

# 6403 Discussion with Action: Approve the Special Event Permit application from Hyde Park Elementary School to hold a bonfire on the beach in front of the Normandie Inn on Friday, June 5<sup>th</sup>, 2015 from 6 p.m. to 11 p.m.

Chair Shawn O'Neill

**GOOD AND WELFARE:**

**ADJOURNMENT**