



Town of Old Orchard Beach
Office of the Town Manager

1 Portland Ave, Old Orchard Beach, Maine Phone:
207.937.5626 Web: www.oobmaine.com or
www.oobmaine.com/town-council

Regular Town Council Meeting Minutes

February 7th, 2023 @ 6:30pm

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 16 pages, is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on February 7th, 2023 @ 6:30pm.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	2/21/2023

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



Town Council Minutes

Regular Meeting

February 7, 2023 @ 6:30pm

Council Chambers - 1 Portland Avenue

www.oobmaine.com/town-council*

**Members of the public wishing to view the meeting from home may tune into Local Access TV (Channel 3 or 1301-check with your provider) or by clicking the Meeting Videos link on oobmaine.com.*

PLEDGE OF ALLEGIANCE

Councilor Tousignant made a motion to nominate Councilor Mead as acting Chair for the purpose of tonight's meeting.

Seconded by Councilor Reid

Vote: 3-0

ROLL CALL

Councilors Reid, Mead, and Tousignant present. Councilors Blow and O'Neill had excused absences.

ACKNOWLEDGEMENTS

GOOD & WELFARE:

Patrick Mourmouras, 11 Ocean Park – expressed concerns with town council and town planner.

ACCEPTANCE OF MINUTES

Acceptance of the Town Council minutes from 1/17/2023.

Motion to accept: Councilor Tousignant

Seconded: Councilor Reid

Vote: 3-0

PUBLIC HEARING – Shall the Town Council consider amendments to Old Orchard Beach Code of Ordinances Ch. 18 Businesses, Art II Licenses, Sec. 18-26 (Definitions), Sec. 18-33 (a) (6) (Application). Amendments propose to add a short-term rental definition and identification standard.

Acting Chair: Larry Mead

Council has shown interest in short-term rental (STR) operations in Old Orchard Beach. Council's interest at this time is to not formally regulate STR's but to determine how many rentals can be defined as STR's, where they are located, and the primary use (e.g., 1-family, multifamily) of the structure in which the STR is located. This amendment will create minimal ordinance standards by providing a definition of short term rental and a standard that requires business license applicants to identify if the rental is operating as an STR.

Councilor Mead opened hearing at 6:34pm

Councilor Mead closed the hearing at 6:35pm

PUBLIC HEARING – BUSINESS LICENSES & APPROVALS:

Anthony Fernandez & Steven Trask, (201-3-4), 10 Little River Road, one year round rental.

Trojan21 Properties, LLC & TF Properties, LLC, (201-3-5) 8 Little River Road, one year round rental.

Ocean Summit LLC, (202-1-8-1) 193 East Grand Avenue, Unit #1, one year round rental.

Café 64/4 Kidds LLC, (206-31-7-B), 35 Old Orchard Street, changing license from Victualers w/prep, no alcohol, to Victualers w/prep, off premise alcohol.

Majestic Crystalz, Inc., (206-35-4), 126 Saco Ave, Unit D, retail/gift shop.

78 East Grand Unit 4 LLC, (304-7-1-4), 78 East Grand Avenue #104, one year round rental.

Hector Luis Gonzalez Olmo, (307-7-1-12), 78 East Grand Avenue #112, one year round rental.

Councilor Mead opened the hearing at 6:35pm

Motion to approve: Councilor Tousignant

Seconded: Councilor Reid

Vote: 3-0

Councilor Mead closed the hearing at 6:37pm

PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:

Royal Anchor Resort, (202-1-5), 203 East Grand Avenue, live music outside from 10:00am – 8:00pm. (*previously 10:00am – 9:00pm*)

Councilor Mead opened the hearing at 6:38pm

Motion to approve: Councilor Reid

Seconded: Councilor Tousignant

Vote: 3-0

Councilor Mead closed the hearing at 6:38pm

TOWN MANAGER REPORT



Town of Old Orchard Beach

Town Manager
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February 7, 2023

Town Manager's Report

Community Resiliency Partnership Workshop 2/13/2023:

There will be an important workshop on February 13th from 6pm to 7:30pm here in the Council Chambers to learn about climate change and what Old Orchard Beach can do to be more resilient. The Town is enrolling in the State's Community Resiliency Partnership or CRP program, in partnership with Southern Maine Planning and Development, to better understand what is important to Old Orchard Beach and the priorities for addressing local climate change. To accomplish this, we need your feedback and your thoughts and concerns regarding climate change.

I hope we have a good turnout for this important workshop, but if you cannot attend there are still ways to participate. The workshop will be recorded and can be viewed on the Town's website. Also on the Town's website will be a link for your feedback and comment. The comment period will be through March 6th. For more information, please visit the Town's website or contact my office at 937-5626.

PACTS Multimodal application:

The PACTS Multimodal application submission was completed this week for potential Federal Highway Administration (FHWA) funding opportunities for the I-195 Ocean Park Road to Halfway Intersection project. This project is in partnership with Maine Department of Transportation and the City of Saco. The next step will be a presentation to the PACTS selection committee on February 27th, where the scoring committee will finalize the scores in March and present this to the PACTS Policy Board around May 25th for project funding approval. This project was one of six submissions for multimodal projects.

I would like to thank Mike Foster, Associate Planner for his help not only with this project but for his help to complete the application process – it was not an easy task.

FY 24 Budget preparation:

Work continues with each department to develop the FY 24 capital budgets and department operating budgets. Jordan Miles, Finance Director, and I have been meeting weekly with each department on multiple occasions. The Finance Committee will hold its first meeting tomorrow Wednesday February 8th at 5:30 at the Police Department Community Room to begin the capital improvements budget process.

Seasonal Recruitment:

It is that time of year where the Human Resource Director Fran Beaulieu is busy with summer seasonal recruiting. She recently attended a job fair in Kittery which is new and it was a successful event. She spoke to over 20 potential applicants and left with over 10 resumes for current open positions, so I consider that successful in this tight job market. If anyone is looking for a great summer job as a lifeguard, police reserve officer, summer camp counselor, seasonal laborer, parking enforcement, or a full time permanent position, please contact our HR department at 937-5632 or visit the Town's website for all available job openings.

Thank you,
Diana H. Asanza

NEW BUSINESS

AGENDA ITEM #7830

Discussion with Action: Renew the liquor license of Royal Anchor Resort, (202-1-5), 203 East Grand Avenue, m-s-v in a Hotel.

Acting Chair: Larry Mead

Motion to approve: Councilor Reid

Seconded: Councilor Tousignant

Vote: 3-0

AGENDA ITEM #7831

Discussion with Action: Award the bid to Shaw Brothers of Gorham in the amount of \$514,790.00 and authorize the Town Manager to enter into a contract for the Balsam Lane, Goldenrod Street and Bower Lane drainage improvements project from account number 50002-50831 CIP Stormwater Improvements with a balance of \$829,351.29.

Acting Chair: Larry Mead

This drainage project is part of the capital improvements program and includes installation of drainage infrastructure within each of the roadways, including roadway rehabilitation, to address the ponding that takes place on each road.

Four bids were received (January 26th) and were evaluated by Wright Pierce, the Town's engineer on this project.

Shaw Bros of Gorham submitted the low bid of \$514,790, and based on their resume and prior work experience here in Old Orchard Beach the recommendation is to award the contract to Shaw Bros.

- Shaw Bros: \$514,790
- Dearborn Bros: \$598,063
- Pratt & Sons: \$635,557
- Gorham Sand: \$859,585

Motion to award to Shaw Brothers: Councilor Reid

Seconded: Councilor Tousignant

Vote: 3-0

Councilor Tousignant inquired about the timeframe of the project. Town Manager Asanza informed him it's projected to start in March and finish the end of May, beginning of June.

AGENDA ITEM #7832

Discussion with Action: Approve the Special Event Permit application for the Town of Old Orchard Beach to hold the annual Memorial Day Parade to honor our country's veterans. The parade will be on Monday, May 29th, 2023, from 1:00p.m. to approximately 3:00 p.m. with an anticipated parade start at the Ball Park, traveling down Saco Ave, to Old Orchard Street, followed by First Street with an end at Memorial Park.

Acting Chair: Larry Mead

Motion to approve: Councilor Reid

Seconded: Councilor Tousignant

Vote: 3-0

AGENDA ITEM #7833

Discussion with Action: Approve the Special Event Permit application for 5k Sports Race Management to hold a road race on Saturday, March 25th, 2023, from 8 a.m. to Noon. Two Old Orchard Beach police officers are required and must be booked at least two weeks prior to the event; any cancellation of the event must be at least one week prior to the event. 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.

Acting Chair: Larry Mead

Motion to approve: Councilor Tousignant

Seconded: Councilor Reid

Vote: 3-0

AGENDA ITEM #7834

Discussion with Action: Set a public hearing date of February 21st, 2023 to amend the Code of Ordinances, Chapter 54, Sections 54-37, Penalty, Section 54-141 Reservation of Powers, Section 54-144, Yellow curbs and 54-186, Prohibited at specific locations, adding yellow lines to yellow curbs and removing effective dates to have the section in effect year-round.

Acting Chair: Larry
Mead

This item is to clarify Section 54 – 37 Penalty under Chapter 54 Traffic and Vehicle, by adding the word “yellow line” to section 54-37 Penalty to enforce prohibited parking at locations that are identified by either a “yellow curb” or “yellow line”. Currently it only states parking prohibited at locations that are identified by a yellow curb.

Motion to set date: Councilor Reid

Seconded: Councilor Tousignant

Vote: 3-0

Town Manager Asanza clarified the change

AGENDA ITEM #7835

Discussion with Action: Set a public hearing date of February 21st, 2023 to amend the Code of Ordinances, Chapter 54, Sections 54-1 Definitions and Section 54-142 Parking at expired meters and overtime parking, adding definitions for electric vehicles and electric vehicle charging stations, and parking restrictions for electric vehicles at electric vehicle charging stations.

Acting Chair: Larry
Mead

This amendment is to add a definition for Electric Vehicles and Electric Vehicle Charging Stations to Chapter 54 now that the Town has installed electric vehicle charging stations for public use and create parking time limits for EV's at charging stations.

There are four parking spaces on First Street for EV's and this amendment establishes a limit of three (3) hours that EV's are allowed to park in the space to charge their vehicle. The cost is the normal meter rate of \$3 per hour.

Motion to set date: Councilor Reid

Seconded: Councilor Tousignant

Vote: 3-0

Jill Soule, 39 Smithwheel #21, asked if there was a cost for charging? Town Manager Asanza - \$3 per hour same as regular parking charge - Councilor Tousignant asked about a time limit? Town Manager Asanza - 3 hour limit to keep them open for use.

AGENDA ITEM #7836

Discussion with Action: Rescind Town Council Parking Permit Policy 07-01, and adopt Town Council Parking Permit Policy 23-01.

Acting Chair: Larry Mead

There are a few reasons for the changes to this Parking Permit Policy that are being recommended:

- 1) To re-format the policy in a more concise readable document that is easy to understand. The previous policy included approximately seven amendments and is confusing to follow. That is the reason for rescinding the current policy and adopting the newly formatted policy that will now easily identify the different types of parking permits offered.
- 2) Due to the new parking permit program through “Passport” changes are needed primarily for residential permits both \$50 and \$75 permit holders.
 - Under the current policy, a household is allowed to purchase two permits and each permit is allowed 2 license plates for a total of 4 vehicles allowed per household, however only 1 vehicle per permit is allowed to park at designated areas at a time and were transferrable.
 - Under the recommended changes, a household is still allowed to purchase two permits and each permit allowing for 2 vehicles for a total of 4 vehicles, however they are non-transferable, but to offset this change, the two vehicles allowed per permit may now both park in the designated areas allowed for the permit where before this was not allowed.

Motion to rescind and adopt: Councilor Tousignant

Seconded: Councilor Reid

Vote: 3-0

Discussion below:

Town Manager Asanza explained the changes to council and the public in attendance.

Jill Sole asked if the limits were only on meters? – Town Manager Asanza – time limit only on metered/pay station parking; unlimited time at lots – Councilor Tousignant – downtown time limits? – Kim McLaughlin, Town Clerk, – time limits have not changed. The Town Clerk explained the permit options. Councilor Tousignant expressed concerns on overnight parking in Milliken Lot. Councilor Mead – the week long temporary permit was approved last year and was in place last summer but only in late July. It's not new but advertised more this year. Councilor Tousignant expressed concerns on rates of permits. Councilor Mead – \$75 permit, not transferring permits, is that our choice or software limiting? – Elise Chard, Chief of Police – our choice, not limited by software. The Council discussed transferring vehicles on permits.

Councilor Mead made a motion to allow \$75 permit holders to make unlimited number of transfers to vehicles on the permit.

Seconded: Councilor Reid

Vote 3-0

ADJOURNMENT

Motion to adjourn @ 7:23pm: Councilor Tousignant

Seconded: Councilor Reid

Vote: 3-0