

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL WORKSHOP
Tuesday, December 4, 2013
TOWN HALL CHAMBERS
7:00 p.m.**

A Town Council Workshop of the Old Orchard Beach Town Council was held on Tuesday, December 4, 2013. Chair O'Neill opened the meeting at 6:35 p.m.

The following were in attendance:

**Chair Shawn O'Neill
Councilor Jay Kelley
Councilor Joseph Thornton
Councilor Kenneth Blow
Councilor Michael Tousignant
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid**

Absent: Vice Chair Bob Quinn
Councilor Malorie Pastor

The purpose of the Workshop this evening was to discuss several areas of importance to the operation of the Ballpark Commission and activities at the Ballpark.

1. Proposed Amendments to the Ballpark Ordinance

There was discussion relative to recommended revisions to the Ballpark Commission Ordinance. Some of the changes were general in nature such as the listing of the addition of the Ballpark address and other minor changes. It should be noted that the Ballpark operates as an Enterprise Fund. Section 3 related to Appointment, vacancies, terms were a critical piece of the requested change. Whereas the Commission consisting of seven members appointed by Council and the issue of attendance at the meetings has been a concern of the Commission and the lack of quorum on several occasions has made it impossible for them to conduct their meetings. Councilor Bob Quinn had suggested a time frame. That fact that officers are elected in January prompted the idea of the "calendar" as the time frame. It was noted that members of the Commission serve at the will of the Council and may be removed by a vote of the Council at any time for any reason. Additionally added: To remain on the Commission, members must attend at least 75% of

the meetings in a calendar year either in person, by telephone or teleconferencing (leave out Skype) and actively contribute their efforts in various tasks (e.g., meeting participation, timely completion of assignments) important to the usefulness of the Commission's powers and duties. Under the area of Powers and duties it was noted that: The Commission is responsible for developing the Ballpark's business planning including financial, marketing, operation, and long-term property enhancements. In conjunction with the business planning the Commission shall research alternatives for effective internal financial tracking, external marketing, and ballpark operations and provide recommendations to the Town Manager for negotiating agreements/contracts, Council review and consideration for approval. Operations may include, but is not limited to, equipment, materials, vendors and park users. Section 6 was discussed as it involved Quorum, procedures, officers and it was suggested that four members rather than five constitute a quorum. Further lengthy discussion on the following was also considered: The Commission shall choose annually a chairperson, vice chairperson, secretary and a financial liaison from among its members. The financial liaison maintains copies of purchase orders, invoices and other financial documents including the Finance Director's monthly reports. Original purchase orders, invoices and other financial documents are maintained by the Finance Director. The official cash flow and financial records are maintained by the Finance Director. Under Section 7 – Authority to Appoint agents it was noted that The Commission may, with the consent of the Town Manager and the Town Council, designate one or more of its members or qualified non-members (the latter approved by the Town Manger of Council) to serve as the Commission's agents for carrying out the Commission's responsibilities.

The changes were favorably considered by the Council and the Town Manager was to make necessary changes to it and it would be on the next agenda for consideration for approval.

2. Long Range Planning for the Ballpark

There was a lengthy discussion and an enormous amount of material provided by Bob Rings to the Council regarding long range planning for the Ballpark. Some of the areas included were assessing the prime market area for baseball and concerTs and results; determining the market's competitors and collaborators; create OOB' s baseball and concert profiles; and offer speculative alternative business models supported by very limited financial data at this point in time. The need for a complete Market Analysis both local and non-local is vital to success. There was discussion on the capital improvement needs of the Ballpark property itself and questions raised about the cost involved and whether this should go out to the voter's before millions of dollars of funding is spent. The need for an economic impact study will

cost money and there were other suggestions such as fund raising to cover the cost of the study or again going out to the voters to see if they really want this to be done and incur the costs involved. Discussion on types of activities such as festivals and other events, concerts, baseball, other sports, and the need to pursue grants and corporate contributions. At this point discussion was on the securing of a 501C3 Non-profit Organization and the request that the Town's legal services be provided to the Ballpark to determine the requirements to get this designation and the legality of it as it involves the relationship of the Ballpark Commission to the Town. That designation is necessary in order to pursue grants and corporate contributions from foundations, corporations, businesses and private donors. Again the architectural/engineering services proposal including the history of the venue and the work that would be needed to make it wholly operational. Again, the need to go out and find out the "will of the people" was raised several times. The need to identify repairs and code violations and the ability to correct these issues is vital to furthering the goals of the Ballpark. The structural integrity of the Stadium and issues relative to the concrete issues were discussed as well. It was suggested there was no need to survey the buildings but rather the larger area of the stadium itself is the critical part.

3. Speedway OOB

Although not part of the proposed agenda the Council permitted a presentation by Steve Perry owner of Mainely Motor Sports to give a presentation on the possibility of a speedway in Old Orchard Beach at the Ballpark. His go-kart track in the back corner of the Ballpark in an attraction to families and would encourage attendance at other Ballpark events. He said that with little work, at his expense and no cost to the Town or the Ballpark, he felt the area could be restored to not only what it once was, but as a first class karting facility that will attract go kart racers from all over New England. The Commission supports this endeavor but there were valid questions and concerns raised by the Council and members of the audience. He said that many Old Orchard area businesses would benefit from the track being reopened. Stores which sell beverages, ice, snacks, sandwiches, as well as gas, would see people from the track coming to take advantage of the services that they provide. Perry pointed out that the OOB track was used approximately 12 to 15 years ago and after talking with people that were involved it was a very positive reaction to this being a successful venture. He talked about his proposal for putting the go kart track back in operation including work to the track, pit area, spectators, and buildings and covered the issue of insurance which will cover a 2 million dollar liability policy listing the Town as secondary on this policy. There will also be a supplemental \$15,000 accident insurance policy as well. He talked about signage, the schedule, the lights, electricity costs, the P.A. System, track upkeep, the concession stand

and other important areas to the operation of this new business. It was noted that we would like to bring this to another workshop at which time the citizens in the area of the Ballpark would have the opportunity to make their voice heard as well and the Chair indicated this would be arranged probably after the New Year. Mr. Perry also showed a proposed cost to himself for the cleanup and each event conducted. His booklet provided to the Council was well done and formulated all areas of his presentation to the Council and had been shared with each Councilor.

4. Proposed Policy and Procedures (P&P)

Sponsorship:

The Old Orchard Beach's Ballpark Commission has a standard for how sponsorships are sold and marketed, acquired, contracted, implemented and close maintaining consistent and effective relationships with stakeholders. This was discussed as part of the Policy and Procedures. The Policy was presented for Review to the Town Council and because of the short notice in receiving the P&P and its length of the policy the Council indicated they would like more time to review with the possibility of it being on the next Town Council agenda. Sponsorship is official support of The Ballpark via contributions in kind, financial donations, or financial payment for some form of recognition, the latter support is with the expectation of specified benefits such as advertisement(s) and perhaps other amenities, e.g., skybox usage, ceremonial first pitch, oral recognition during the game, etc.) The policy covers many parts of the procedures, responsibilities, as well as the fee schedule which has always been approved by the Council in the past. It is specific indicating size of banners and other considerations as to cost factors.

Internal Finance Account Tracking:

This Policy and Procedure is intended to support the modification to The Ballpark Commission's Ordinance reference to having a financial liaison between the Commission and the Finance Director. The bottom line is to be capable of knowing: what is The Ballpark's cash flow on a day-to-day basis; what are predictable obligations or revenue generations; and what is the most cost-effective use of resources and the schedule for revenue generators during prime times – ultimately better accountability and planning. The Finance Director has the original financial documents. The Town's Budget and Actuals Report remains the official record and The Ballpark's accounting must be reconciled with the Town's account. Key components are the use of an Excel spreadsheets, revenues and expenditures accounted for according to the following categories; i.e., annual event specific, repeatable and unique/one-time. Bob Rings said that this has the support of Diana Asanza,

Finance Director, Jerry Plane, Commission Chair and noted that the Commission supported this process so that the Commission will have the information needed in a timely manner for knowing its current cash flow and predicting its future cash flow in order to make timely and effective decisions. The Council's consensus was that this process was needed.

Finance Update

The Council was presented the Statement of Revenues, Expenditures and Fund Balance ending November 30, 2013 with a balance of \$23,397.34. The Ballpark Commission and the Finance Director are working to smooth out the arrangement for receiving of invoices, recording of that information in the correct accounts so that there is an easy tabulation in reporting. It was suggested by the Finance Director that perhaps one person be designated to work with her on these issues as several hands in the works will complicate the smooth operation of the detail and documentation portion of accounting efforts.

ADJOURNMENT:

The Chair expressed his appreciation to all members of the Commission for their tireless work and particularly pointed out the hours spent by Bob Rings in preparing the research involved in so many areas of tonight's presentation. They also recognized the tireless daily work of Guy Loranger. The Council fully appreciates the work that has been done and the commitment that has been made by everyone.

Respectfully Submitted,

V. Louise Reid
Town Council Secretary

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of five (5) pages is a copy of the original Minutes of the Town Council Workshop of December 4, 2013.

V. Louise Reid