

**City Council Workshop**  
**February 10, 2014**  
**6:30 P.M.**  
**South Portland City Hall Council Chambers**

**Councilors Present**

Gerard Jalbert, Mayor  
Melissa Linscott  
Linda Cohen  
Thomas Blake  
Patricia Smith  
Michael Pock  
Maxine Beecher

**Staff Present**

Jim Gailey, City Manager

**MINUTES**

Mayor Jalbert opened the meeting and welcomed all in attendance. He reminded folks that members of the public are invited to comment on each item as it comes before the Council for a period of no more than two (2) minutes. All questions or concerns would be made through the Chair and if they wished to address the City Council they would be asked to please raise their hand and upon being recognized would state their name and address for the records.

- 1. Follow-up on East Broadway Striping**
- 2. Growth Area TIF**
- 3. Waterfront Advisory Committee Establishment**
- 4. Voting District Recalibration**
- 5. Review of Workshops**

**1. Follow-up on East Broadway Striping:** Jim Gailey, City Manager explained at the City Council January 28, 2013 workshop, staff presented a restriping plan for east Broadway. This plan was in response to a joint Willard and Ferry Village neighborhood association meeting in October of 2012 and was perfect timing due to MDOT looking to pave Broadway during the summer of 2013. Some of the concerns raised during the neighborhood meeting included ideas that staff have been working to address: To improve pedestrian safety at Broadway/Preble, cited at the meeting as being particularly unsafe, crosswalks with middle landing zones were being explored. Additionally, flashing beacons at some crosswalks were proposed in hopes of creating greater safety for pedestrians. Concepts for narrowing the Broadway travel lanes and inserting a middle turn lane so as to potentially reduce speeds and reduce some congestion and provide bike lanes. Suggestion at the meeting of removing on-street parking in front of 425 Broadway (Hazard Tower) in order to expand the capacity of the Broadway/Cottage intersection by providing two lanes for vehicle stacking. Improvements to the Broadway/Mussey intersection that would aid pedestrians as well as transit users. At that time, staff was hoping some improvements would begin to mitigate some of the Broadway impacts even though it is a heavily-travelled arterial and will continue to pose

challenges for all concerned. The Bike-Ped Committee examined several alternatives after hearing the concerns of the neighborhood about Broadway. The Committee focused on the Broadway restriping plan because it was believed that the plan would help to relieve congestion by getting left turners out of the way, calm traffic by slightly narrowing the travel lanes, and improve safety for bicyclists by obviating the need for cars to pull to the right, into the bike lane, to get around left-turners. The Council accepted the plans for the restriping of Broadway and asked staff to report back after the completion to provide an update on how the revised plan is working. The project went smoothly, with the exception of the middle “safe-zones” created for pedestrians. After installation, staff determined that in some instances along Broadway, school buses and fire trucks would not be able to make the turn into some of the side streets. Staff quickly removed the islands and proposed a pavement painting solution to attempt to achieve the same effect (not what we wanted to do). Below I have included staff’s comments on how they feel the restriping plan has worked.

#### Transit

Speaking with drivers on the Rte 21 Willard/SMCC traveling westbound on that section of Broadway, everything seems to be running smoothly and no traffic issues with the current striping. If there were any issues, we would be the first to know.

#### Planning

For the last several months or more I have heard no comments one way or the other. To me it seems that the three-lane section is working well. The only negative I have is that the striping tape is not holding up against snow plowing.

#### Water Resource

I haven’t heard much Jim but what I have heard can only be described as positive. Observations range from ‘...that’s going to be a lot striping ..’ to ‘.. it helps traffic move through Broadway a lot better when the traffic is heavy.’ Sorry, nothing but anecdotal info.

#### Police

From our perspective the new striping appears to be working as intended. I have requested crash data for that section of Broadway to see what type of crashes have occurred since the change. There have been only 3 crashes on Broadway between Cottage and Preble since October 1, 2013. All three were at the intersection of Broadway and Cottage and none were related to the new striping pattern.

#### Fire Department

Fire Department feels that this has worked quite well. It has allowed us a clear path of travel for emergency response and a safe place for cars to pull over.

#### Public Works

Most comments we have heard have been positive. I did get one unfavorable comment about moving the crosswalk from Stanford St more towards Spring St. They felt there should be a crosswalk right at Stanford St.

#### Parks and Recreation

Our group has found the changes useful with relation to waterfront and recreational uses along that corridor since the islands were changed out. We are good to go from our perspective.

#### City Manager

The restriping plan has been received by the public very well. I personally have not heard opposition once the City removed the raised islands in the middle of the roadway. An unintended positive as a result of the three lanes does allow for better evacuation out of the east end of the City by using the middle lane (reversing the flow), gaining capacity if a large event was planned at SMCC, Bug Light or another property in the district. Two lanes into the east end and after an event the Police Department could switch the middle lane and have two lanes exiting the east end.

Public Comment Opened:

**Russell Lunt** Brigham Street added that the roads look great a very good job done. He was surprised at the low accident rate.

Public Comment Closed:

**Councilor Beecher** asked what they would do in the spring with the crosswalks, etc.

**Jim Gailey** explained that they are looking at this now, talking with MDOT to see what we can do and how there is long-term maintenance burden as well.

**Councilor Blake** was not overly happy about this idea at first but added that it does look great. He felt that they short changed the pedestrians and bicyclists and had concern about that. He discussed working with the college on times, etc. regarding the work and felt that this made things better, not great but no so bad. He discussed the problem with east/west traffic and having the constant one lane going out and did not see the benefit to the third lane. He disagreed with the police report and knew of two accidents that occurred and were bad accidents. He added that the college enrollment has declined and is lower then several years ago as well.

**Councilor Smith** had concern for bicyclists and pedestrians on Broadway as well. She added that the committee was concerned as a whole and asked about an update on the meeting.

Jim Gailey explained that they would meet after this project and gave Tex a report as he is the staff person on the committee. He added that they were ok with it at first but as the project went on the concerns arose.

**Mayor Jalbert** asked about attaining the police reports on the accidents that Councilor Blake has mentioned as well as investigating the concerns so that they can work on these issues.

**2. Growth Area TIF District:** Jim Gailey, City Manager explained that Finance Director Greg L'Heureux and he have been working on tax increment financing (TIF) language in support of small and medium size businesses along the City's major travel/business corridors. The intent is to provide a financial tool to assist in the redevelopment of strategic areas of the city. The concept would provide "growth area" overlay zones in specific commercial areas of the community in hopes of fueling economic investment within the captured properties. The parcels that were included were selected because of their potential for economic development or reinvestment and because the City feels there is a substantial enhanced chance of development in these areas if the City proactively markets the incentive.

The TIF district contemplates credit enhancement agreements with developers or business owners on the following terms:

District Duration: 12 years

Maximum Term on any TIF: 5 years

Minimum Investment: \$500,000

Maximum Reimbursement on new Value: 80%

The intent of providing favorable terms within the TIF district is to provide a sizeable upfront reimbursement in hopes of spurring reinvestment on the captured properties. As a larger reimbursement would be an attractive incentive, the district has a short five year term allowing for the full valuation to fall out to the general fund quicker than in other TIF districts.

The Economic Development Committee has been consulted on numerous occasions and are in support of the new concept. City staff will develop and implement a marketing campaign around the Growth TIF in order to maximize the potential opportunity. He further discussed the areas involved as being:

Darling Ave./Foden Road  
Lower Main Street (Wallace to Scarborough line)  
703 Main Street  
Cash Corner to Veterans Bridge approach  
Chambers Ave., Bowdoin Ave. behind McGuire Jones  
Madison Street

Further discussed differences with TIFs used with this proposal, the State value and other areas such as education, taxes and percentages lost to every tax dollar that comes in. Also discussed the issue of what they can use TIF monies for in order to receive the tax benefit on that project. Jim further discussed the process going forward, public hearing, approvals to Economic Development at State level as well. Jon Jennings, Assistant City Manager and Shauna Cook-Muller of Bernstein Shur were both present to answer question and further discuss this item for tool to promote business.

**Public Comment** Opened: No comments

**Councilor Cohen** asked for more clarification and felt that there was a lot of material that was hard to understand completely.

**Shauna Cook-Muller** discussed projections in the application, 12-year TIF total, Captured Assessed Value, General Fund Revenue over the past years and gave examples of how a TIF would work on a new business coming in.

**Councilor Smith** as about the mil rate being kept the same and why? (Re-evaluation, staying constant)

**Greg L'Heureux**, Finance Director explained that there are so many items built in and was ok with the conservative method.

**Councilor Linscott** asked about a marketing plan and an investment/value increase and if this was dollar driven or something else. She asked about concern for projection and if there were currently any projects coming in to these areas?

**Shauna Cook-Muller** discussed triggers to increased assessed values and getting a number when it hits this. She advised looking ahead for this in case of changes and going to the higher level as well.

**Jon Jennings** Assistant City Manager explained that currently there are not any prospective businesses and added that there is low availability for industrial space and there are areas that we can look at for this type of business.

**Councilor Blake** added that he was in support of TIFs and traditionally they can help out which is a great thing. He compared an older model to this updated one and how the amounts have increased, he felt that the enclosed draft on proposed TIFs had items that may not be the case right now and investments can be hard to come up with for the investment.

**Jim Gailey** discussed the legal and payback aspect not being there if it is lower as the economic benefit would not be there for the developer.

**Mayor Jalbert** asked about the cost involved for the developer.

**Greg L'Heureux** discussed site plan, studies, Planning Board process, etc.

**Councilor Blake** asked why they have it set so high and wondered if they could set it lower to \$250,000. He felt that it is the person that gives the incentive and felt that looking at a wider range would be good.

**Greg L'Heureux** explained that you should set the bar as high as you can to get the maximum benefit/investment.

**Councilor Cohen** asked if you can do a range amount or limited amount? She asked about other communities in the area that have done this and if so how much or how did they go about it.

**Councilor Linscott** felt the need to lean toward a lower threshold, and was confused on the standard level.

**Councilor Smith** discussed how some areas are in lowered need then others and asked how you would determine this with what is out there right now. She felt that not all of them are created equally here and that there is a need to look at this list, to update these and pick and choose, she added that this is not an easy task. She asked if there was a list of addresses and or a percentage of occupied and unoccupied.

**Greg L'Heureux** discussed that there may be places in need of re-development, work to be done, vacant for sometime, but they still would want to pursue this.

**Councilor Smith** asked about assessment of districts in the areas and if there are any particular ones that are spot on and how much, she asked if they are just looking at this or would there be a request to move forward and how they would measure success?

**Shauna Cook-Muller** explained that they could do this however they want, take away the minimum number here, just take applications for then figure out cost, etc. after. They may receive a lot of calls on this, she further discussed review of credit enhancement application and how there would be a charge for this.

**Councilor Smith** discussed looking at areas that would benefit, present well, and where the best chance for others to invest in.

**Councilor Beecher** discussed a lower threshold and asked what the dollar amount would be and discussed limiting the threshold as well. She asked about neighborhood centers and possible ideas of what is to come. She is in support of the TIFs and wants to keep using them as it does help but encouraged limits.

**Greg L'Heureux** discussed growing the tax base and having a shorter time on this to do so. He further discussed creating TIFs, jobs and spurring the economy and added that the lower you make it diminishes work that is done to establish the TIF.

**Mayor Jalbert** was ok with \$300,000.

**Shauna Cook-Muller** discussed that when a TIF is denied then maybe an incentive shouldn't be done and whatever basis you approve you can deny or accept the TIF/Credit Agreement Enhancements.

**Councilor Cohen** was ok with \$300,000 and discussed staff looking to increase tax base as well as an Economic Advisor group looking at this and approving which she was pleased with. She asked if the City Assessor as well looks at the applications.

**Shauna Cook-Muller** explained that they do to follow-up and to be certain they are working on the project that was intended to be worked on.

**Councilor Linscott** asked about a 5-year limit and how that would work, she discussed reducing amounts and looking at a list of areas of where this would be needed and asked if other communities were also looked at to see how they process TIFs.

**Jim Gailey** discussed the Transit Reserve Account, smaller lots in Pleasantdale, 5-years 5% acreage and less on the amount that they do give with the 6<sup>th</sup> year bringing in value from improved areas.

**Councilor Smith** felt that range may be best to do in each area; quick cash infusion would be ok. She asked if it was tailored for right business with size etc.

**Jim Gailey** added that he has been jotting down some new proposed amounts as follows:

Mall area: \$400,000  
Main Street/Scarborough line: \$300,000  
703 & Main Street: \$400,000  
Veterans Bridge – Lower Main Street: \$250,000  
McGuire & Jones – Kimball's – Chambers Street: \$250,000  
Madison Street: \$400,000

**Shauna Cook-Muller** explained that once the numbers are set we would be stuck with them and can not be amended except through a public hearing, notice, review of notes, etc.

**Councilor Blake** added that he was ok with any reduction and would be ok with no number at all. He felt the need to keep it low and negotiate on what they would offer; he added that other areas have no minimum.

**Councilor Beecher** asked Jon Jennings what he thinks about this.

**Jon Jennings** added that he would not go to -0- but felt that lowering it would be fine. He discussed incentives to attract new people; re-development and that negotiation go on all of the time as well as the cost being involved here and the need to get to a point where it is ok.

**Mayor Jalbert** was in support of the City Managers new list of proposed amounts. He further discussed costs involved here and the need to come back for review before they move ahead. He thanked Mr. Gailey for his work on this item as well.

**3. Waterfront Advisory Committee Establishment:** Jim Gailey, City Manager explained that the City Council will discuss whether a Waterfront Advisory Committee should be reestablished. Staff has found that the City once had a committee that served this role and from what staff can tell the committee disbanded in the late 1990's. I have included Order #79-88/89 which established the Committee on February 6, 1989. The attached document also outlines the Rules and Regulations of the Waterfront Advisory Committee. Over the last month, Mayor Jalbert and I had the opportunity to meet with Mayor Brennan and City Manager Rees from the City of Portland on a number of mutual items. One topic that came up was the waterfront and whether the two communities should work together in establishing a single committee between the two communities. As both communities share the Fore River and Casco Bay, the concept is one for consideration. How the committee is established and the roles of the committee would be for future dialog between the two communities.

Public Comment Opened:

**Bill VanMooris** Tamarac Drive expressed interest in this committee and has worked on the Portland Harbor Commission and Maritime Consulting; he has spoken to both the City Manager and the Mayor about becoming involved with the committee or as a consultant and offering his services to a very important group.

**Ted Riner** 25 Ballard Street is also interested in becoming a committee member, was not sure on combing with Portland and was not ok with that idea as he felt the need to keep it in South Portland and to our local needs.

**Richard Holt** Willard Street added that he was a fishing representative on the committee back in 1988 and worked with both sides on issues in Portland as well. He felt the need to be able to work with both sides of the city.

**Russell Lunt** Brigham Street felt that this was a great idea to start a committee dealing with the Waterfront and the best interest for this beautiful area.

Public Comment Closed:

**Mayor Jalbert** felt that this was a good idea to create this committee once again, and asked about having both sides of the waterfront involved or not.

**Councilor Pock** asked what the difference would be between this group and the Waterfront Alliance group.

Discussion ensued on the Alliance group being more inline with Casco Bay and economic development on the waterfront, as well as being a private group so it would not be the same.

**Councilor Cohen** discussed the Alliance Committee being on the Portland side and felt that it would be important to look at this being shared with Portland, to work together and would be a great idea to work on items jointly that can help the area as a whole.

**Councilor Beecher** was in support of this new committee to be formed and felt the need to keep the groups separated to focus on their local needs but work all together on ways to make improvements as a whole.

**Councilor Blake** discussed starting from scratch here, re-build a new group here to work on issues regarding the waterfront and felt that there is enough interest to have our own but include Portland for resources as well. He added that we have 14 miles of coastline, watersheds, oil terminals, a beach, Marianas, a railroad, a green belt and many different building zones. He added that with a group like this there would be grants available to be proactive and preventative.

**Councilor Smith** felt the need to focus in on what is important here, South Portland is first, and then we could look at adding or mixing with another group, and did not feel that these would be similar at all as it was more than five years ago. She would like to be able to meet a few times a year and felt that this was a great idea as well as involving Stakeholder groups that may be involved in the process as well such as Water Resource Dept., Eco-tourism as well as Casco Bay Keepers.

**Mayor Jalbert** discussed a public/private partnership – involving Portland using multiple resources and groups from other areas as well as Portland.

**Councilor Linscott** discussed being able to hear some big issues as well as local South Portland issues as well. She liked the idea of starting more local then adding in Portland, etc. She liked the idea of using resources, checking in with Portland Stakeholders, and then looking at joint issues.

**Councilor Pock** liked the idea of keeping most of it in South Portland, then at some point meeting with Portland.

**Councilor Cohen** discussed the waterfront in Portland, the wharfs, cruise ships, etc. that come in as well as the Fore River and added that Portland's waterfront is longer. She liked the idea of having a joint group but did not understand if this is something that would happen later.

**Mayor Jalbert** discussed the process of checking in with the City Manager, lay this all out in writing. He added that this could be a large committee, but a nice local group and he is hearing a lot of different things on this proposal as well as being split on combining with Portland or not. He felt that drafting it both ways and taking another look at this would be beneficial.

**Councilor Cohen** discussed a joint workshop on the waterfront issues with Portland.

**Jim Gailey** discussed Port Authority and this being a separate entity and how they look over the waterfront; he further discussed talking to Portland regarding this issue as well.

Discussion ensued on the importance, the issues at hand and further discussed the State having a Port Authority as well.

**Councilor Smith** looked forward to seeing how this will come about here with involving stakeholders, outside resources, etc.

**Councilor Blake** discussed Portland, the 2006 group and reasons that it may have dissolved, other groups, stakeholders, and sending the City Manager ideas of what the group may look into, a mission for the group as well as names.

**Richard Holt** recalled that the group back then answered to the City Council and the Planning Board but felt that no one listened. He added that people moved and not a lot happen with their work and ideas at that time. He added that there were Irving issues during this time as well.

**Councilor Cohen** asked if it was actually dissolved back then using the proper process and felt a need to look into this.

**4. Voting District Recalibration:** Susan Mooney, City Clerk explained that the effective date of statewide redistricting was June 14, 2013. In January the Secretary of State's Office completed its work with mapping, building new street directories and implementing these changes in the Centralized Voter Registration application. Per state law municipalities must also enact reapportionment within 12 months after the Legislature has reapportioned the House and Senate districts. The 2010 Census estimated South Portland's population to be 25,002. With five City districts each section must have approximately 5,000 inhabitants. In redrawing the new lines I have made sure that all City Councilors and School Board members have remained in their representative districts. It is virtually impossible to ensure that all Board and Committee members remain in the districts that they have been appointed from. As you can see from the attached list, eight Board and Committee members that have been impacted by the redistricting could be moved around to allow them to continue serving on the committees that they have been appointed to. Both Councilors and Board members would have to agree to these adjustments. Five others plus one Ward Clerk have been moved out of their district without there being an easy fix to resolve the displacement. The five committee members would be allowed to continue to serve up to six months unless their term expires before the six month period ends. There could also be some discussion around whether the Council might consider an amendment to Chapter Two to allow the effected members to serve to the end of their term to minimize the impact to the Committees they support. I would recommend that the ordinance be placed on the February 19th agenda for first reading and final passage on March 3rd. The street library revisions should be sent to the State as soon as possible for programming revisions. If the reapportionment can be in place for June it will give those voters impacted by the change an opportunity to adjust to both the Legislative District changes and the City district changes before the November Gubernatorial Election. I intend to send a mailing to all voters impacted by the district line changes at least 30 days prior to the election.

She further discussed ways to make such changes without disrupting board and committee members within their districts and added that they would have six (6) months to stay in their seats. Further discussion on the information all being within the packet with enclosed maps, etc.

Public Comment Opened: No comments

**Councilor Cohen** discussed the issue of appointments according to district restriction and possibly changing this so that you could look at your own district first, but then go outside the district if needed. She added that this would require an ordinance change but felt that it was time.

**Councilor Blake** liked this idea and felt that this may allow for a better pool of candidates as well. Councilor Smith also like the idea with possibly tweaking a bit so not to be too heavy in one area of the city with appointments, but liked the idea of being able to go outside our areas.

**Councilor Linscott** felt that this was a great idea, and liked the thinking outside the box. She also added that it was hard to see here area change so much and asked when this needed to go through and how long the City Clerk had to complete this. She discussed having it go through sooner then later so that they can all get use to it, make changes, tweak before the November election, but added that this was a great job done by Sue Mooney.

**Councilor Blake** felt that an amendment to Ordinance 6 would benefit for a change in the process of appointments.

**Councilor Beecher** agreed that the sooner the better to make this change, that way we can work on making the public aware of the changes.

**Sue Mooney** added that there would be a postcard mailing to them six weeks ahead as people do get frustrated with such changes. She further discussed an ordinance change and the time it takes for this to go through.

**Mayor Jalbert** asked if anyone complained about the re-districting now or did they ten (10) years ago when this was done. (no)

**5. Review of Upcoming Workshops:** Jim Gailey, City Manager explained that this item was brought forward to discuss upcoming City Council Workshops; he added that these discussions were done on a monthly basis. He further discussed the enclosed flyer listing upcoming workshop agenda items as well as budget workshops and areas for adding ideas.

Further discussion on the Air Quality presentation, how Councilor Blake felt that this was of great importance, and Councilor Cohen cautioned that there maybe a larger presence for this one. Climate Action Plan discussed and moving forward with this, Chapter 2 Sale of City Land moving ahead on this item, as well as Zone Change items.

The City Council Workshop Adjourned at 9:35 p.m.