

City Council Workshop
February 9, 2015
6:30 P.M.
City Council Chambers

Councilors Present

Linda Cohen, Mayor
Brad Fox
Thomas Blake
Patricia Smith
Maxine Beecher
Melissa Linscott
Claude Morgan

Staff Present

Jim Gailey, City Manager

MINUTES

Mayor Cohen opened the meeting and welcomed all in attendance. She 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. Air Monitoring**
- 2. Waterfront Advisory Committee**
- 3. Review of Upcoming Workshops**
- 4. Executive Session**

A motion may be made to go into Executive Session pursuant to 1 M.R.S.A. & 405(6)(E) to discuss a pending litigation matter, Portland Pipe Line Corporation, et al. v. City of South Portland, et al., with the Corporation Counsel.

1. Air Monitoring: Jim Gailey, City Manager explained that in South Portland. A number of staff members from the DEP Bureau of Air Quality presented data pertaining to the region's air quality. Air Quality Bureau Director Marc Cone, DEP's Licensing and Compliance Division Director Jaimee Farrin, DEP's Air Augusta Air Bureau staff member Andrew Johnson and DEP's senior monitoring person Catherine Demers from DEP's Southern Maine Regional Office in Portland attended the meeting.

Members of the DEP staff presented data retrieved from the region's air monitoring stations. DEP staff members explained what type of pollutants are found in the region's air and talked about contributors of the pollutants. During the DEP presentation the City Council learned that DEP currently does not have an air monitoring station located in South Portland. The station was once located at the High School, but due to inactivity removed and relocated to an alternative site in Portland. Three air monitoring stations exist in Greater Portland. Two Lights area of Cape

Elizabeth, Deering Oaks Park and Tukey's Bridge in Portland are the three local DEP funded air quality monitoring stations.

Last February, City Council members asked DEP staff members about the process of obtaining an air quality monitoring station in South Portland. DEP staff stated there is a process a community could go through in petitioning DEP for a monitoring station. A phone call last week with Marc Cone and Andy Johnson of DEP provided additional information of the process. The City would need to petition DEP prior to its annual meeting on March 4, 2015. The letter of request should define what the City is looking to accomplish (what is the objective) by having a monitoring station located within South Portland. What is the City looking to measure against national air quality standards? Both individuals mentioned that, if awarded, the opportunity to have a monitoring station would not be done overnight. There is a prioritized process DEP goes through in determining where its efforts are focused as capacity within the air monitoring equipment is minimal.

Workshop discussion took up the question of whether the City Council wants to submit a formal request to the DEP requesting an air monitoring station to be relocated within the City. Marc Cone, At the request of the City Council, City staff invited the City's legislative delegation to the meeting.

He added that he had spoken with David Critchfield from the Conservation Commission as well who passed on information regarding this item specifically the levels of Benzene in the tank farms. He also had talked with a Representative in Washington DC regarding air toxins, focusing on the levels and making a connection to health levels.

Public Comment Opened:

Bob White 7 Orchard Street felt that the monitoring of air is critical in South Portland and that this is an important process.

Patricia White 7 Orchard Street felt that this is a great concern from citizens regarding the air quality and agreed that this was a great thing to do here and if people are asking for this then it should be done.

Russ Lunt Brigham Street agreed that this is a good plan to move ahead with.

Greg Lewis 153 Mussey Street agreed that this was a good idea and going forward with this air quality monitoring process in South Portland.

Abby Huntoon 12 Ridge Road was in support of the air quality monitoring in South Portland and felt a great need to do this.

Public Comment Closed:

Councilor Fox felt that this is a great opportunity to learn about air quality monitoring and asked about any emissions coming from tank farms or pipelines? He asked what exactly what they would be looking for and wondered if any monitoring was currently being done by the Pipeline at all and would like to know how they will use this information.

Councilor Morgan discussed the toxins being Benzene, Tulane, Ziline, solvents and cleaners that are used in the petroleum industry and are what carbon rings are made of. Further discussion of aromatic compounds to look for, having a set of second eyes even if the Pipeline was doing their own monitoring. He liked the idea of looking to see if there are leaks anywhere and suggested a starting place of outside the fence line. He agreed on going with the EPA Region and was not impressed with the DEP and their lack of involvement and further discussed private/public partnership.

Councilor Blake discussed odors in this area and added that we are in the bottom 3rd for air quality. He asked about the DEP Letter with a date of March 5 and the EPA which he felt was what they should proceed with as they do need help with this process. He suggested a private enterprise to assist with the process and added that he has heard many complaints about odor. He stated that we have lots of industry here in South Portland 13 miles of different businesses. He asked what we would be looking for and felt that there are options for this and supported the process as well. He also felt the need to tap into other organizations with the process such as the Conservation Commission.

Councilor Beecher felt that this is a complex issue and added that many residents burn wood for heat in South Portland and with westerly winds that can make odors much worse. She hears complaints as well and agreed to the monitoring set-up. She asked about this being portable and felt that this would be a good idea if it was possible. She liked the idea of working all together cooperatively and tapping into other organizations as well.

Councilor Smith asked about moving monitors and felt that there were three (3) paths to follow here: 1. Letter to DEP 2. EPA Region1 3. Private/Public RFP Professionals to help us with the process. Further discussion on BTX Compounds and Benzene not being good. She agreed on investing into this, an RFP during budget season might be the time to look at this and source point monitoring as well.

Councilor Linscott was inline with her fellow Councilors, EPA Region 1 – Three (3) prong approach and agreed to move forward with this process.

Mayor Cohen agreed with her fellow Councilors on moving ahead, she added that they made a commitment to the citizens to follow through with the process.

Jim Gailey explained that they can move forward with the DEP letter and seek assistance from the EPA as well as gaining insight on language for an RFP and involve local citizens, etc.

Councilor Morgan added a plea for anyone out there that may currently be monitoring air quality to please let us know.

2. Waterfront Advisory Committee: Jim Gailey, City Manager explained that over the last eighteen months a significant amount of conversation has been on the precious resource of Casco Bay and more particularly the South Portland waterfront. The City's waterfront is very diverse from residential homes to city open space/water access to commercial properties. Staff found that the City once had a committee serving this role and from what staff can tell the committee disbanded in the late 1990's. The Advisory Committee was not established by Ordinance, but rather by Order #79-88/89 which established the Committee on February 6, 1989. I have included in the packet a copy of the Order and the document outlining the Rules and Regulations of the Waterfront Advisory Committee. The disbandment seemed to be due to lack of member participation and committee workload. Since the committee disbandment, the City has not had a formal working committee overseeing the waterfront.

The City Council discussed on Monday whether a Waterfront Advisory Committee should be re-established. In preparation of the workshop, staff has provided a rough draft ordinance of what an established waterfront advisory committee would look like if the City Council wished to pursue such a committee. Many questions still remain and staff needs to seek guidance from the City Council prior to working further on the Ordinance amendment.

Public Comment Opened:

Bob White 7 Orchard Street liked the idea and urged the attention be made to skills and experience of folks who will come on board as well as in tourism, using SMCC as well.

Public Comment Closed:

Councilor Beecher asked if this would be the same as the Waterfront Alliance Committee as it seems similar to this group. She encouraged inclusiveness and cautioned not to duplicate this group's work.

Councilor Morgan added that he has sat on the Waterfront Alliance Committee which is a fascinating and productive group that shares information on what everyone is doing. He discussed conflict and controversy that was going on and as a result this group began which helped to bury the hatchet. He added that they have open meetings and are a nice group who all get along well which may have not prior to that. This is a much different committee then what we are talking about here and the key is to keep the communication going no matter what which may mimic this other group. He added that with a vision of opening up to everyone who has a stake here which included equity.

Councilor Blake discussed this being an investment and felt that it is very important as we have a college here, tank farms, the pipeline, watersheds, marinas and a true working waterfront. He felt that the mission and membership are vital and discussed duties and powers of the committee as well as the Comprehensive Plan, Climate Action Plan, Public Health, Mixed Uses and who would be listed as possible committee members. He felt the need to tap into Conservation Commission members, neighborhood groups, and soliciting ideas from groups to the City Manager.

Councilor Smith thanked the City Manager and all involved with this process and was in support of this idea and felt the need to fine tune as the process moves along. She further discussed land use, preservation, quality, tourism, development and wondered about a possible merger with the Portland side? She had concern with the issue of rising sea levels and questioned how a water front grows over years and years. She encouraged the best resource staff to be involved here as well as committee members.

Councilor Linscott referred to Camden and the tourism that this area brings in and felt the need to have that here as well. She discussed future, and forward thinking, planning and current stake holders as well as defining the area.

Councilor Fox agreed to defining the area and having an important vision for this area as well as a robust committee.

Councilor Morgan asked about a cape station on the waterfront and a lack of vision for the area. He further discussed cost, beautifying and best use for the waterfront.

Mayor Cohen agreed with all of her fellow Councilors and felt that this is a large area that is underused. She sees this having a mixed use of walkways, boutiques, becoming inclusive and creating more tourism to the future of the area. She further discussed the Comprehensive Plan process and people that would be involved in this. She encouraged input and suggestions for the group as well as staying focused on their own committee for now and not becoming part of the Waterfront Alliance Committee.

3. Review of Upcoming Workshops: Jim Gailey, City Manager explained that this item was brought forward to discuss upcoming City Council Workshops. This discussion is done on a monthly basis.

Jim Gailey added that he would like to bring to a workshop that Martins Point Health Care may have an interest in a possible purchase of Hamlin School. He asked if this could be placed on the March 9th agenda.

Councilor Blake asked about having citizens comments included in the City Council Minutes (Public Hearing) and wondered if this could be on the agenda for March 9. He also discussed problems with in-fill lots and wondered if that could be looked at some point.

Councilor Fox requested the item of minimum wage to be placed on the agenda for the end of April as well as single-use bags and ploy-foam containers to be brought up, (Councilor Morgan seconded the later ideas).

Councilor Smith discussed the issue of rising sea levels and preparedness for this and wondered who would be the staff person to contact regarding this issue. (Tex Haeuser) She also further discussed the parking lots, off street parking and staff comments regarding this. She added that the Public Works current and new site should be discussed again as well.

Jim Gailey added that they need to do some digging in the current site to see what test will need to be done, and further discussed the issue of charging a fee for the car-charging stations.

Councilor Linscott asked about a long-term schedule for March/April/May for planning purposes.

- February 23 –**
- * Discussion of Main/Westbrook Street City Property
 - Audited Financials Presentation – RKO
 - Fire Department Training – Best Practices

- March 9 -**
- * Martins Point / Hamlin School
 - Armory Property Re-Zoning
 - Review of Upcoming Workshops
 - Citizens Comments Included In Minutes

- March 23-**
- * Budget Meeting #1

The City Council Workshop Adjourned at 8:00 p.m.