

City Council Workshop
May 11, 2015
6:30 P.M.
City Council Chambers

Councilors Present

Linda Cohen, Mayor
Brad Fox
Thomas Blake
Patricia Smith
Maxine Beecher
Melissa Linscott, Absent
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. Minimum Wage discussion**
- 2. Waterfront Advisory Committee**
- 3. Review of Upcoming Workshops**

1. Minimum Wage Discussion: Jim Gailey, City Manager explained that Councilor Fox has asked the City Council for the opportunity to present his thoughts around the City moving towards increasing the Minimum Wage. The intent of this workshop is to introduce the Minimum Wage discussion and allow for the City Council to weigh in on their thoughts. Councilor Fox has asked a few individuals to come and present their ideas on the subject. As a result of the Federal Government unable to increase the Minimum Wage, individual states are taking the lead with upwards of 20 states nationwide (Boston Globe – 1.1.15) having some change in the Minimum Wage this past January. Individual communities are also taking on the Minimum Wage, but tend to be the larger markets like Chicago, Seattle, San Francisco, San Jose, San Diego and Albuquerque. East Coast communities include only Washington DC. Other communities like Portland, Maine and Los Angeles are still under consideration. Both Portland and Bangor have come out in support of increasing the Minimum Wage in their communities. These initiatives are directed on providing a livable wage for the workers within each community, but also on the belief that local ordinances would put pressure on state government to enact a statewide increase. Below I have provided some information concerning how the minimum wage discussion has taken place here in Maine. Attached

to this document, I have provided some articles providing both sides of the Minimum Wage discussion.

Federal Minimum Wage Current Federal Minimum Wage - \$7.25

Presidential Executive Order

President Obama signed an Executive Order in 2014 requiring all federal employees and contractors to be paid at least \$10.10 an hour.

Current Maine Minimum Wage Current Maine Minimum Wage - \$7.50 Tipped Wage – ½ of the minimum wage or \$3.75 as long as ultimately is making \$7.50 an hour. If employee doesn't make \$7.50 an hour the employer needs to make up the difference.

Portland – Proposed Current status – On Thursday, April 16th the Portland City Council Committee voted 3-0 to create a citywide minimum wage in Portland. The item now goes to the full City Council for further discussion. The recommended minimum wage is scaled back from what was originally proposed. Original Proposal: 2015 – \$9.50 2016 - \$10.10 2017 - \$10.68. Annually adjusted by cost of living from January 2018 forward. Training Wage – looking at an alternative rate of pay for those under the age of 18. Portland Committee Recommended 3-0: 2015 - \$8.75 Double amount of time for future increases Removed using the CPI Removed “tipped workers” from the equation

Bangor - Councilor Baldacci Proposal Led by City Councilor Joe Baldacci – his proposal 2016 - \$8.25 2017 - \$9.00 2018 - \$9.75 After 2018 the minimum wage would be based on the consumer price index.

State of Maine – 127 Legislature (not inclusive) LD #52 – Sponsored by Martin (Sinclair) Bill raises the minimum wage to \$9.50 per hour beginning October 1, 2015. LD #72 - Sponsored by Scott Hamann (South Portland) proposed: Starting October 1, 2015 the minimum hourly wage is \$10.10 per hour. Starting in October of 2016 and each October thereafter, if there is an increase in the Consumer Price Index as of June 30th of that year the minimum hourly wage in effect at that time must be increased by the same percentage as the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the Northeast Region. LD #77 – Sponsored by Miramant (Knox) proposed: Increased the minimum wage to \$9.75 per hour beginning October 1, 2015. LD #92 – Sponsored by Bates (Westbrook) proposed: Bill raises the minimum wage to \$8.00 per hour beginning October 1, 2015. LD #843 - Sponsored by Melaragno (Auburn) proposed: Raised minimum wage incrementally until it is \$12.00 per hour starting October 1, 2019 and it requires the minimum wage to be adjusted based on the increase in the national average wage index, starting October 1, 2020. The Bill also reduces the tip credit incrementally until it is eliminated starting October 1, 2019.

**All Bills received a Work Session on April 29, 2015 and all were TABLED at that Work Session, another Work Session is scheduled for May 7, 2015.

Governor's Bill – Recently Submitted Governor LePage has submitted a Bill this session (Sponsored by Cushing – Hampden) to prevent local communities from increasing the minimum wage. LD #1361 An Act to Promote Minimum Wage Consistency prohibits local governments from enacting any type of legislation/ordinance that addresses the minimum wage. Any attempt to do so would be null and void as State Law would trump local action. The last action by the House and Senate was “Ordered sent down forthwith for concurrence” (sent to Committee). Work Session planned for May 7th.

UPDATE - As of May 7th At a Work Session held on May 7th, the Labor, Research and Economic Development Committee voted 7-3 in favor of an amended Minimum Wage bill. The amended bill would raise the current Minimum Wage from \$7.50 to \$8.00 this October and then \$0.50 cents every year until 2018, ultimately topping out at \$9.50. This item now heads to the House and Senate for further dialog and action.

Other Initiatives in Play: Signatures are currently being collected by the Portland Green Independent Committee to seek a Portland referendum this November. Its proposal is for a wage of \$15.00 an hour. The Maine's People Alliance is collecting signatures for a 2016 statewide referendum to create a statewide minimum wage of \$12.00 an hour.

Councilor Fox discussed his reasons for bringing this item forward, the history of what is happening in other nearby communities and other countries regarding this as well as reading quotes from Winston Churchill. He further discussed how the wages have worked over the years for employees and how things have changed as well. He added that he would prefer that the Council of Governments to set this rate for all of the State rather than community by community. He suggested the following with Portland and raising the importance of this issue, he felt that there is a need for higher wages to lower the need for assistance, as things have changed over the years and there is a message that needs to happen.

Public Comment Open:

Patricia White 7 Orchard Street thanked Councilor Fox for his work on this item and she was in total agreement with this proposal. She felt that it is so sad that people have to work so many waking hours just to get by.

Russ Lunt Brigham Street liked this idea presented by Councilor Fox, he felt that it is different here than in other areas and wondered about an increase in wages causing an increase in the cost of goods.

Mary Jane Ferrha 96 School Street thanked Councilor Fox as well for proposing this item and commented on being on assistance.

Rachel Berger 17 Churchill had concern about poor people who live here in South Portland.

William Laidley School Street discussed Councilor Fox's proposal and agreed that this was nice work and agreed that it warrants looking into further.

Public Comment Closed:

Councilor Smith agreed that if GPCOG were to get involved that would be great and further discussed the loving wage and read from an article relating to earnings and the cost of living in the Portland area as well as housing and food costs. She agreed that this needed to be looked at and was in support of raising numbers but did question pricing in regards to increases. She wondered about a phasing in period and having this created over time, she added that it is hard to attract and hire talented people in the lower paying jobs as well as keeping them there.

Councilor Morgan was also in support in principal and agreed that there is a need for something more solid which may come from Councilor Fox. He discussed taking time, running numbers through to see how it would work and looking at other comparable communities, other models to go by as there is a need to make it worth it for all people to want to get up and go to work. He asked if there was a number in mind that he had. (no)

Councilor Beecher hoped that people could earn enough to live and added that many folks are moving home to save money and to make living easier. She added that there are many people employed in this area and felt the need to look at the companies; the wages paid, and gather facts on this issue.

Councilor Blake felt that something would happen eventually state by state or city by city but felt that it would not totally eliminate welfare however. He was in support of doing something very soon, to look at all aspects whether it may be a citizen's initiative, getting on the GPCOG agenda to

discuss this issue or something different. He asked if the Council would like him to bring this up at the annual meeting for discussion. He felt that this may apply to some areas but not all as some have more industry and service jobs than others. He thanked Councilor Fox for bringing this item up.

Councilor Linscott asked when the current minimum wage started and how many people actually receive that rate of pay. She discussed phasing this in as well to minimize the impact on goods and to come up with a wage that may help to move people off assistance programs. She would like to approach this idea regionally.

Councilor Morgan asked about ill feelings elsewhere and had concern about a regional approach and felt that it would be too slow of a process.

Councilor Beecher asked about the people that get paid higher than minimum wage and if minimum goes up what happens to their wages. She felt that skills and abilities need to be recognized. She further discussed some lower paid positions that get tips like wait staff and do end up making good money.

Councilor Linscott was not convinced that all wages would go up just because minimum wage does and felt that people who work for the service industries are the hardest hit.

Councilor Smith discussed updates in the minimum wage and how it has risen over the years, she agreed with running the numbers to see where we are at and understood the issue with working in the service industry and how they do not earn as much as others jobs. She did feel that many places are starting to pay above minimum wage now and thought that looking into this regionally would take a long time.

Councilor Fox asked that they start the process, discussions on the issue, bring it up at a GPCOG meeting. He felt that this is happening elsewhere and there is more data to look at as well as proposals.

Councilor Blake discussed reasons why this gap is getting bigger and felt the need to do something now, as there are many people in need out there and the sooner its looked into would be best. He agreed on bringing this up at GPCOG as well as locally and standing behind something that is working.

Mayor Cohen agreed and felt that it is sad to see such low incomes from hard working people as it is hard for them to live, make more and to ever borrow money to purchase a car, etc. She discussed this being a regional/state issue and not just cities and towns. She felt that they would soon have more information and had concern that higher paid employees would want to earn more as well if minimum wage were increased. She further discussed support at other levels as well as discussion with GPCOG.

Councilor Smith suggested keeping current with ongoing communications until September 1 and see what might happen. She was ok with the proposal by Councilor Fox and felt that looking at this in a few months would be a good idea.

Councilor Morgan agreed that the ideas need to move forward.

Councilor Blake asked about a resolution to support, adopt or commit to stay with this issue, added that we need to do our work on this, hear from people and look at overall issues.

Councilor Linscott agreed to move forward but to hold for feedback as well and would like information from Portland. She asked about loving wages and what is considered below this, she discussed wait staff wages.

Councilor Morgan suggested looking to our own language and having discussions on this, (\$12.00) he added that the Maine People's Alliance may have a bill for this as well and we could look at this to see if it is a fit for us. He also discussed seeing what happens at the State and did discuss a resolution and looking at September for a next workshop on this.

Councilor Smith further discussed what the living wage is and what might be affected by this and how this might work, as well as a span of years for adjustment and maybe meeting in July rather than September on this issue.

Mayor Cohen discussed Portland and how they had previously had done some research and thought that we could look at this.

2. Waterfront Advisory Committee: Jim Gailey, City Manager explained over the last twenty-one 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 disbanded, the City has not had a formal working committee overseeing the waterfront.

At the February 9, 2015 workshop, the City Council discussed whether a Waterfront Advisory Committee should be re-established. A rough draft ordinance was presented of what an established waterfront advisory committee could look like if the City Council wished to pursue such a committee. This evening's workshop is designed for more input on the proposed Ordinance language, providing staff additional guidance in preparation of the Ordinance for first reading.

Some of the topics brought up at the last meeting included:

Mission Statement – more input

Duties & Powers – More input tying to Climate Action Plan, Public Health, Rising Sea Level and Comp Plan

Membership – Who sits on the committee and how many

Public Comment Opened: No comments

Councilor Morgan felt the “more the merrier” when it comes to this idea and any property owner, business near the water, should join in. As well as CMP and folks who have a vested interest in the waterfront area and added that they should think bigger here.

Councilor Blake agreed with Councilor Morgan and felt that it is hard to fill seats on boards sometimes but that the interest is here. He added that there are many issues to be looked at with this group such as recreation us, residential use, water issues, sea levels, petroleum, looking at older records and further discussed having a few Councilors on here as well as folks from neighborhood associations. He discussed voting members, as well as environmental groups that may want to join in and possibly students.

Councilor Smith discussed bringing lots of people to the table for this discussion as well as sitting on the Board. She agreed with the idea of a broad group of people serving on this committee and felt that this would be an asset for the City, and felt that people do care and would want to become involved.

Councilor Beecher discussed having a broad base for this group and felt it was like an independent think tank.

Councilor Linscott agreed with the broad ban of people and discussed how they would become appointed and the logistics of these appointments.

Mayor Cohen discussed including people who have property that actually touches the water and further discussed Cape Elizabeth not being included as Portland would not be. She had concern on current Board & Committee vacancies and felt the need to focus on this issue. She welcomes state interests and having one from each area but did not feel the need for City Councilors on the committee and did not agree with this.

Councilor Blake agreed with not having Councilors on the committee but having them do the appointments and having proper staff reports.

Councilor Linscott suggested recruitment and having it looked at each year.

Mayor Cohen discussed sending a letter to waterfront businesses and folks who live in this area as well as the neighborhood associations in this area.

Councilor Morgan agreed and understood that it may be hard but added that there are many people out there that may have an interest in this and felt that it could work sitting an example of the Portland Waterfront Alliance and how things have worked with this group.

Councilor Blake had knowledge with rising tide information and discussed possibly having a representative from Water Resource Department or even a consult.

Councilor Beecher added that the Portland group had paid staff for scheduling, minutes, coordinating and would like information on this; she also liked the idea of involving GPGOG as well.

Councilor Smith agreed that Water Resource would be a very important piece here.

Councilor Linscott asked about the number of members there might be (22-24) range to start from.

Councilor Smith discussed a larger group being hard sometimes as it could take a special facilitator to organize and run a group of this size.

Mayor Cohen discussed starting by creating an ordinance to establish a committee and wondered if this could be done at a Workshop or do they need a meeting? She further discussed an Ad-Hoc committee which would not continue on permanently.

Councilor Blake discussed first categorizing waterfront homes, businesses, etc. and establishing funding for a facilitator, then onto a workshop or meeting to further move the process.

Councilor Linscott discussed setting priorities, having vested interest and start up with a list from possible groups.

Councilor Smith asked about pieces of land that touch the waterfront and how many there are, she also added that she liked the communication going on regarding this item.

Councilor Beecher discussed how they could go about finding a recording secretary for this group and to keep promoting and helping this along.

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

Councilor Smith asked about the City's Open Space Philosophy and what the process, review or ordinance might entail with the sale of City Property?

Councilor Beecher further discussed Open Space in the City and a Dog Park.

Councilor Blake discussed Hinckley Park and Wainwright, Master Plans for both and open space and care of the parks within the City. He recalled a Workshop which it was reported to the Council problems with some of the parks and restoration plans for them.

Councilor Smith asked about legal boundaries and not being specific here with what the intention might be.

Councilor Morgan had concern that this issue being brought up was to overturn the referendum that the voters put in place several years ago and would like to ask for legal input on the parks and the issues being discussed.

Further discussion by Councilors regarding the parks, the issues being discussed and how this is not about the referendum that was voted on but concern with open space and conditions of the parks within the City.

The following will be upcoming Workshop Agenda Items:

June 8

- Pesticides
- Check n for Budget
- Zone map Change- Residential A to LB
- Review of Upcoming Workshops

June 22

- Mill Creek Zoning
- Waterfront Advisory Committee

July 13

- Open Space
- Sale of City Property; Review of Philosophy/Ordinance

July 27

- City Council Standing Rules

The City Council Workshop Adjourned at 8:50 p.m.