A pre-meeting of the City Council at 6:30 p.m. was held in Conference Room A. No Council actions were taken at the pre-meeting. Pre-meetings are open to the public.

**Present:** Mayor Rollins, Councilors Conti, Grant, Elliott, Blodgett, and Wilson.

**Absent:** Councilors Alexander and O’Brien.

Meeting was opened at 6:40 pm

Motion to suspend the rules and add an executive session to the agenda.
By: Grant Second by: Wilson
Yeas: 5
Nays: 0

Motion to enter executive session at 6:40 pm to discuss:
- Consult with Legal Counsel; 1 M.R.S.A., §405(6)(E)
By: Conti Second by: Wilson
Yeas: 5
Nays: 0

Motion to leave executive session at 7:08 pm.
By: Wilson Second by: Elliott
Yeas: 5
Nays: 0

**PRESENTATION AND PUBLIC HEARINGS:**

Public hearing on the JS McCarthy CDBG grant. Matt Tardif, CFO gave an overview of their grant project results.

**PUBLIC COMMENTS ON ITEM LISTED ON THE AGENDA:**

**CONSENT AGENDA:**

17-071 City Manager (Bureau of City Clerk)
**ORDERED,** that the minutes of the City Council Meeting held April 6, 2017, submitted by the City Clerk’s office be approved.

Motion for passage of the Consent Agenda order 17-071
By: Grant Second by: Blodgett
Yeas: 5
Nays: 0
OLD BUSINESS AND TABLED MATTERS

SECOND READING (Ordinances)

17-067 Mayor and Council

WHEREAS, in keeping with the Comprehensive Plan and complying with state shoreland zoning laws, the City Council finds that amending the Land Use Ordinance is in the best interest of the City;

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta, that the Code of Ordinances, Land Use, be amended as shown in the attached document entitled “Shoreland Zoning Amendments – April 3, 2017” and the attached map entitled Shoreland Zoning April 3, 2017.

Motion for passage of the order 17-067
By: Wilson
Second by: Elliott
Yeas: 5
Nays: 0

17-068 Mayor and Council

WHEREAS, the Planning Board held a public hearing and unanimously recommends the following changes; and,

WHEREAS, the City Council finds that amending the Land Use Ordinance is in the best interest of the City.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta, that the Code of Ordinances, Land Use, be amended as shown in the document entitled “300-515 Setbacks; general requirements”.

Motion for passage of the order 17-068
By: Wilson
Second by: Blodgett
Yeas: 5
Nays: 0

17-069 Mayor and Council

WHEREAS, the Planning Board held a public hearing and unanimously recommends the following changes; and,

WHEREAS, the City Council finds that amending the Land Use Ordinance is in the best interest of the City.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta that the Code of Ordinances, Land Use, be amended as shown in the document entitled “General Amendments to Land Use Ordinance 4-3-2017”.

Minutes 04/20/2017
Motion for passage of the order 17-069
By: Wilson Second by: Elliott
Yeas: 5
Nays: 0

17-070 Mayor Rollins, Councilors Conti, O’Brien, and Elliott
WHEREAS, the City Council finds that the current definition of “Religious Activities and Associated Uses” is outdated and does not provide adequate clarity for religious organizations or citizens regarding accessory activities conducted in relation to such uses; and,

Motion to suspend reading.
By: Conti Second by: Wilson
Yeas: 5
Nays: 0

WHEREAS, the City Council finds that clarity of interpretation is critical to creating certainty for residents and others; and,

WHEREAS, the City Council finds that the faith community is a critical part of the fabric of the community, but as the nature of worship changes, certain activities conducted by religious organizations, like their secular counterparts, could have an impact on the health, safety, and general welfare of the neighborhoods where they are located; and,

WHEREAS, the City’s Planning Board reviewed this issue and the proposed amendments at two public hearings, at which residents and business owners voiced concern over the impact of social services, traffic and parking on residential neighborhoods and business districts, and religious entities discussed how activities such as community suppers, clothing drives and educational activities are components of their religious practice; and,

WHEREAS, the City Council respects the needs of all property owners and is interested in limiting traffic, noise, parking, and other impacts of uses in keeping with the nature of the district in which they are located; and,

WHEREAS, in keeping with the Comprehensive Plan, the City Council intends to regulate accessory uses conducted by religious entities only to the extent they are significant in scope and, due to their potential impacts, would not otherwise be allowed as primary uses in the district in which they are located.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta, that the Code of Ordinances, Land Use, be amended to modify the definition of a “Religious Activities and Associated Uses” in Section 300-202 as follows:

RELIGIOUS ACTIVITIES AND ASSOCIATED USES

A structure or place where persons regularly assemble for worship, ceremonies, rituals, education, and related social events pertaining to a particular system of beliefs, and which structure or place, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes. “Religious activities
and associated uses” includes but is not limited to churches, religious temples, convents, monasteries, parsonages, rectories, religious camps and retreat sites.

**BE IT FURTHER ORDAINED,** that Religious Activities and Associated Uses in the Table of Uses (300 Attachment 4) shall be changed to the new use “Religious Activities”; and

**BE IT FURTHER ORDAINED,** that a new note 19 shall be added to the Table of Uses (300 Attachment 4) as follows:

The following uses accessory to permitted assembly uses shall be subject to conditional use approval unless expressly listed as a permitted use in the Table of Land Uses: Conference center, convention facility, social services, educational services, day care centers, group homes, medical clinic, meal center and food pantry, retail, recreational areas and facilities. Shelter shall also be a conditional use and shall not be within 1,000 feet of another shelter; and

**BE IT FURTHER ORDAINED,** that the new use “Religious Activities” be changed from a permitted use to a Conditional Use, designated by a CU19 in the Table of Uses (300 Attachment 4,) in the following zoning districts and shall be subject to a new note 19: RA, RB1, RB2, RD, IA, PD, RR, RRES, RV, RR2, MED, KL; and,

**BE IT FURTHER ORDAINED,** that the new use “Religious Activities” be allowed as a Conditional Use, designated by a CU19 in the Table of Uses (300 Attachment 4), in the following zoning districts: KBD2; and,

**BE IT FURTHER ORDAINED,** that the existing use “Civic, Social, and Fraternal Organizations” shall become subject to the new note 19 by replacing the existing CU or X in the districts where the use is allowed with a CU19 or X19, as appropriate; and,

**BE IT FURTHER ORDAINED,** that Section 300-603(E)(e) be added as follows:

Will the proposal cause exterior queuing of vehicles or loitering of pedestrians which would have a negative impact on the surrounding neighborhood?

Motion for passage of the order 17-070
By: Conti Second by: Elliott
Yeas: 4
Nays: 1 – Grant

**NEW BUSINESS** PART 1

17-072 Mayor and Council
**ORDERED,** that Council authorizes a grant contribution of $2,500 to the Augusta Downtown Alliance for the purpose of signage upgrades in the downtown district.

**BE IT FURTHER ORDERED,** that the grant contribution will be charged to the Council Contingency account.
Motion for passage of the order 17-072

By: Conti  
Second by: Grant

Yeas: 5
Nays: 0

17-073  
City Manager

BE IT ORDERED, that the City Council does hereby grant approval pursuant to Title 15 of the Maine Revised Statutes Annotated, section 5824(3) & 5826(6) to the transfer of $780.00, or any portion thereof to the Augusta Police Department, on the grounds that the City of Augusta Police Department did make a substantial contribution to the investigation of the criminal case, namely, State of Maine vs. Christopher Williams.

Motion for passage of the order 17-073

By: Elliott  
Second by: Blodgett

Yeas: 5
Nays: 0

17-074  
City Manager

ORDERED, in accordance with the City of Augusta Code of Ordinances, Appendix A, Land Use Ordinance Section 5.1.15.1.A.1.o, that the City Council authorizes the City Manager to modify the hours of work of the Greater Augusta Utility District (and companies working for them under contract) to perform construction and maintenance work on their infrastructure such as pipe installation, cleaning and maintaining catch basins and adjusting access points (manhole covers and valve boxes). Areas of work where modified work hours may be needed are throughout the City. Doing this work at night is beneficial to public safety as it minimizes potential disruption to daytime traffic patterns. Times to be determined based on the GAUD’s request/schedule and as approved by the City Manager.

Motion for passage of the order 17-074

By: Elliott  
Second by: Grant

Yeas: 5
Nays: 0

NEW BUSINESS  
PART 2 – ORDINANCES - FIRST READING

NO VOTE REQUIRED

17-075  
Councilor Conti and Elliott

WHEREAS, the City is in the process of reviewing and implementing potential changes to the Mineral Extraction Ordinance, in particular the blasting requirements; and

Motion to suspend reading.

By: Wilson  
Second by: Elliott

Yeas: 5
Nays: 0

WHEREAS, mineral extraction licenses which allow blasting will expire in June, 2017 prior to the City having completed its review and implementation of changes to the Ordinance;
NOW THEREFORE be it ORDAINED, by the City Council of the City of Augusta that the Code of Ordinances, Land Use, be amended to add the following subsection to Section 198-5(A):

(3) All mineral extraction licenses which include permission to conduct blasting, and which are valid as of April 20, 2017, shall be automatically extended through December 31, 2017 unless a complete application for renewal licensure has been submitted prior to April 20, 2017. The terms and conditions for any license extended by this subsection shall remain in effect through December 31, 2017. The Planning Board shall not issue renewal licenses for licensees which are subject to this subsection prior to January 1, 2018. Licensees subject to this subsection shall submit an application for renewal licensure to the City not earlier than November 1, 2017 nor later than December 31, 2017. All such renewal applications will be processed according to the terms of the Mineral Extraction Ordinance and Blasting Ordinance in effect at the time the application is deemed complete.

COMMUNICATIONS
Committee Reports - none
City Manager’s Report – none

Motion to adjourn at 7:50 pm.
By: Wilson Second by: Blodgett
Yeas: 5
Nays: 0

Respectfully submitted,
Roberta L. Fogg, City Clerk
April 20, 2017