

**MINUTES FOR THE CITY COUNCIL BUSINESS MEETING  
COUNCIL CHAMBERS  
THURSDAY, January 5, 2017  
7:00 P.M.**

There was no pre-meeting, the City Council gathered at 6:15 pm for a reception prior to the swearing in ceremony.

OATH OF OFFICE – administered by May Ross Coffin to City Council Members and Board of Education Members.

Staci Fortunato – Board of Education, Ward 1  
Kati McCormick – Board of Education, Ward 4  
Edward Hastings – Board of Education, At-Large  
Harold Elliott – Councilor, Ward 3  
Corey Wilson – Councilor, At-Large  
Mark O’Brien – Councilor, At-Large

**Present:** Mayor Rollins, Councilors Conti, Grant, Elliott, Blodgett, O’Brien, Bilodeau, Wilson and Alexander.

Mayor Rollins presided

**PRESENTATION AND PUBLIC HEARINGS:** None

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

**CONSENT AGENDA:**

**17-001 City Manager (Bureau of City Clerk)**

**ORDERED**, that the minutes of the City Council Special Meeting held December 15, 2016, submitted by the City Clerk’s office be approved.

**17-002 City Manager (Bureau of City Clerk)**

**ORDERED**, that the minutes of the City Council Regular Meeting held December 15, 2016, submitted by the City Clerk’s office be approved.

**17-003 Mayor**

**ORDERED**, that Michael G. Hall, Executive Director of the Augusta Downtown Alliance, be appointed to the Augusta Historic District Review Board as a business owner representative; said term to expire January 5, 2020.

**17-004 Mayor**

**ORDERED**, that Patrick Paradis be appointed to the Greater Augusta Utility District Board of Trustees, said term to expire January 5, 2020.

**17-005 Mayor**

**ORDERED**, that Cecil Munson be appointed to the Greater Augusta Utility District Board of Trustees, said term to expire January 5, 2020.

Motion for passage of the Consent Agenda orders 17-001 to 17-005

By: Bilodeau Second by: Alexander

Yeas: 8

Nays: 0

**OLD BUSINESS AND TABLED MATTERS**

**SECOND READING (Ordinances)**

**16-188 Mayor Rollins and Councilors Blodgett, Conti, Munson, Paradis  
Tabled from 11/17/2016**

**WHEREAS**, the City Council finds that the current definition of “Religious Activities and Associated Uses” is outdated and does not provide adequate clarity for religious organizations or citizens regarding accessory activities conducted in relation to such uses ; and

**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;

**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;

**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 repeal the current term and definition of a “Religious Activities and Associated Uses” in Section 300-202 and replace it with the following term and definition:

PLACE OF WORSHIP: Any building used for nonprofit purposes by an established religious organization holding either tax exempt status under Section 501(c)(3) of the Internal Revenue Code or under the state property tax law, where such building is primarily intended to be used as a place of worship, or for ceremonies, rituals, education, and related social events. The term includes, but is not necessarily limited to, church, temple, synagogue, and mosque. Any new or expanded use conducted on the premises of a Place of Worship shall be considered a separate principal use if it is operated for more than 16 hours a week, for a total of four or more weeks per year.

and that Religious Activities and Associated Uses in the Table of Uses (300 Attachment 4) shall be changed to the new use “Place of Worship”; and

that “Place of Worship” shall be allowed in the same districts, and with the same designations, as Religious Activities and Associated Uses were in the Table of Uses (300 Attachment 4); and

that, additionally, Places of Worship shall be allowed as a permitted use (designated with an X) in the following districts in the Table of Uses (300 Attachment 4): RPDS, RV.

Remained tabled.

**16-218 Mayor and Council (filed with the Clerk 12/15/2016)**

**ORDERED**, THAT St. Andrew Street, described as below, be discontinued as a town way, with no public easement retained.

Motion to suspend reading of Order 16-218.

By: Bilodeau Second by: Grant

Yeas: 8

Nays: 0

St. Andrew Street, as accepted by the Augusta City Council on August 17, 1970, Order 385, is bounded as follows:

A certain lot or parcel of land situated on the east side of the river in Augusta, Maine; beginning at an iron pip located on the southerly side of South Belfast Ave. so called 5’ westerly of the northwesterly corner of land now or formerly owned by Thecla T. Cloutier; thence southerly in a line parallel with and 5’ westerly of the westerly line of land owned by said Cloutier and land now or formerly owned by Joseph Zayac 600’; thence westerly in a line parallel with the southerly line of said South Belfast Ave to a point located 55’ feet westerly of the westerly line of said Zayac and Cloutier 600’ the southerly side of said South Belfast Ave; thence easterly along the southerly side of South Belfast Ave 50’ to the iron pipe at the point of beginning; meaning the southerly side of South Belfast Ave 50’ to the iron pipe at the point of beginning; meaning and intending a strip of land 50’ wide and 600’ long.

Additionally, a certain lot or parcel of land situated on the east side of the river in Augusta, Maine; beginning at a point on the westerly side of the 50’ wide and 600’ long strip described in the paragraph above, 600’ southerly of the southerly side of South Belfast Ave.; thence westerly

in a line parallel with the southerly side of South Belfast Ave 20'; thence northerly in a line parallel with the westerly line of said Zayac 25'; thence easterly in a line parallel with the southerly line of South Belfast Ave 20'; thence southerly in a line parallel with the westerly line of said Zayac 25' to the point of beginning.

The intent being to discontinue all of St. Andrew Street and award damages in the form of land owned by the City of Augusta, 5' wide by 700' long, as described in Kennebec County Registry of Deeds Book 1542, Page 205; and a 50' by 100' parcel of land owned by the City of Augusta at the southerly end of the 50' wide St. Andrew Street, as described in the third paragraph of this order, said property to be conveyed by a quitclaim deed to be recorded at the same time as the Certificate of Discontinuance.

*\*No public easement shall be retained. A public utility easement shall be granted for the benefit of the Greater Augusta Utility District across the discontinued road and the land to be conveyed to the abuttor as damages, as set forth in 23 M.R.S.A. § 3026-A(6).*

Having given best practicable notice to all abutting property owners, the City Council hereby orders the above discontinuance and awards damages to the abutting property owner, Kennebec Community Church, in the form of the property conveyance described above.

Motion for passage of the order 16-218

By: Bilodeau                      Second by: Blodgett

Motion to amend order 16-218 (*\*bold and indented language*)

By: Conti                              Second by: Bilodeau

Yeas: 8

Nays: 0

Vote on motion for passage

Yeas: 8

Nays: 0

## **NEW BUSINESS**

### **PART 1**

#### **17-006              City Manager**

**ORDERED**, that Roberta Fogg be appointed as Registrar of Voters in accordance with Title 21-A, §101(2), to be effective January 1, 2017; to expire December 31, 2018.

Motion for passage of the order 17-006

By: Bilodeau                      Second by: Blodgett

Yeas: 8

Nays: 0

**NEW BUSINESS**  
**PART 2 –ORDINANCES - FIRST READING**  
**NO VOTE REQUIRED**

**COMMUNICATIONS**

Committee Reports  
City Manager's Report

Motion to adjourn at 7:40 pm.

By: Bilodeau                      Second by: Conti

Yeas: 8

Nays: 0

Respectfully submitted,  
Roberta L. Fogg, City Clerk  
January 16, 2017