

**AGENDA FOR THE CITY COUNCIL BUSINESS MEETING
COUNCIL CHAMBERS
THURSDAY, January 19, 2017
7:00 P.M.**

There will be a pre-meeting of the City Council at 6:30 p.m. in Conference Room A. No Council actions are taken at pre-meetings. Pre-meetings are open to the public.

PRESENTATION AND PUBLIC HEARINGS:

PRESENTATION: Historic Building Plaque to Jacqueline Lacasse, owner of the O'Hare-Murphy House, circa 1860, located at 19 South Chestnut Street, by Lorie Mastemaker, Chair of the Historic Preservation Commission.

PRESENTATION: Historic Building Plaque to Ann Pratt Roy, owner of the Hannah Brown House, circa 1866, located at 51 Patterson Street, by Lorie Mastemaker, Chair of the Historic Preservation Commission.

PRESENTATION: Historic Building Plaque to Melissa and Tyler Hunt, owners of the John Mulliken House, circa 1850, located at 38 Sewall Street, by Lorie Mastemaker, Chair of the Historic Preservation Commission.

PUBLIC COMMENTS ON ITEM LISTED ON THE AGENDA:

CONSENT AGENDA:

17-007 City Manager (Bureau of City Clerk)

ORDERED, that the minutes of the City Council Meeting held January 5, 2017, submitted by the City Clerk's office be approved.

17-008 City Manager (Bureau of Audit Accounts)

ORDERED, that the Roll of Accounts for the month of December, 2016 in the amount of \$9,003,806.03 be approved.

17-009 Mayor

ORDERED, that the Mayor's appointment of Robert Corey to the Tipping Point Loan Review Committee be confirmed.

17-010 Mayor

ORDERED, that the Mayor's appointment of Michael Hall to the Tipping Point Loan Review Committee be confirmed.

17-011 Mayor

ORDERED, that the Mayor's appointment of Meredith Schalk to the Tipping Point Loan Review Committee be confirmed.

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WHEREAS, the City Council finds that the current definition of “Religious Activities and Associated Uses” is outdated and does not provide adequate clarity for religious organizations or citizens regarding accessory activities conducted in relation to such uses ; and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

NEW BUSINESS

PART 1

17-012 City Manager

ORDERED, That the City Council accept from Golden Ridge Kennel Alumni a donation for the Dog Park at Mill Park an amount totaling Eighty Dollars (\$80.00).

17-013 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 \$1,138.00, 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. Erica Carmona.

17-014 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 \$1,138.00, 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. Nayquan Nicholas.

17-015 Mayor and Council

ORDERED, that the City Manager is authorized to spend an amount not to exceed \$20,000, to be reallocated from the Alumni Field Re-Crowning Capital Improvement Account, for the purchase of a pole-vault system located at the Alumni Field Complex.

17-016 Mayor and Council

ORDERED, That the City Manager is authorized to sign a contract with Central Maine Power to bring three-phase power to the Hatch Hill Landfill site at a cost not to exceed \$375,000. **BE IT FURTHER ORDERED**, that the \$375,000 be appropriated from the Hatch Hill Landfill Enterprise Fund.

17-017 Mayor and Council

ORDERED, that the City Manager or his designee is authorized to execute the necessary documents required to receive from the Kennebec Land Trust, in trust and subject to appropriate

conservation easements, the 164 acre parcel of land referred to as Howard Hill in the City of Augusta.

NEW BUSINESS

PART 2 –ORDINANCES - FIRST READING

NO VOTE REQUIRED

COMMUNICATIONS

Committee Reports
City Manager's Report

Respectfully submitted,
Roberta L. Fogg, City Clerk
January 13, 2017