

Date Posted: June 12, 2013

CITY OF EAST PROVIDENCE

RHODE ISLAND

DOCKET OF REGULAR COUNCIL MEETING

July 16, 2013

**Council Chambers, City Hall, 145 Taunton Avenue, East Providence,
RI 02914**

7:00PM Executive Session - Claims Room, 101

7:30 P.M. Open Session

I. EXECUTIVE SESSION

The City Council of the City of East Providence will meet in Executive Session pursuant to RI General Laws § 42-46-5 (a) (2)

A. New Claims

- 1. Susan Higgins**
- 2. Jose M. Lemos**
- 3. Phillip Nosal**
- 4. Lisa Walker**

B. Claims for Reconsideration

- 1. Julie Bailey**

II. CALL TO ORDER

III. SALUTE TO THE FLAG

IV. TO APPROVE THE CONSENT CALENDAR

All items under “CONSENT CALENDAR” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the “CONSENT CALENDAR” and will be considered in its normal sequence on the docket.

A. Letters Received

- 1. Resolution Foster Town Council supporting the proposed Municipal Road and Bridge Revolving Fund.**
- 2. Resolution Charlestown Town Council in opposition to H6167 limiting local control of subdivision review.**
- 3. Coastal Resources Management Council Public Hearing July 17, 2013 regarding Ocean Special Area Management Plan amendments and Management Procedures.**
- 4. Coastal Resources Management Council Public Hearing July 17, 2013 regarding Salt Pond Region Special Area Management Plan Experimental Coastal Erosion Control.**
- 5. Coastal Resources Management Council Public Hearing July 25, 2013 regarding RI Coastal Resources Management Program maps of water use categories.**
- 6. Coastal Resources Management Council July 2013 Calendar.**
- 7. Coastal Resources Management Council Public Notice for Kettle Point Project.**
- 8. Coastal Resource Management Council Semi Monthly Meeting**

Full Council Wednesday, July 17, 2013 6:00PM.

9. Coastal Resource Management Council Amended July 2013 Calendar.

B. Cancellation/Abatements

Year	Amount
2009	\$77.91
2010	\$109.07
2013	\$73,295.27
Total	\$73,482.25

C. Council Journals

- 1. Regular Council Meeting June 4, 2013**
- 2. Regular Council Meeting June 18, 2013**

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

*****THESE ITEMS ARE NOT UNDER THE CONSENT CALENDAR:**

Note the below abatements were removed by Councilmember ...at the June 18th Council Meeting and shall be voted on separately.

C. Cancellation/Abatements - Board of Review

Year	Amount
2012	\$125,219.27

Total \$125,219.27

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

D. Cancellation/Abatements

Year Amount

2012 \$3,498.38

2013 \$50,578.43

Total \$54,076.81

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

V. PUBLIC COMMENT

VI. APPONTMENTS

A. Traffic Control (by Councilwoman Rossi)

Gene Saveory, 41 Scott Drive (02915)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

B. Zoning Board of Review (Re-appointment) (by Councilman Cunha)

John Braga, 45 Mary Avenue (02914)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

C. Personnel Hearing Board (by Councilman Cunha)

Edward Silva, 69 Colony Road (02915)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

D. Economic Development Commission (by Mayor Briden)

Christopher William Hughes, 120 Howland Avenue (02914)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

VII. LICENSES REQUIRING PUBLIC HEARING

Licenses are granted subject to all required approvals from State and City departments.

A. B-Full Privilege Victualer (Stock Transfer)

Ban Chang, Inc. DBA Siam Square Restaurant, 1050 Willett Avenue (02915), Diana Thummasit, 26 Frederick Street, Providence (02909)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

VIII. LICENSES NOT REQUIRING PUBLIC HEARING

Licenses are granted subject to all required approvals from State and City departments.

A. Vict/Not Over 25 (Transfer)

Camelia of Istanbul Restaurant LLC DBA Camelia of Istanbul Restaurant, 92 Waterman Avenue (02914), Tuncay Gunasti, 178 Lonsdale Main Street, Lincoln (02865)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

IX. PUBLIC HEARING - SHOW CAUSE HEARINGS

(Council sitting as Licensing Commissioners)

A. Cozy Corporation DBA Brookfield Liquors, 470 North Broadway (029 14) Mruga Patel.

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

B. Comedy Connection of RI, Inc. DBA Comedy Connection, 39 Warren Avenue (02914) Bill Blumenreich.

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

C. EB Dragon, LLC DBA East Buffet Restaurant, 52 Narragansett Park Drive (02916) Wendy Lin.

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

X. PUBLIC HEARING

A. Proposed CDBG Budget 2013-2014

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

XI. NEW BUSINESS

A.City Managers Report (by City Manager Peter Graczykowski)

- 1. Department Activity Report**
- 2. EPBC Personnel Activity Report**
- 3. Implementation of Automated Recycling Collection**
- 4. EP Businesses Encouraged to Participate in Trash Your Office**

Day

5. Sale of Surplus Property (former Rumford Library)

1392 Pawtucket Avenue Map 504, Block 09, Parcel 001

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

6. FY14 Budget Timeline
7. FY12 Annual Audit Report
8. Homestead Exemption Audit - Penalty Phase
9. Legislative Update

B.Reports of Other City Officials

1. Claims Committee Report (by City Solicitor Timothy Chapman)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

2. Handicap Parking Sign Request for 44 Orchard Street (by Director of Public Works Steve Coutu)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

C. Council Members

1. 1 Dexter Road (by Mayor Briden)
2. Preparing for City Council/School Committee Meeting (by Mayor Briden)
3. Budget Process (by Assistant Mayor Rose)

- 4. Labor Day Parade (by Assistant Mayor Rose)**
- 5. Personal Privilege (by Councilman Cunha)**
- 6. Street Sweeper Update (by Councilman Cunha)**
- 7. Joint Meeting of City Council and School Committee (by Councilwoman Rossi)**
- 8. School Construction Update (by Councilwoman Rossi)**
- 9. State Funding Formula (by Councilwoman Rossi)**
- 10. EPHS Accreditation (by Councilwoman Rossi)**
- 11. Whiteknact Elementary School Roof (by Councilwoman Rossi)**
- 12. EPHS Gym Update (by Councilwoman Rossi)**
- 13. Oldham Elementary School Relocation (by Councilwoman Rossi)**
- 14. Bullocks Point Property Use and Upgrades at New Location (by Councilwoman Rossi)**
- 15. Roads: Grove Avenue and Forbes Street (by Councilwoman Rossi)**
- 16. Community Event Announcements: Pet Food Drive, 4th Annual School Supply Drive, Pumpkin Growing Contest, Watchemoket Square Days, Carousel Wine Paring, EP Heritage Days, Project 106 Fundraiser (by Councilwoman Rossi)**
- 17. State Police Press Release (by Councilwoman Rossi)**

D. Report of School Committee Liaison

E. Introduction of Ordinances

1. An ordinance regarding a stop sign, Hawthorne Avenue (westbound traffic) at Intervale Avenue.

AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”

SECTION I. Subsection (b) of Sec. 18-269 entitled “Stop and yield intersections designated; when stops required.” is amended by adding thereto the following:

Hawthorne Avenue (westbound traffic) at Intervale Avenue

SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Requested By: Councilwoman Capobianco

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

2. An ordinance regarding sewer consumption charge.

AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “UTILITIES.”

SECTION I. Section 17-183 entitled “Charges to be based upon water consumption; rate” of Chapter 17 of the ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Utilities” is amended by adding thereto the following:

(g) Upon written request of the property owner, a one time adjustment of an excessive sewer consumption charge may be

approved by the Claims Committee with a review and recommendation by the Director of Public Works, if the request meets all of the following conditions:

(1) The property has not received a previous abatement for sewer consumption charges within the past ten years, regardless of property ownership.

(2) The excessive consumption must exceed the prior year same period consumption at the property by thirty-three (33) percent.

(3) Excessive use cannot be caused by change in use, i.e., added living units or conversion from residential to commercial.

(4) The adjustment to the sewer consumption charge will be computed in accordance with the following formula:

Total billed consumption, minus prior year same period consumption, equals excessive consumption. Excessive consumption divided by two (2), plus normal consumption, equals the total adjusted consumption upon which the adjusted sewer consumption charge will be calculated. The calculation will be made using the sewer charges in effect for the billing period in question.

(5) The adjusted amount will be deducted from the amount owed if the bill is unpaid or credited to the account if the bill has been paid. There will be no adjustment of interest charges unless the written request had been received prior to the due date of the bill.

SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Requested by: Assistant Mayor Rose

Motion__ By__ 2nd__

Capobianco__ Cunha__ Rossi__ Rose__ Briden__

3. An ordinance regarding Business Registrations.

AN ORDINANCE IN AMENDMENT OF CHAPTER 8 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “LICENSES AND BUSINESS REGULATIONS”

SECTION I. Section 8-13 entitled “Procedure; exemptions” of Article I entitled “In General” of Chapter 8 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Licenses and Business Regulations” is amended to read as follows:

Sec. 8-13. Procedure; exemptions.

(a) Upon registration of a business, a registration certificate shall be issued to the registrant. No other business of the same trade name shall be allowed to register once a certificate of registration has been issued filed without the approval of the prior registrant in writing. Every registration certificate filed shall expire on the thirtieth day in November April and shall be renewed annually. upon payment of the required fee. In the first year, the fee will be collected by April 1 and then by December 1 of each subsequent year. No certificate registration shall be renewed if the business fails to provide proof from the Tax Collector that all municipal taxes have been paid to date. Every certificate of registration shall be placed in a conspicuous location in each business establishment.

SECTION II. This ordinance shall take effect upon its second passage

and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Requested by: Assistant Mayor Rose

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

4. An ordinance regarding snow removal.

AN ORDINANCE IN AMENDMENT OF CHAPTER 14 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED "STREETS AND SIDEWALKS"

SECTION I. Subsections (c) and (d) of Sec. 14-40 entitled "Removal of snow" of Article III entitled "Sidewalks" of Chapter 14 entitled "Streets and Sidewalks" of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, are amended to read as follows:

(c) Depositing snow. Snow and ice removed from a sidewalk, private yard or private driveway shall not be thrown or deposited on any street, sidewalk or any real property of another property owner.

(d) Penalties. All violations of this section shall be subject to a fine of \$25.00 written warning for a first offense, a fine of \$50.00 \$25.00 for a second offense, and a fine of \$100.00 \$75.00 for a third and subsequent offenses.

SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Requested by: Councilwoman Rossi

Motion___By___2nd___

Capobianco__Cunha__Rossi__Rose__Briden__

F. Communications

- 1. Christopher L. Smith, 228 Taunton Avenue (02914) requesting to address the Council regarding parking issue on Taunton Avenue between John Street and Six Corners.**
- 2. Anthony Ferreira, 44 Brightridge Avenue (02914) requesting to address the Council regarding a reason/answer to why some City Council members will not meet with the School Committee.**
- 3. Anthony Ferreira, 44 Brightridge Avenue (02914) requesting to address the Council regarding grass cutting/maintenance at the Fram Building in Rumford and other properties in the City.**
- 4. Freddie Ryka, 9 Cozzens Avenue (02915) requesting to address the Council regarding businesses distributing liquor to minors in the City.**
- 5. Freddie Ryka, 9 Cozzens Avenue (02915) requesting to address the Council regarding road repair schedule for Pawtucket Avenue.**
- 6. Freddie Ryka, 9 Cozzens Avenue (02915) requesting to address the Council regarding road repair for Sutton Avenue.**
- 7. Dean Ventre and Roger Morrell, 16 Outlook Avenue (02914) requesting to address the Council regarding the 7th Annual Neighborhood Block Party, August 17, 2013 from 4PM-11PM blocking off Outlook Avenue from Hawthorne Avenue to Brightridge Avenue.**

Motion__By__2nd__

Capobianco__Cunha__Rossi__Rose__Briden__

XII. ADJOURNMENT

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

*** Any items listed on the Council Docket may be subject to a vote.**

***If communications assistance is needed or any other accommodations to ensure equal participation please contact the City Clerk's Office at 435-7590.**