

CITY OF PROVIDENCE

RHODE ISLAND

**DOCKET OF THE REGULAR MEETING
OF THE
CITY COUNCIL
ON**

THURSDAY, JULY 7, 2005

**COUNCIL PRESIDENT
JOHN J. LOMBARDI**

PRESIDING

**1. John J. Lombardi, Council President
Councilman Ward 13 (D)
48 Grove Street 02909**

**2. Kevin Jackson
Councilman Ward 3 (D)**

91 Jenkins Street 02906

3. Ronald W. Allen

Councilman Ward 8 (D)

328 Bucklin Street 02907

4. Carol A. Romano

Councilwoman Ward 4 (D)

31 Manhattan Street 02904

5. Terrence M. Hassett

Councilman Ward 12 (D)

15 Higgins Avenue 02908

6. Joseph DeLuca, Deputy Majority Leader

Councilman Ward 6 (D)

191 Carleton Street 02908

7. Peter S. Mancini

Councilman Ward 14 (D)

104 Meridian Street 02908

8. Josephine DiRuzzo

Councilwoman Ward 15 (D)

141 Roosevelt Street 02909

9. Luis A. Aponte, Majority Leader

Councilman Ward 10 (D)

208 Washington Avenue 02905

10. Rita M. Williams, Deputy Majority Leader

Councilwoman Ward 2 (D)

76 Savoy Street 02906

11. Patrick K. Butler

Councilman Ward 5 (D)

63 Hilltop Avenue 02908

12. David A. Segal, Minority Leader

Councilman Ward 1 (G)

335 Ives Street 02906

13. Miguel C. Luna

Councilman Ward 9 (D)

146 Warrington Street 02907

14. Balbina A. Young, Council President Pro Tempore

Councilwoman Ward 11 (D)

P.O. Box 72761 02907

15. John J. Igliazzi

Councilman Ward 7 (D)

19 Legion Memorial Drive 02909

1. ROLL CALL

INVOCATION

2. The Invocation will be given by Councilman Peter S. Mancini.

PLEDGE OF ALLEGIANCE

3. Pledge of Allegiance to the Flag of the United States of America led by Councilman Peter S. Mancini.

ELECTION

4. Election of One Councilmanic Member to the Water Supply Board.

APPOINTMENTS BY HIS HONOR THE MAYOR

5. Communication dated June 13, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1017 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Edward B. Leby of 60 Fairview Street, Apt. #3, Providence, RI 02908, as the Director of the Department of Traffic Engineering, and respectfully submits the same for approval.

6. Communication dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Pich Chhouen of 285 Althea Street, Providence, RI 02909, as a member of the Human Relations Commission for a term to expire in January 2008, and respectfully submits the same for approval. (Mr. Chhouen will be replacing Howard Phengsomphone.)

7. Communication dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Maryelyn Cepeda-Sanchez of 44 Alvin Street,

Providence, RI 02907, as a member of the Human Relations Commission for a term to expire in January 2009, and respectfully submits the same for approval. (Ms. Cepeda-Sanchez will be replacing Laura Rodriguez.)

8. Communication dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Wendy Becker of 211 Howell Street, Providence, RI 02906, as a member of the Human Relations Commission for a term to expire in January 2007, and respectfully submits the same for approval. (Ms. Becker will be replacing Fitzgerald Himmelsbach.)

9. Communication dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Dana Benton of 226 Gallatin Street, Providence, RI 02907, as a member of the Human Relations Commission for a term to expire in January 2009, and respectfully submits the same for approval. (Ms. Benton will be replacing Keith Oliviera.)

PRESENTATION OF ORDINANCE

COUNCILWOMAN WILLIAMS (By Request):

10. An Ordinance Amending the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, Approved June 27, 1994, As Amended.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DELUCA, COUNCILWOMAN DIRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS AND YOUNG:

11. Resolution Extending Sincere Best Wishes to Michael R. Clement, City Clerk for a complete and speedy recovery.

COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DELUCA, COUNCILWOMAN DIRUZZO, COUNCILMEN HASSETT, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS AND YOUNG:

12. Resolution Extending Sincere Best Wishes for a Happy Birthday to Councilman John J. Iglizzi on July 8, 2005.

COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DELUCA, COUNCILWOMAN DIRUZZO, COUNCILMEN HASSETT, IGLIOZZI, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS AND YOUNG:

13. Resolution Extending Sincere Best Wishes for a Happy Birthday to Councilman Kevin Jackson on July 13, 2005

COUNCIL PRESIDENT LOMBARDI, COUNCILMAN BUTLER and COUNCILMAN MANCINI:

14. Resolution directing the City Solicitor to immediately initiate discussion with the Fraternal Order of Eagles for the return of the Ten Commandments monument to its former home in Roger Williams

Park.

COUNCILMEN APONTE AND HASSETT (By Request):

15. Resolution Authorizing the Providence Redevelopment Agency to cause the transfer of Assessor's Plat 5, Lot 459 (90 Cypress Street), Assessor's Plat 5, Lot 460 (86 Cypress Street), Assessor's Plat 5, Lot 461 (82 Cypress Street), Assessor's Plat 8, Lot 10 (34 Pleasant Street), Assessor's Plat 23, Lot 137 (53 Myrtle Street), Assessor's Plat 23, Lot 143 (466 Friendship Street), Assessor's Plat 23, Lot 144 (45 Myrtle Street), Assessor's Plat 23, Lot 204 (55 Myrtle Street), Assessor's Plat 48, Lot 780 (61 Baxter Street) and Assessor's Plat 48, Lot 781 (57 Baxter Street), to the City of Providence, as said lots have been transformed into parks.

16. Resolution Authorizing the Providence Redevelopment Agency to cause the transfer of Assessor's Plat 5, lot 114 (22 Western Street), Assessor's Plat 5, Lot 116 (41 Padelford Street) and Assessor's Plat 20, Lot 368 (85 Dyer Street) to the City of Providence, as said lots have been transformed into streets.

17. Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 85 (217 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

18. Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 87 (223 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

19. Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 86 (219 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of

Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

20. Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 84 (211 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

COUNCILMAN DE LUCA:

21. Resolution Requesting the Traffic Engineer to cause the replacement of the missing "Stop Sign" on Herschel Street and Bel Air Drive.

22. Resolution Requesting the Traffic Engineer to cause the

centerline to be painted on Manton Avenue.

23. Resolution Requesting the Traffic Engineer to cause Pope Street to be closed to motor vehicle traffic from Manton Avenue to Kossuth Street on Saturday, July 30, 2005 from 9:00 o'clock A.M. to 4:00 o'clock P.M. to accommodate St. Teresa's Church Feast.

24. Resolution Requesting the Traffic Engineer to cause the installation for a traffic control signal at Manton Avenue and Glenbridge Avenue.

25. Resolution Requesting the Director of Public Works to cause the removal of a phone booth on City property at 321-325 Manton Avenue.

COUNCILMAN HASSETT:

26. Resolution Authorizing the Department of Planning and

Development to establish the “Neighborhood Storefront Loan Fund” for local neighborhood businesses in the Chalkstone Avenue, Douglas Avenue and Smith Street commercial centers.

27. Resolution Requesting the Traffic Engineer to establish a “3 Hour Parking” restriction along Jewett Street from that point at Holden Street to Calais Street, along the even numbered addresses.

28. Resolution Requesting the Traffic Engineer to cause the installation of a “Slow” Sign in the vicinity of 154 Jewett Street, or at that point of turn in the roadway.

COUNCILMAN JACKSON (By Request):

29. Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting along Ninth Street between North Main Street and Hope Street to 27,500 lumen.

COUNCILMAN LUNA (By Request):

30. Resolution Requesting Narragansett Electric to move Pole #4 on Cyr Street to the right side, because it interferes with the driveway at 31 Cyr Street.

COUNCILMAN MANCINI (By Request):

31. Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting on Hillview Avenue.

32. Resolution Requesting the Traffic Engineer to cause the installation of “Four-Way Stop” Signs at the intersection of Academy Avenue and Salter Street.

33. Resolution Requesting the Traffic Engineer to cause the installation of “No Parking” Signs on both sides of Gloucester Street at Admiral Street.

34. Resolution Requesting the Traffic Engineer to cause the placement of two “Slow Children” Signs on both sides of Admiral Street before the point where it meets Middle Drive.

COUNCILMAN SEGAL:

35. Resolution Requesting the Traffic Engineer to cause the installation of “Goulding Street” Signs on Transit Street and Wickenden Street.

36. Resolution Requesting the Traffic Engineer to remove in its entirety the “No Parking Zone” on Traverse Street in front of Holy Rosary Church, creating legal parking and two handicapped parking spaces.

37. Resolution requesting the Traffic Engineer to cause the installation of “Elderly Crossing” Signs at 140 Pitman Street.

38. Resolution requesting the Traffic Engineer to cause the installation of a caution light at 140 Pitman Street.

REPORTS FROM COMMITTEES

COMMITTEE ON CITY PROPERTY

COUNCILWOMAN JOSEPHINE DIRUZZO, Chairwoman

Transmits the Following with Recommendation the Same be Severally Approved:

39. Petition of James Ricci, 992 Manton Avenue, requesting permission to abandon a small strip of City owned property located in front of 992 Manton Avenue.

40. Resolution Granting the purchase of a portion of City owned property on the corner of Sharon Street and Smith Street.

41. Resolution Granting Permission to allow T-Mobile and Verizon Wireless to lease space on Mount Pleasant High School for the installation of antennas for cellular phone service.

COMMITTEE ON FINANCE

COUNCILMAN KEVIN JACKSON, Chairman

**Transmits the Following with Recommendation the Same be Adopted,
As Amended:**

42. An Ordinance in Amendment of Ordinance No. 85, Chapter 1997-18 Entitled: “An Ordinance to Adopt the ProvPort, Inc. Tax Exemption Agreement, As Amended.

**Transmits the Following with Recommendation the Same be Severally
Adopted:**

43. An Ordinance Establishing and Granting a Tax Stabilization Plan for 65 Pavilion, LLC, with respect to Assessor’s Plat 54, Lot 155 of the

City of Providence.

44. An Ordinance Establishing and Granting a Tax Stabilization Plan for Sampalis Realty, LLC with respect to Assessor's Plat 20, Lot 176 of the City of Providence.

Transmits the following with Recommendation the Same be Severally Approved, As Amended:

45. Resolution Directing the Employees' Retirement System to utilize a special definition of "Final Compensation" in calculating the pension of the late Detective Sergeant James Allen.

46. Resolution authorizing the financing and equipping of schools and school facilities in the city, including but not limited to, a new high school and an indoor sports complex, including design and feasibility, engineering or other studies which may be necessary in connection therewith and any other acts necessary or incidental thereto, and to issue bonds, notes or other evidences of indebtedness in an amount not to exceed Forty Two Million

(\$42,000,000) Dollars to provide funding for the projects.

COMMITTEE ON ORDINANCES

COUNCILWOMAN RITA M. WILLIAMS, Chairwoman

Transmits the Following with the Recommendation the Same be Severally Adopted:

47. An Ordinance in Amendment of Chapter 2004-41, Ordinance Number 544, Entitled: “An Ordinance in Amendment of Chapter 27 of the Ordinances of the City of Providence Entitled: “The City of Providence Zoning Ordinance”, Approved June 27, 1994, As Amended.

48. An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence Entitled “The City of Providence Zoning Ordinance” Approved June 27, 1994, As Amended.

COMMUNICATIONS AND REPORT

49. Communication from Councilman Peter S. Mancini, dated June 1, 2005, Informing the Honorable John J. Lombardi, Council President, of his resignation from the Providence Water Supply Board effective June 30, 2005.

50. Communication from Barbara Maroney, Confidential Assistant to the Human Resources Director, Department of Human Resources, dated June 10, 2005, requesting an additional extension of the Residency Requirement for Tamara Whaley.

51. Communication from Leon C. Drezek, Executive Director, Providence External Review Authority, dated June 10, 2005, requesting an extension of the residency requirement.

52. Communication from Thomas E. Deller, AICP, Director, Department of Planning and Development, submitting, in accordance with Rhode Island General Law 45-31-19, submitting the Disclosure of Financial Interests form for Jim DeRentis, a member of the Providence

Redevelopment Agency.

53. Communication from Councilwoman Carol A. Romano, dated June 13, 2005, Informing the Honorable Members of the City Council, that she this is this day appointing Ms. Sylvia Pulliam, 24 DePinedo Street, Providence, RI 02904, to the Providence External Review Authority (PERA).

54. Communication from Councilman Joseph DeLuca, dated June 29, 2005, Informing the Honorable Members of the City Council that he is this day re-appointing Ms. Eva-Ann Geoppo, 859 Manton Avenue, Providence, RI 02909, to the Providence External Review Authority (PERA).

55. Communication from Councilman Miguel C. Luna, dated June 29, 2005, Informing the Honorable Members of the City Council that he is this day re-appointing Mr. Kohei Ishihara, to the Providence External Review Authority (PERA).

56. Communication from Joseph M. Fernandez, City Solicitor, dated June 23, 2005, submitting the Department of Law annual report pursuant to Home Rule Charter Section 1202 (e) and Section 2-98 of the Code of Ordinances.

FROM THE CLERK'S DESK

57. Petition from Times2, Incorporated to rename Matthews Street to Times2 Way.

58. Petition from Moses Afonso Jackvony, Ltd., 170 Westminster Street, Suite 201, Providence, RI 02903 on behalf of Carpionato Properties, Inc. requesting to abandon a portion of Harris Avenue.

59. Petitions for Compensation for Injuries and Damages.

PRESENTATION OF RESOLUTIONS

“IN CONGRATULATIONS”

COUNCIL PRESIDENT LOMBARDI and the MEMBERS OF THE CITY COUNCIL:

60. Resolution Extending Congratulations.

PRESENTATION OF RESOLUTIONS

“IN MEMORIAM”

COUNCIL PRESIDENT LOMBARDI and the MEMBERS OF THE CITY COUNCIL:

61. Resolution Extending Sympathy.

CONVENTION

The City Council will Convene in the Chamber of the City Council, City Hall on THURSDAY, JULY 7, 2005 at 7:30 o'clock P.M. (E.D.T)

CLAIRE E. BESTWICK
ACTING CITY CLERK