

**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 62 City Council Regular Meeting, Thursday, May 14, 1981 8:00 P.M. (E.D.T.)

IN CITY-COUNCIL
JUN 4 1981

APPROVED: - - -

PRESIDING

Rose M. Mendonca CLERK

COUNCIL PRESIDENT

RALPH FARGNOLI

ROLL CALL

Present: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paulino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden, Stravato and Xavier—25.

Absent: Councilwoman Brassil—1.

COUNCILMAN FARMER Requests a Moment of Silent Prayer for the Speedy Recovery of Pope John Paul II and in Honor of "Dixie" Matthews, who died today.

INVOCATION

200 0 The Invocation is given by COUNCILMAN MALCOM FARMER, III.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCILMAN PHILIP A. ALMAGNO leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S BUDGET MESSAGE AND PRESENTATION OF BUDGET ORDINANCE

COUNCIL PRESIDENT FARGNOLI appoints MAJORITY LEADER ADDISON and MINORITY LEADER PEARLMAN to escort HIS HONOR MAYOR VINCENT A. CIANCI, JR., to the Chamber of the City Council

where he delivers the following Budget Message and Submits the Budget Ordinance, and the Council is declared to be at Ease.

COUNCIL PRESIDENT FARGNOLI directs the Clerk to Call the Roll to Ascertain if there is a Quorum Present.

Present: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Penine, Petrosinelli, Salvatore, Snowden, Stravato and Xavier—24.

Absent: Councilwoman Brassil and Councilman Lynch—2.

May 14, 1981

The Honorable
The City Council of
the City of Providence
City Hall
Providence, Rhode Island

Honorable Members:

As prescribed by statute, we meet again to follow the official task of presenting the annual budget by the Chief Executive Officer of the City of Providence to the City Council, the Legislative Branch of our municipal government. In past years, I have underlined the shared responsibility that is ours in order to reaffirm the true nature of our governmental process, and to acknowledge that this budget that I submit to you is but a guideline for our fiscal responsibility for the coming years. It is now up to you and your Finance Committee to begin your deliberations, to ensure that our collective wisdom and judgment will provide our community and its citizens with a sound fiscal program that will meet our needs.

During this past year, we have accomplished a great deal, despite a severe economic situation in our nation, whereby exorbitant interest rates, a severe inflationary spiral, and increased costs for all materials adversely affected our budget for expenditures. Nevertheless, working together in a

shared partnership that was most cooperative, we have begun to make even more prudent use of our tax dollars, our personnel, and our facilities. We have substantially reduced personnel; we have begun to utilize our staff in paving our own streets; and we have shared in the planning for the reduction of trash collection to a once a week basis, and action which this body must again ratify this evening. And we have moved toward the substantial increase in our parking fines, which is an action that this body must sustain in concert with our Finance Department. In the more economical use of our funds our education, several of our facilities have been used much more wisely and well, and the reduction in numbers of administrators have provided our students with more dollars for instruction. In essence, while our nation and state have not provided us with the best of all possible economic worlds, we have acted to increase our tax base through the establishment of public-private partnerships generated by our aggressive grantsmanship, our sound utilization of community development funding, and our planning to reshape the commercial and the residential neighborhoods to face the world of the 1980's with optimism. There is not one of you that will not support the concept that the City of Providence is a better place to live in, to work in, or to raise your family than it was when we first took office, and I am confident that when our terms are completed it will be even better.

To provide for our immediate future for fiscal 1981-1982, I present to you a budget totaling approximately \$152 million dollars. This increase is below our previous year's increases, and yet it continues all municipal services, provides for the full maintenance and the improvement of our community's resources, and reflects our wise stewardship of our revenues. In terms of comparative budgetary figures, it reflects and approximate \$13 million dollar increase over the 1980-1981 budget. This increase is largely made up to three items: a jump from \$3,052,000 to \$10,392,00 in pension funding (\$7,340,000 increase); and increase in the education budget of \$2,587,479; and a modest increase in previously

contracted raises of \$2.8 million dollars for our municipal employees. These three items alone account for our increased costs for this new budget, and underline how well we have held the line in all other items of municipal costs.

To provide for the increase needed in revenues, I am proposing a tentative increase in our taxes of \$3.40. I use the term tentative because it is still the shared responsibility of the executive and the legislative branches of our government to determine the final budgetary figures. To hold a possible tax increase to \$3.40, this body must pass the once a week garbage collection and its concomitant reduction from a six to a five day week; it must work through the Property Committee and the Narragansett Bay Water Quality Commission to ensure the takeover of our Sewage Treatment Facilities by January 1, 1982; and it must substantially increase our traffic fines. If this body wishes to move toward a reduction in the projected \$3.40 tax increase, then it must work expeditiously and cooperatively to move the target date for the takeover of the Sewage treatment Facilities to July 1, 1981; it must modernize the system for collecting these substantially increased traffic fines; and it must provide for a significant reduction in our annual contribution to the privately funded Providence Public Library and other grants that are similar to it. Over the next several weeks, I shall continue to meet with your appropriate committees and the leadership of this body to deal with each of these items, in order to make certain that our final budget is on sound fiscal footing, and to determine through a cooperative effort the need for such an increase.

I remind you that this plan of expenditures continues our strong commitment to the education of our children, and it contains an almost \$3 million dollar increase in our major item of expenditures, education, to bring this cost to \$54,864,964, or 36% of our total budget. No other department has continued to grow as has our school department, and we continue to be mindful that an adopted budget by this municipality is a legal act that must be adhered to by all

department heads as they administer these funds.

In past years we have begun the process of attempting to sell surplus municipal properties, and while we have not had the full success that we had desired, we intend to continue our commitment to seeking private ownership of as much municipal property that is surplus with all deliberate speed. Potential sales from these properties will add immeasurably to our financial reputation, both in the nation and in the state, and will in large measure enhance our fiscal condition by continuing to eliminate our deficit and by improving our bond rating. I would hope that our cooperative efforts that we have begun on a wide variety of issues would begin to include this activity as fully as is practicable.

This budget that I present to you is fiscally sound and highly responsible. It reflects the input of all our department directors, our financial advisors, both internal and external, and it includes our best judgment of the economic conditions now prevalent nationally and statewide. It will require the continued monitoring on the part of our Finance Department of every expenditure to provide cost efficiency that is in accord with our concern for responsible stewardship of our resources. It is an outline, a guideline for the legislative branch of government to use in its deliberations, and in our shared responsibility for our fellow citizens. And while it requires, as well, the swift actions of others, given the Charter under which we operate, it requires hard decisions by this body, and courage and concern to review each line item most judiciously, solely for the betterment of this community and its citizens.

I have accepted my role as the Chief Executive Officer of this community ever since I assumed office. I have not shirked from making difficult decisions in these past months and years, and I urge you to accept your role in this budget process with the same posture. If you do, I have every confidence that our cooperative effort will provide our fellow citizens with the best possible budget that we can.

I respectfully submit this budget to you, ladies and gentlemen of the Providence City Council, for your review and your approval.

Respectfully submitted,

VINCENT A. CIANCI, JR.
Mayor of Providence

Received.

MAJORITY LEADER ADDISON and MINORITY LEADER PEARLMAN thereupon escort HIS HONOR MAYOR VINCENT A. CIANCI, JR., back to the Executive Chamber.

PRESENTATION OF ORDINANCE

MAYOR CIANCI presents:

An Ordinance Making an Appropriation of One Hundred Fifty-Two Million, Five Hundred Ninety Thousand, Fifty-Six Dollars (\$152,519,056.00) for the Fiscal Year Ending June 30, 1982.

Received.

Referred to Committee on Finance, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN.

COUNCILMAN MOISE desires to be recorded as "Not Voting".

The motion to Refer is Sustained.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication, dated May 7, 1981, Informing the Honorable City Council of his Appointment of Jacob M. Kaplan of 206 Elmwood Avenue, Providence, to the Providence Housing Authority to complete the unexpired term of the late Reverend Joseph Taylor, whose term expires on July 11, 1981.

May 7, 1981

The Honorable
The City Council of
the City of Providence
City Hall
Providence, Rhode Island

Dear Honorable Members:

I am this day appointing to the Providence Housing Authority Board of Commissioners, Mr. Jacob M. Kaplan of 206 Elmwood Avenue. Mr Kaplan will complete the unexpired term of the late Rev. Joseph Taylor, whose term expires on July 11, 1981. This letter is to inform you of this appointment.

Respectively Submitted,

VINCENT A. CIANCI, JR.
Mayor of Providence

Communication Read and Not Received on motion of COUNCILMAN O'CONNOR, seconded by COUNCILMAN EASTON, by the following Roll Call Vote:

Ayes: Councilmen Addison, Boyle, Dillon, Easton, Griffin, Johnson, Lynch, O'Connor, Paolino, Petrosinelli, Salvatore and Stravato—12.

Noes: Council President Fagnoli and Councilmen Almagno, Cirelli, Cola, Pearlman, Snowden and Xavier—7.

Not Voting: Councilmen Farmer, Flynn, Glavin, Mansolillo, Moise and Pennine—6.

Absent: Councilwoman Brassil—1.

The motion Not to Receive the Communication is Sustained.

SCHEDULE OF BILLS

FROM CITY CONTROLLER:

Street Lighting Bill for April, 1981, in the Amount of One Hundred Three Thousand, Three Hundred Thirty-Two Dollars and Sixty-Nine Cents (\$103,332.69).

Approved, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN, by the following Roll Call Vote:

Ayes: Council President Fagnoli and

Councilmen Addison, Almagno, Boyle, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden, Stravato and Xavier—24.

Not Voting: Councilman Moise—1.

Absent: Councilwoman Brassil—1.

The motion to Approve is Sustained.

ORDINANCES SECOND READING

The Following Ordinances were in City Council May 7, 1981, Read and Passed the First Time and are Returned for Passage the Second Time:

An Ordinance in Amendment of and in Addition to Chapter 1977-5 of the Ordinances of the City of Providence Approved February 14, 1977, and Entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for Downtown Providence Renewal."

Be It Ordained by the City of Providence:

1. That Chapter 1977-5 of the Ordinances of the City of Providence, approved February 14, 1977 and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for Downtown Providence Renewal" as amended by Chapter 1978-44 of the Ordinance of the City of Providence, approved November 24, 1978, be and the same is hereby further amended as follows:—

A. Insert the following paragraphs under Section F entitled "*Standards and Controls for Land Development*" as contained in and set forth in Page 18 of that booklet entitled, "Downtown Providence Renewal, Official Redevelopment Plan, 1976" which is a part of the aforementioned ordinance.

1. *C-3 Downtown Commercial Zone*

a. C-3 Downtown Commercial Uses of the City of Providence Zoning Ordinance shall be permitted. The Agency in its sole and absolute discretion shall have the final right of approval.

2. *Development Controls for Permitted C-3 Uses*

a. *Lot Coverage, Building Setbacks, Building Height, Maximum Density and Minimum Lot Size:* — Shall be governed by the applicable provisions of the Zoning Ordinance as amended to date.

b. *Building Construction:* — The construction of buildings shall conform to the regulations set forth in the Building Ordinance of the City of Providence as amended to date.

c. *Permitted Signs:* Signs shall pertain only to the identification of the business conducted within the building, to the products sold and to the direction of visitors. No pictures or samples shall be permitted on a sign except as part of a trademark. No flashing or animated signs shall be permitted. No signs shall extend above the roof or parapet, and no sign shall be attached to, sit upon or be painted on the roof or canopy. No free-standing sign shall be permitted, except for visitor directional signs allowed below. Only the following types of signs shall be permitted, namely:

(1) Horizontal or vertical wall signs, otherwise known as belt or face signs, excluding signs painted on the wall, itself.

(2) Plaques, attached to the face of the building in close proximity to the main entrance and bearing the name or trademark of the firm.

(3) All necessary directional signs shall be located on the lot occupied by the building to which the signs pertain. All signs shall be integrated with the architectural design, style and facia of the building to the exclusive satisfaction of the Agency. No sign shall exceed a maximum surface area of (3) square feet for each linear foot of that face of the building displaying such sign. No sign shall project more than (12) inches from the face of the building on which said sign is displayed. No plaque shall exceed (8) square feet in surface area. Any spotlight or similar illumination shall be so directed and shielded that the light source is not visible from any adjacent street or from any adjacent properties. In addition to all the sign controls, the

following sign regulations shall pertain to multiple-unit buildings, namely: those signs pertaining to a given individual unit (within a multiple-unit building) shall not extend beyond that portion of the face of the building which directly encloses that given individual unit. The Agency in its sole and absolute discretion shall have the final right of approval.

d. *Off-Street Parking and Loading:* — Shall be governed by the applicable provisions of the Zoning Ordinance as amended to date.

e. *Parking Space Construction:* — All off-street parking and loading areas, including drives and other accessways, shall be adequately paved with bituminous or cement concrete or other equivalent surfacing material and shall be provided with appropriate bumper and wheel guards where, in the opinion of the Agency, it is determined that they are needed. Illumination shall be so arranged as to shield the light source from the view of all adjoining lots and from all abutting streets. The Agency in its sole and absolute discretion shall have the final right of approval.

f. *Screening:* — Except for that portion of a driveway or accessway which opens directly into a public right-of-way, outdoor parking and loading areas shall be screened from the view of all adjacent streets by means of a uniform growth of evergreen plant materials at least 4 feet high at the time of planting or a masonry wall which shall not be less than 4 feet, or a wooden fence which shall not be less than 4 feet and shall be of uniform appearance, and which shall be of uniform appearance, and which shall be integrated with the architectural design, style and facia of the building, as well as with the architecture(s) of adjacent, existing buildings. A uniform appearing, adequate, year-round screen shall be approved by the Agency. On that portion of a lot in the triangle formed by the lines of streets intersecting at an angle of less than (135) degrees and a line joining points on such lines (15) feet distant from their point of intersection, screening shall be provided at a height of (3-1/2) feet. The Agency in its sole and absolute discretion shall have the final right of approval.

g. *Landscaping and On-Site Improvements and Maintenance:* — The entire site shall be properly graded and drained. All unbuilt areas of the site shall be provided, where needed, with suitable walks and access drives which are properly designed and constructed. All unbuilt and unpaved areas of the site shall be landscaped. After fully developed, the land, buildings and other improvements to all sites in the project area shall be maintained in good repair and in clean and sanitary conditions. Sufficient and suitable refuse and garbage storage and disposal facilities, including structural enclosures where appropriate, shall be provided and properly maintained. The Agency in its sole and absolute discretion shall have the final right of approval.

h. *Other Applicable Controls are Listed Below Under the Headings:* —

(1) "Other Conditions, Covenants, Restrictions and Provisions Controlling the Development and the Use of Acquired Land and Improvements".

(2) "Miscellaneous Provisions"

B. Insert the following paragraphs after paragraph G.4(b) under Section G.4 entitled "Miscellaneous Provisions" as contained in and set forth in Page 21 of that certain booklet entitled, "Downtown Providence Renewal, Official Redevelopment Plan, 1976" which is a part of the aforementioned ordinance.

(c) Only those signs or placques approved by the Agency shall be permitted.

(d) Land sold to an adjoining owner shall first be utilized to satisfy requirements of this Plan with respect to his adjoining non-acquired property.

(e) The purchaser of land from the Agency obligates himself to provide the necessary rehabilitation of his adjoining non-acquired property, such rehabilitation to meet the stand-

ards established by this Plan. After receipt of notice from the purchaser to the Agency that the has complied with the standards established by the Plan and after the Agency has made a finding of such fact, the Agency will tender to the purchaser a Certificate of Completion suitable for recording with the Recorder of Deeds.

(f) Required front yards of building sites shall be maintained in grass except for walks, drives, planting, and flag poles. Suitable planting shall be provided and maintained in front of the building or be related to the architecture of the structure. No driveway parallel to the street shall be permitted in the required minimum front yard.

(g) All areas subject to wheeled traffic shall be adequately paved with bituminous or cement concrete or other permanent paving material and shall have appropriate bumper or wheel guards where, in the opinion of the Agency, it is determined that they are needed.

(h) Any area not paved shall be suitably landscaped.

(i) All buildings and improvements shall be maintained in good repair and in safe, clean and sanitary condition.

(j) Sufficient and suitable refuse and garbage storage facilities, including structural enclosures where appropriate, shall be provided and properly maintained.

(k) Wherever screening of uses is provided, it shall be a uniform appearing, adequate year-round type, and subject to the approval of the Agency.

(l) All mechanical equipment, whether located on the roof of a structure or on the ground or at any other location on a site shall be totally and effectively screened from view within the limits of safety and good design with respect to any given mechanical system — and said screening shall be integrated with the architectural design, style

and facia of the building(s). The Agency in its sole and absolute discretion shall have the final right of approval.

(m) The Agency in its sole and absolute discretion shall have the final right of approval and interpretation of all redevelopment proposals.

C. Paragraph numbered 7 entitled, "Estimated Cost of Redevelopment and Proposed Method of Financing" under section G entitled "Other Provisions Necessary to Meet Local Objectives" as contained in and set forth in Page 23 of that certain booklet entitled, "Downtown Providence Renewal, Official Redevelopment Plan, 1976" which is a part of the aforementioned ordinance be and the same is hereby deleted and the following substituted therefore:

7. Estimated Cost of Redevelopment and Proposed Method of Financing.

Line 1 \$1,200,000 — Cost of acquiring the park deck fronting Union Station and the former Journal Building at 205 Westminster Mall.

Line 2 \$4,906,000 — Kennedy Plaza Capital Improvements.

Line 3 \$6,106,000 — Total Project Cost.

Line 4 \$3,925,000 — (80% of Line 2) UMTA (Urban Mass Transit Administration) financing of Kennedy Plaza improvements.

Line 5 \$2,181,000 — (100% of Line 1 and 20% of Line 2) Total City Share.

D. Insert the following Section G.8 entitled, "Non Residential Rehabilitation Standards" after Paragraph 7, entitled "Estimated Cost of Redevelopment and Proposed Method of Financing" under Section G. entitled "Other Provisions Necessary to Meet Local Objectives" as contained in and set forth in Page 23 of that certain booklet entitled, "Downtown Providence Renewal, Official Redevelopment Plan, 1976".

8. *Non Residential Rehabilitation Standards*

(a) **Minimum Non-Residential Standards:** — The Building Ordinance of the City of Providence and the Zoning Ordinance of the City of Providence shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of all buildings and other structures and their service equipment and shall apply to existing buildings and other structures, including all non-residential structures in the project not acquired by this Agency.

All buildings, other structures, and all parts thereof including service equipment, both existing and new, shall be maintained in a safe and sanitary condition as required by state and local laws.

The owner or his designated agent shall be responsible for the safe and sanitary maintenance of the building or other structure and its service equipment at all times.

(b) **Non-Residential Project Standards:** — Owners of all non-residential properties shall be encouraged to undertake:

1. The cleaning or repainting of all exterior and interior metal, masonry, glass and woodwork where required;

2. The screening of all open storage;

3. The replacement of all broken, loose, or unsafe fenestration of all windows, doors, and store fronts;

4. The grading or regrading of all lots in such a manner as to provide a satisfactory drainage of water runoff away from buildings and from the lot to a public street or drainage casement;

5. The suitable surfacing or resurfacing of all driveways, parking areas, walks and plazas so as not to constitute a nuisance to the surrounding areas;

6. The proper landscaping of all other open areas;

7. Either the replacement of existing undesirable signs or the placement of new signs which in either case are to be:

(a) non-flashing;

(b) integrated with the overall appearance of the structure to which the signs are affixed;

(c) compatible with the general character of the section in which they are located.

8. The repair, painting or replacement of fencing as required.

E. Certain maps of the aforementioned Official Redevelopment Plan hereinafter identified are deleted:

(1) Map No. 3. "Proposed Acquisition" dated 9-76.

F. Insert the following map in its stead:

(1) Map No. 3 "Proposed Acquisition" dated 4-80.

G. Insert the following map after Map No. 6 "Right-of-way Adjustments" dated June 1978 of the aforementioned Official Redevelopment Plan, which is a part of the aforementioned ordinance:

(1) Map No. 7 "Disposition" dated 4-80.

2. That said Chapter 1977-5 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

Read and Passed, the Second Time, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN, by the following Roll Call Vote:

Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Pearlman, Pennine, Petrosinelli, Salvatore, Stravato and Xavier—23.

Not Voting: Councilman Paolino—1.

Absent: Councilwoman Brassil and Councilman Snowden—2.

The motion for Passage the Second Time, is Sustained.

An Ordinance Amending the Appropriation Ordinance Chapter 1981-9, Approved March 13, 1981, by Transferring the Sum of Twelve Thousand, Five Hundred Dollars (\$12,500.00) from the Laborer's International Legal Fund (1-11-06-338) to City Collector—Temporary Positions (1-02-05-002).

Be it ordained by the City of Providence:

Section 1. Chapter 1981-9 of the Ordinances of the City of Providence, as approved March 13, 1981 entitled: "An Ordinance Making an Appropriation of One Hundred Thirty-Nine Million, Three Hundred Sixty-Four Thousand, Eight Hundred Seventy-Six Dollars (\$139,364,876.00) for Fiscal Year Ending June 30, 1981", as amended, is hereby further amended by transferring the sum of Twelve Thousand, Five Hundred Dollars (\$12,500.00) from Laborer's International Legal Fund (1-11-06-338) to City Collector—Temporary Positions (1-02-05-002).

Section 2. This Ordinance shall take effect upon its Passage.

COUNCILMAN ADDISON, moves the Ordinance be Read and Passed the Second Time.

This motion is seconded by COUNCIL PRESIDENT PRO TEMPORE STRAVATO.

COUNCILMAN MOISE moves the Ordinance be Referred Back to Committee on Finance.

This motion being seconded by COUNCILMAN GLAVIN and having precedence over the Main Motion for Passage, is Put to Vote and Not Passed, by the following Roll Call Vote:

Ayes: Councilmen Cirelli, Flynn, Glavin, Moise, O'Connor, Pennine, Petrosinelli and Xavier—8.

Noes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Cola, Dillon, Easton, Farmer, Griffin, Johnson, Lynch, Mansolillo, Paolino, Pearlman, Salvatore, Snowden and Stravato—17.

Absent: Councilwoman Brassil—1.

The Main Motion for Referral Back to Committee on Finance is Not Sustained.

The motion for Passage the Second Time, is Thereupon Sustained, by the following Roll Call Vote:

Ayes: Councilmen Addison, Almagno, Boyle, Dillon, Easton, Farmer, Griffin, Johnson, Lynch, Mansolillo, Paolino, Pearlman, Snowden and Stravato—14.

Noes: Council President Fagnoli and Councilmen Cirelli, Cola, Flynn, Glavin,

Moise, O'Connor, Pennine, Petrosinelli, Salvatore and Xavier—11.

Absent: Councilwoman Brassil—1.

The motion is Sustained.

An Ordinance in Amendment of Section 11 of Chapter 1981-12 effective March 23, 1981, Entitled: "An Ordinance Establishing the Classes of Positions the Maximum Number of Employees and the Maximum Number of Employees in Certain Classes in the City Departments", Relative to the City Collector's Division.

Be it ordained by the City of Providence:

Section 1. Section 11 of Chapter 1981-12 of the Ordinances of the City of Providence effective March 23, 1981, entitled: "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees' in Certain Classes in the City Departments and Repealing Ordinance Chapter 1980-5, approved March 14, 1980, as Amended," is hereby amended by adding the following:

7 Temporary Employees

Sec. 2. This Ordinance shall take effect upon its Passage.

COUNCILMAN ADDISON moves the Ordinance be Read and Passed the Second Time.

This motion is seconded by COUNCILMAN EASTON.

COUNCILMAN MOISE moves the Ordinance be Referred back to Committee on Finance.

This motion being seconded by COUN-

CILMAN GLAVIN and having precedence over the Main Motion for Passage is Put to Vote and Not Passed, by the following Roll Call Vote:

Ayes: Councilmen Flynn, Glavin, Griffin, Mansolillo, Moise, O'Connor, Pennine, Petrosinelli, Salvatore, and Xavier—10.

Noes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Circelli, Cola, Dillon, Easton, Farmer, Johnson, Lynch, Paolino, Pearlman, Salvatore and Snowden—15.

Absent: Councilwoman Brassil—1.

The Main Motion for Referral Back to Committee on Finance is Not Sustained.

The motion for Passage the Second Time, is thereupon Sustained by the following Roll Call Vote:

Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Circelli, Cola, Dillon, Easton, Farmer, Griffin, Johnson, Lynch, Mansolillo, Paolino, Pearlman and Snowden—16..

Noes: Councilmen Flynn, Glavin, Moise, Pennine, Petrosinelli, Salvatore, Stravato and Xavier—8.

Not Voting: Councilman O'Connor—1.

Absent: Councilwoman Brassil—1.

The motion is Sustained.

An Ordinance in Amendment of Chapter 12, Article III of the Code of Ordinances of the City of Providence Entitled, "Garbage, Trash and Refuse by Certain Amendments to Section 12-64 as Amended".

Be it ordained by the City of Providence:

Section 1. Article III, Section 12-64, of the Code of Ordinances of the City of Providence entitled "Frequency of Removal of Waste" is hereby amended to read as follows:

Sec. 12-64. Frequency and method of removal of waste. All household rubbish and garbage shall be removed from the curbside in front of each house in the city at least once each week during the year and at such other times as necessity may warrant. Each resident of a dwelling in the city shall place such household rubbish and garbage at the curbside in front of or near such dwelling in accordance with the other sections of this article and the Department of Public Works shall only be required to pick up such household rubbish and garbage as is placed on or near the curbside in front of or near each such dwelling. Such regular weekly removals and pickups by the Department of Public Works shall be carried out only on the days of Monday, Tuesday, Wednesday, Thursday and Friday of each week.

Sec. 2. This Ordinance shall take effect upon its Passage.

COUNCILMAN ADDISON moves the Ordinance be Read and Passed, the Second Time.

This motion is seconded by **COUNCILMAN GLAVIN**.

COUNCILMAN MOISE moves the Ordinance be Referred Back to Committee on Finance.

This motion being seconded by **COUNCILMAN FLYNN** and having precedence over the Main Motion for Passage is Put to Vote and Not Passed, by the following Roll Call Vote:

Ayes: Councilmen Flynn, Griffin, Moise, O'Connor and Pennine—5.

Noes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Cirelli, Cola, Dillon, Easton, Farmer, Glavin, Johnson, Lynch, Mansolillo, Paolino, Pearlman, Petrosinelli, Salvatore, Snowden, Stravato and Xavier—20.

Absent: Councilwoman Brassil—1.

The Main Motion for Referral Back to Committee on Finance is Not Sustained.

The motion for Passage the Second Time is Thereupon Sustained by the Following Roll Call Vote:

Ayes: Council President Fagnoli and Councilmen Addison, Boyle, Dillon, Easton, Farmer, Glavin, Johnson, Lynch, Mansolillo, Paolino, Pearlman, Petrosinelli, Salvatore, Snowden and Stravato—16.

Noes: Councilmen Almagno, Cirelli, Cola, Flynn, Griffin, Moise, O'Connor, Pennine and Xavier—9.

Absent: Councilwoman Brassil—1.

The motion is Sustained.

PRESENTATION OF ORDINANCES

COUNCILMAN PEARLMAN and COUNCILMAN FARMER (By Request):

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 1981-12, Effective March 23, 1981, as Amended.

Referred to Committee on Finance, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN.

COUNCILMAN MOISE desires to be recorded as "Not Voting".

The motion to Refer is Sustained.

An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1981-13, Effective March 23, 1981 as Amended.

Referred to Committee on Finance, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN.

The motion to Refer is Sustained.

An Ordinance Providing for the Assessment and Collection of 1981 Taxes in a sum not less than Eighty-Seven Million (\$87,000,000.00) Dollars and not more than Ninty-Nine Million (\$99,000,000.00) Dollars being based on One Hundred Percent (100%) of the 1981-1982 Fiscal Year Tax Collection.

Referred to Committee on Finance, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN.

COUNCILMAN MOISE desires to be recorded as voting "No".

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT FARGNOLI:

Resolution Creating a Special Committee for the Purpose of Observing the 205th Anniversary of the Declaration of Independence on July 4, 1981.

Resolved, That a Special Committee of the City

Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the 205th Anniversary of the Declaration of Independence, 1981, by the United States of America, on July 4, 1981.

Resolution Creating a Special Committee for the Purpose of the Municipal Observance of Labor Day, September 7, 1981.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Labor Day, September 7, 1981.

Resolution Creating a Special Committee for the Purpose of the Municipal Observance of the 489th Anniversary on October 12, 1981, of the Discovery of America.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President, thereof, is hereby created for the purpose of planning and conducting the municipal observance of the 489th Anniversary of the Discovery of America by the Italian Navigator, Cristofaro Colombo, on October 12, 1981.

Resolution Creating a Special Committee for the Purpose of the Municipal Observance of Armistice Day, November 11, 1981.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President, thereof, is hereby created for the purpose of planning and conducting a proper observance of Armistice Day, November 11, 1981.

Resolution Creating a Special Committee for the

Purpose of Observing Christmas Day, December 25, 1981.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President, thereof, is hereby created for the purpose of planning and conducting a proper observance of Christmas Day, December 25, 1981.

Severally Read and Collectively Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN.

The motion for Passage is Sustained.

COUNCIL PRESIDENT FARGNOLI (By Request):

Resolution Requesting the Committee on Urban Redevelopment, Renewal and Planning to change the address of the Judicial Complex from 181 Dorrance Street to One Dorrance Plaza.

Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN.

The motion to Refer is Sustained.

COUNCIL PRESIDENT FARGNOLI, COUNCILMAN PETROSINELLI and COUNCILMAN SALVATORE:

Resolution Requesting the Providence Civic Center Authority to offer the Providence Civic Center for Sale.

Resolved, That the Providence Civic Center Authority is hereby requested to offer the Providence Civic Center for sale which will place the property on the tax roll, as there is a group interested in the purchase of the building.

Referred to Committee on City Property, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN.

The motion to Refer is Sustained.

COUNCILMAN DILLON, COUNCILMAN LYNCH, COUNCILMAN FLYNN and COUNCILMAN GLAVIN:

Resolution Expressing Sadness on the Passing of Bobby Sands and Hope for Peace in Northern Ireland.

Whereas, The Irish nation has been torn by civil strife for centuries, and

Whereas, Thousands of lives have been lost in the past several years in an attempt to gain human rights for all people of Northern Ireland, and

Whereas, Bobby Sands and Francis Hughes have died as a result of hunger strikes in Maze Prison, Belfast,

Now, Therefore, Be It Resolved, That the City Council of the City of Providence does pause in its deliberations in memory of these brave young men, and offers prayers for peace in all of Ireland.

Read and Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN and COUNCILMAN DILLON.

The motion for Passage is Sustained.

COUNCILMAN SNOWDEN (By Request):

Resolution Requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic along Burlington Street, from Summit and Hillside Avenues on Saturday, July 4, 1981, between the hours of 10:00 o'clock A.M. and 8:00 o'clock P.M. to accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to Prohibit Motor Vehicle Traffic along Burlington Street from Summit and Hillside Avenues on Saturday, July 4, 1981, between the hours of 10:00 o'clock A.M. and 8:00 o'clock P.M. to accommodate a Neighborhood Block Party.

Read and Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN.

The motion for Passage is Sustained.

COUNCILMAN XAVIER, COUNCILMAN O'CONNOR and COUNCILMAN MOISE:

Resolution Requesting the Division of Taxation of the State of Rhode Island to charge the Providence Journal Company sales tax on the sales of their newspapers.

Resolved, That the Division of Taxation of the State of Rhode Island is requested to charge the Providence Journal Company sales tax on the sales of their newspaper.

COUNCILMAN ADDISON moves the Resolution be Referred to Committee on Finance.

This motion is seconded by COUNCILMAN EASTON.

COUNCILMAN XAVIER moves that the Resolution be Read and Passed.

This motion is seconded by COUNCILMAN FLYNN and COUNCILMAN GLAVIN.

(1/6) of the Members voting in the Affirmative.

The motion to Refer to Committee on Finance having precedence over the Main Motion for Passage to Put to Vote and Not Passed, there being less than One Sixth

The motion to Refer to Committee on Finance is thereupon Not Sustained.

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

Transmits the following with recommendation the Same be Received:

Data from Laventhol and Horwath for the fiscal year ended June 30, 1980.

Financial Statements and Supplementary

Severally Received.

COUNCILMAN NICHOLAS W. EASTON, Chairman COMMITTEE ON LICENSES

Transmits the following with Recommendation, the Same be Severally Adopted;

This motion is seconded by COUNCILMEN EASTON and FLYNN.

An Ordinance Establishing a New Fee Schedule for Building Permit Fees and Licenses and Repealing section 118 of Chapter 1079 of the Ordinances of the City of Providence, Approved December 21, 1956, as Amended.

COUNCILMAN MOISE moves that the Ordinance be Referred Back to Committee on Licenses.

There is no second to this motion.

COUNCILMAN ADDISON moves the Ordinance be Read and Passed, the First Time.

The Ordinance is thereupon Read and Passed, the First Time, by the following Roll Call Vote:

**Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Cola, Dillon, Easton, Farmer, Griffin, Lynch, Mansolillo, O'Connor, Paolino, Pen-
nine, Petrosinelli, Salvatore and Stravato—
17.**

Noes: Councilman Moise—1.

**Absent: Councilwoman Brassil, Council-
men, Cirelli, Flynn, Glavin, Johnson,
Pearlman, Snowden and Xavier—8.**

**The motion for Passage the First Time, is
Sustained.**

tion may authorize minor changes in the structural detail of plans on file, viz:

Sun Oil Company, 200 Charles Street, Plat 2 and Lot 200 to install One (1) New Six Thousand Gallon Storage Tank, making a Total of Thirty Thousand (30,000) Total Storage Capacity upon the premises.

The erection or location of any buildings or structures not shown on the original plat on file with the Director of Department of Building Inspection, or any change in the location of buildings or structures from that shown on said plat shall be deemed a violation of this permit.

**Resolution Granting Permission to Sun Oil Com-
pany, 200 Charles Street, Plat 2 and Lot 200 to
Install One (1) New Six Thousand Gallon
Storage Tank, Making a Total of Thirty Thou-
sand (30,000) Gallons Total Storage Capacity
Upon the Premises.**

Resolved, That the following named person, firm or corporation is hereby granted permission to erect, alter or use a building or structure at the location named herein for the sale of petroleum, kerosene, gasoline, coal oil and their products, compounds and components as described and shown in and on the application therefor and accompanying plat, all on file in the office of the Department of Building Inspection subject to the conditions that said person, firm or corporation shall not violate any of the laws of the State of Rhode Island or any of the Ordinances of the City of Providence relative to the erection, use or occupation of said structure and that said person, firm or corporation shall not allow petroleum, kerosene, gasoline, coal oil or their products, compounds or components, to be conveyed over or across any sidewalk by means of any pipe or hose, and upon such special conditions as are hereby enumerated and further provided that the Director of the Department of Building Inspec-

**Resolution Granting Permission to Shell Oil
Company, 5 Elmwood Avenue, Plat 30 and Lot
379, to install Four (4) New Nozzles, making a
Total of Twelve (12) Nozzles upon the premises.**

Resolved, That the following named person, firm or corporation is hereby granted permission to erect, alter or use a building or structure at the location named herein for the sale of petroleum, kerosene, gasoline, coal oil and their products, compounds and components as described and shown in and on the application therefor and accompanying plat, all on file in the office of the Department of Building Inspection subject to the conditions that said person, firm or corporation shall not violate any of the laws of the State of Rhode Island or any of the Ordinances of the City of Providence relative to the erection, use or occupation of said structure and that said person, firm or corporation shall not allow petroleum, kerosene, gasoline, coal oil or their products, compounds or components, to be conveyed over or across any sidewalk by means of any pipe or hose, and upon such special conditions as are hereby enumerated and further provided that the Director of the Department of Building Inspection may authorize minor changes in the structural detail of plans on file, viz:

Shell Oil Company, 5 Elmwood Avenue, Plat 30 and Lot 379, to install Four (4) New Nozzles, Making a Total of Twelve (12) Nozzles upon the premises.

The erection or location of any buildings or structures not shown on the original plat on file with the Director of Department of Building Inspection, or any change in the location of buildings or structures from that shown on said plat shall be deemed a violation of this permit.

Resolution Granting Permission to Albert J. Krasner, 953 Broad Street, Plat 53, and Lot 436, to remove Three (3) Three Thousand Gallon Storage Tanks and install Two (2) Six Thousand Gallon Storage Tanks and One (1) Three Thousand Storage Tank, making a Total Storage Capacity of Fifteen Thousand Gallons (15,000) upon the premises.

Resolved, That the following named person, firm or corporation is hereby granted permission to erect, alter or use a building or structure at the location named herein for the sale of petroleum, kerosene, gasoline, coal oil and their products, compounds and components as described and shown in and on the application therefor and accompanying plat, all on file in the office of the Department of Building Inspection subject to the conditions that said person, firm or corporation

shall not violate any of the laws of the State of Rhode Island or any of the Ordinances of the City of Providence relative to the erection, use or occupation of said structure and that said person, firm or corporation shall not allow petroleum, kerosene, gasoline, coal oil or their products, compounds or components, to be conveyed over or across any sidewalk by means of any pipe or hose, and upon such special conditions as are hereby enumerated and further provided that the Director of the Department of Building Inspection may authorize minor changes in the structural detail of plans on file, viz:

Albert J. Krasner, 953 Broad Street, Plat 53 and Lot 436, to remove Three (3) Three Thousand Gallon Storage Tanks and install Two (2) Six Thousand Gallon Storage Tanks and One (1) Three Thousand Storage Tank, making a Total Storage Capacity of Fifteen Thousand Gallons (15,000) upon the premises.

The erection or location of any buildings or structures not shown on the original plat on file with the Director of Department of Building Inspection, or any change in the location of buildings or structures from that shown on said plat shall be deemed a violation of this permit.

Severally Read and Collectively Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN MANSOLILLO.

The motion for Passage is Sustained.

COMMUNICATIONS AND REPORT

FROM JACOB M. KAPLAN OF JAKE KAPLAN'S LTD:

Communication dated May 1, 1981 notifying the City Council of his intentions to bid, from time to

time, competitively for goods and/or services sold to the City of Providence and advising he has leases with the City of Providence on properties either owned by him, or corporations he has a financial interest in.

Received.

FROM JEROME I. BARON, FINANCE DIRECTOR:

Communication dated May 8, 1981 informing the Honorable City Council of his appointment of Frank E. Corrente as City Controller in accord-

ance with the provisions of Chapter 832 of the Public Laws of 1940, as amended by the Providence Finance Act, Chapter 1665 of 1945.

Received.

FROM THE PROVIDENCE POLICE DEPARTMENT:

One Hundred Sixteenth Annual Report for the Calendar Year 1980.

Received.

FROM THE CLERK'S DESK

Petition of Leonard Fain, President of General Enterprises, Inc., 609 Charles Street, Providence, to abandon as a Public Highway, a portion of Nahant Street, from the westerly line of Charles Street to the easterly line of Russo Street.

Referred to Committee on Public Works, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN BOYLE, EASTON and O'CONNOR.

The motion to Refer is Sustained.

Street, running the northerly line of Valley Street to the southerly line of Prescott Street.

Referred to Committee on Public Works, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN BOYLE and O'CONNOR.

The motion to Refer is Sustained.

Petition of Norbert Fessel, attorney for Julia Amore, 67 Meribeth Drive, Johnston, Rhode Island, to abandon as a Public Highway, Catskill

COUNCILMAN ADDISON informs the MEMBERS of the CITY COUNCIL that MAYOR VINCENT A. CIANCI, JR., has Issued an Order for the Lowering of the Flags at Half Mast in Honor of the Former First Deputy City Clerk, "DIXIE" MATTHEWS.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN BOYLE, and O'CONNOR, the City Council adjourns at 11:00 o'clock P.M. (E.D.T.) in Respect to the Memory of the Late William "Dixie" Matthews, Former First Deputy City Clerk, Employee of the City of Providence for Forty Years and Sincere Friend to all the Members, including Past Members of the City Council, to meet again on THURSDAY, JUNE 4, 1981 at 8:00 o'clock P.M. (E.D.T.)

Rose M. Mendonca

City Clerk

May 14]

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[1981