

**CITY OF PROVIDENCE
RHODE ISLAND**



**CITY COUNCIL
JOURNAL OF PROCEEDINGS**

No. 7 City Council Regular Council Meeting, Thursday, March 2, 2017, 7:00 o'clock P.M.

**PRESIDING
COUNCIL PRESIDENT
LUIS A. APONTE**

CALL TO ORDER

**PRESENT: COUNCIL PRESIDENT APONTE, COUNCILWOMAN CASTILLO,
COUNCILMAN CORREIA, COUNCILWOMAN HARRIS,
COUNCILMEN HASSETT, IGLIOZZI, JACKSON, JENNINGS,
COUNCILWOMAN MATOS, COUNCILMAN PRINCIPE,
COUNCILWOMAN RYAN, COUNCILMEN SALVATORE, YURDIN AND ZURIER
- 14.**

ABSENT: COUNCILMAN NARDUCCI - 1.

**ALSO PRESENT: LORI L. HAGEN, CITY CLERK, TINA L. MASTROIANNI,
FIRST DEPUTY CITY CLERK, DONNA M. PELIGIAN, CLERK AND KENNETH
CHIAVARINI, DEPUTY CITY SOLICITOR, LAW DEPARTMENT**

**IN CITY COUNCIL
MAR 16 2017**

APPROVED:

CLERK

ROLL CALL

INVOCATION

The Invocation is given by **COUNCILMAN TERRENCE M. HASSETT**.

"Dear Lord, we ask that You extend Your warmth and concern and assistance to provide the services and the representation of this City Council, not only today, but every day of the year. We ask this in Your name. Amen."

PLEDGE OF ALLEGIANCE

COUNCILMAN JOHN J. IGLIOZZI Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES

Journal of Proceedings No. 5 of the Regular Meeting of the City Council held February 16, 2017 and Journal of Proceedings No. 6 of the Special Meeting of the City Council held February 16, 2017, are approved as printed, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**.

RESULT:	APPROVED (WITH VOTE) [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yuridin and Zurier – 14.
ABSENT:	Councilman Narducci – 1.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated February 4, 2017, 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 and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **Chace Baptista** of 94 Ridge Street, Providence, Rhode Island 02909, as a member of the **Human Relations Commission** for a term to end January 31, 2020, as respectfully submits the same for your approval.

COUNCIL PRESIDENT APONTE Refers the Communication to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

ELECTION

ELECTION OF SEVEN (7) ALTERNATE MEMBERS TO THE JUVENILE HEARING BOARD

COUNCIL PRESIDENT APONTE Calls for Nominations for Seven (7) Alternate Members to serve on the Juvenile Hearing Board.

COUNCILMAN PRINCIPE Opens Nominations for Alternate Members to serve on the Juvenile Hearing Board, seconded by **COUNCILMAN CORREIA**.

COUNCILMAN PRINCIPE Nominates Ashley Belanger, Alex DeRita, Diana Garlington, Derrick Jones, Charles Lawrence, Lisa Scorpio and Ronnie Young, and this Nomination is Seconded by **COUNCILMAN CORREIA**.

COUNCIL PRESIDENT APONTE Calls for further Nominations and there being none, on motion of **COUNCILMAN PRINCIPE**, seconded by **COUNCILMAN CORREIA**, it is voted that Nominations be closed and the Clerk is directed to Cast One Ballot for **ASHLEY BELANGER, ALEX DE RITA, DIANA GARLINGTON, DERRICK JONES, CHARLES LAWRENCE, LISA SCORPIO AND RONNIE YOUNG**.

The Clerk casts One Ballot each as directed.

COUNCIL PRESIDENT APONTE, Thereupon declares **ASHLEY BELANGER, ALEX DE RITA, DIANA GARLINGTON, DERRICK JONES, CHARLES LAWRENCE, LISA SCORPIO AND RONNIE YOUNG**, duly elected Alternate Members to the Juvenile Hearing Board.

ORDINANCE SECOND READING

The Following Ordinance was in City Council February 16, 2017, Read and Passed the First Time and is Returned for Passage the Second Time:

COUNCIL PRESIDENT APONTE, (By Request):

An Ordinance Relating to Article IV, Chapter 17, Section 17-192(F) of the Code of Ordinances. (Disability Waiver Request)

SECTION 1. Notwithstanding the language of Section 17-192(F) of the Code of Ordinances which provides that the application to accomplish such [accidental disability] retirement must be filed within eighteen (18) months of the date of the accident, the Retirement Board of the City of Providence, shall consider and act upon the accidental disability retirement application of Oliver Andrews, even though more than eighteen (18) months have passed since the date of the accident which is the averred proximate cause of the above-named applicant for a disability retirement allowance.

SECTION 2. Said application shall be subject to and considered in accordance with all other applicable ordinances, regulations, standards and practices relating to accidental disability retirement applications.

SECTION 3. This Ordinance shall take effect upon its passage.

Read and Passed the Second Time, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote.

RESULT:	READ/PASSED SECOND TIME [13 TO 1]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Iglizzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Yurdin and Zurier – 13.
NAYS:	Councilman Salvatore – 1.
ABSENT:	Councilman Narducci – 1.

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCE

COUNCILMAN SALVATORE, COUNCILMAN HASSETT, COUNCILMAN YURDIN

An Ordinance in Amendment of Chapter 16 of the Code of Ordinances of the City of Providence, Entitled: "Offenses and Miscellaneous Provisions," to create Section 85, "Equal Pay Task Force".

COUNCIL PRESIDENT APONTE Refers the Ordinance to the Committee on Ordinances.

RESULT:	REFERRED
TO:	Committee on Ordinances

PRESENTATION OF RESOLUTIONS

COUNCILWOMAN HARRIS, COUNCILWOMAN CASTILLO, COUNCILMAN YURDIN

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017 H-5315, An Act Relating to Labor and Labor Relations - Minimum Wage - Gratuities.

COUNCILWOMAN HARRIS, COUNCILWOMAN CASTILLO, COUNCILMAN PRINCIPE

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017 H-5453, An Act Relating to Education - All Students Count Act.

COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILMAN CORREIA.

COUNCIL PRESIDENT APONTE Refers the Several Resolutions to the Special Committee on State Legislative Affairs.

RESULT:	REFERRED
TO:	Special Committee on State Legislative Affairs

**COUNCILWOMAN MATOS, COUNCIL PRESIDENT APONTE,
 COUNCILMAN CORREIA, COUNCILWOMAN HARRIS, COUNCILMEN
 HASSETT, JACKSON, PRINCIPE, YURDIN AND ZURIER**

Resolution in Support of the Rhode Island’s Promise Program.

WHEREAS, Governor Gina M. Raimondo has proposed Rhode Island’s Promise, a commitment to provide every student with a two year scholarship to attend the Community College of Rhode Island, Rhode Island College, and the University of Rhode Island; and

WHEREAS, This program will make it possible for Providence’s high school graduates to earn an associate degree tuition free at the Community College of Rhode Island and will cut the cost of a four-year degree at Rhode Island College or the University of Rhode Island in half; and

WHEREAS, The cost of college creates a barrier that keeps college-qualified students from applying for and enrolling in college; and

WHEREAS, Governor Raimondo’s proposal will make it possible for Providence high school graduates to go to college, regardless of family income; and

WHEREAS, Rhode Island’s Promise is designed to boost enrollment, improve the graduation and retention rates and will encourage and make it possible for more students to complete their degrees on time; and

WHEREAS, A college degree is the surest ticket to the middle class and having a college degree has been shown to increase lifetime earnings, community engagement, and quality of life; and

WHEREAS, The Providence City Council believes that this program is in the best interest of the citizens and voters of the City of Providence.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby provide the strongest possible endorsement to the Rhode Island’s Promise program and urges the Providence delegation to the General Assembly to work diligently toward its passage..

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the Speaker of the House of Representatives, the President of the Senate, and the entire Providence delegation in the General Assembly.

Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA.

RESULT:	READ AND PASSED [13 TO 0]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Iglizzi, Jackson, Jennings, Councilwoman Matos, Councilmen Principe, Salvatore, Yurdin and Zurier – 13.
ABSTAIN:	Councilwoman Ryan – 1.
ABSENT:	Councilman Narducci – 1.

The Motion for Passage is Sustained.

COUNCILWOMAN MATOS, COUNCILMAN IGLIOZZI

Resolution Requesting the Department of Public Works to improve pedestrian safety at the intersection of Plainfield Street and Pocasset Avenue and to include re-stripping, new signs and new lights.

RESOLVED, That the Department of Public Works is requested to improve pedestrian safety at the intersection of Plainfield Street and Pocasset Avenue and to include re-stripping, new signs and new lights.

COUNCILWOMAN MATOS

Resolution Requesting the Director of Public Property to cause the installation of an electrical outlet at the corner of Manton Avenue and Westminster Street.

RESOLVED, That the Director of Public Property is requested to cause the installation of an electrical outlet at the corner of Manton Avenue and Westminster Street.

COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, Seconded by COUNCILMAN CORREIA.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilman Narducci – 1.

The Motion for Passage is Sustained.

COUNCILMAN SALVATORE

Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2017 S-0261, An Act Relating to Labor and Labor Relations - Minimum Wages.

RESULT:	REFERRED
TO:	Special Committee on State Legislative Affairs

Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2017 S-0306, An Act Relating to Education - Curriculum.

COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILMAN CORREIA.

COUNCIL PRESIDENT APONTE Refers the Several Resolutions to the Special Committee on State Legislative Affairs.

RESULT:	REFERRED
TO:	Special Committee on State Legislative Affairs

REPORT(S) FROM COMMITTEE(S)

**COMMITTEE ON PUBLIC WORKS
COUNCILMAN MICHAEL J. CORREIA, Chairman**

Transmits the Following with Recommendation the Same be Approved:

COUNCIL PRESIDENT APONTE, COUNCILMAN IGLIOZZI, (By Request):

Resolution Requesting His Honor the Mayor to execute a Consent Agreement with the Department of Environmental Management (RIDEM) to address the City's failure to comply with the series of directives from RIDEM regarding the City's Rhode Island Pollutant Elimination System General Permit, Entitled: "Storm Water Discharge from Small Municipal Separate Storm Sewer Systems" (MS4")

RESOLVED, That His Honor, the Mayor, is hereby authorized to execute a Consent Agreement with the Department of Environmental Management ("RIDEM") to address the City's failure to comply with the series of directives from RIDEM regarding the City's Rhode Island Pollutant Elimination System General Permit, entitled "Storm Water Discharge from Small Municipal Separate Storm Sewer Systems" ("MS4"). RIDEM is prepared to issue a Notice of Violation ("NOV") which would compel the City to pay \$175,000 in penalties for these MS4 failures. However, as an alternative, the City has negotiated the attached Consent Agreement, which avoids the NOV and allows the City to expend the funds which would otherwise be charged as penalties towards other Supplementary Environmental Projects which would partially address the MS4 concerns and complete environmental remediation projects in several City wards.

Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA.

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Iglizzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilman Narducci – 1.

The Motion for Passage is Sustained.

**COMMITTEE ON ORDINANCES
COUNCILMAN TERRENCE M. HASSETT, Chairman**

Transmits the Following with Recommendation the Same be Adopted:

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 November 24, 2014, As Amended, to change the Zoning District on the Official Zoning Map for the property known as Assessor's Plat 115, Lots 593 and 594, located on Hartford Avenue, from R-1 to C-3.

Read and Passed the First Time, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote:

RESULT:	READ/PASSED FOR THE FIRST TIME [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Iglizzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilman Narducci – 1.

The Motion for Passage the First Time is Sustained.

Marie J. King
Liberty Mutual Insurance
a/s/o GPL Construction, Inc.
The Estate of Ricelis Peralta
(Peter M. lascone, Esquire)
Carlos M. Mendoza
Arthur N. Votolato
Catherine L. Scampoli
Rhode Island Public Transit Authority
Diana Macomber
Sanju Dhital
Ana Inocencio
Diane DeLeone

Ricky DaSilva
Amica
a/s/o Robert Catanzaro
Commerce Insurance Company
a/s/o Marvin A. Portillo
Karen Melillo
Kendra Pimenta
Charles Holliday
Robert J. Allio
Brittany Carr
Jacquelin M. Brown
Koraima Espinet
Karen A. Davie

COUNCIL PRESIDENT APONTE Refers the Several Petitions to the Committee on Claims and Pending Suits.

RESULT:	REFERRED
TO:	Committee on Claims and Pending Suits

COMMUNICATIONS AND REPORTS

Communication from Serena Conley, Board of Licenses and Vital Statistics Administrator, dated February 24, 2017, submitting Board of Licenses 2016 Annual Report from Juan M. Pichardo, Chairman, Providence Board of Licenses.

COUNCILMAN PRINCIPE Receives the foregoing Communication, and also Refers the Report to the Special Committee on Municipal Operations and Oversight for further review, Seconded by COUNCILMAN CORREIA.

RESULT:	RECEIVED
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**PRESENTATION OF RESOLUTIONS
"IN CONGRATULATIONS"**

COUNCIL PRESIDENT APONTE AND MEMBERS OF THE CITY COUNCIL

Resolution Extending Congratulations.

RESOLVED, That the Members of the City Council hereby extend their Sincere
Congratulations to the following:

Sergeant Gregory Sion, in recognition of the celebration of his retirement after 30 years of dedicated service to the Providence Police Department.

Dr. Domingo Morel, Keynote Speaker, in recognition of being honored at the 2017 Dominican Independence Day Celebration for his outstanding contribution to public policies and the political science community and leadership in mentoring and empowering our youth.

Milary Tavaréz, in recognition of being honored at the 2017 Dominican Independence Day Celebration for her dedication to Quisqueya in Action and the youth folklore group.

Luis A. Aponte, City Council President, in recognition of being the recipient of the Silver Bowl Award at the 2017 Dominican Independence Day Celebration for his selflessness, passion and leadership in empowering our youth and community and his commitment to excellence.

Francy Isalquez, Central High School, in recognition of being a Good Samaritan in assisting Central High School Teacher Assistant, Carl Ribezzo, with a medical emergency.

Stanley Taveras, in recognition of being honored by Latino Public Radio at the 2017 Dominican Independence Day Celebration for his many years of support to the community.

Euclides & Mercedes Grullon, in recognition of being honored by Latino Public Radio at the 2017 Dominican Independence Day Celebration for their many years of support to the community.

Carmen Luisa Ramirez, in recognition of being honored by Latino Public Radio at the 2017 Dominican Independence Day Celebration for her many years of support to the community.

Nery Alba, in recognition of being honored by Latino Public Radio at the 2017 Dominican Independence Day Celebration for many years of support to the community.

Julia Guzman, in recognition of being honored by Latino Public Radio at the 2017 Dominican Independence Day Celebration for her many years of support to the community.

Carlos Martinez, in recognition of being honored by Latino Public Radio at the 2017 Dominican Independence Day Celebration for his many years of support to the community.

Juan Pablo Diaz, "Los Toros Band", in recognition of being honored by Latino Public Radio at the 2017 Dominican Independence Day Celebration for his tireless efforts in building musical foundations and his devotion to Hispanic Culture.

Frank Sánchez, Ph.D., in recognition of being selected as the 10th President of Rhode Island College.

Severally Read and Collectively Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA.

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hasset, Iglizzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilman Narducci – 1.

The Motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS "IN MEMORIAM"

COUNCIL PRESIDENT APONTE AND MEMBERS OF THE CITY COUNCIL

Resolution Extending Sympathy.

RESOLVED, That the Members of the City Council hereby extend their Sincere

Sympathy to the families of the following:

Stephen P. Melise Sr.

Mary Lou Iamarone

Nicholas R. Silvestri

Severally Read and Collectively Passed, by a Unanimous Rising Vote, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA.

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilman Narducci – 1.

The Motion for Passage is Sustained.

**MATTER NOT APPEARING
ON THE PRINTED DOCKET**

On Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA, it is voted to Suspend Rule 16(b) of the Rules of the City Council in order to allow the introduction of the following Matter not Appearing on the Printed Docket.

PRESENTATION OF ORDINANCE

COUNCILMAN NARDUCCI

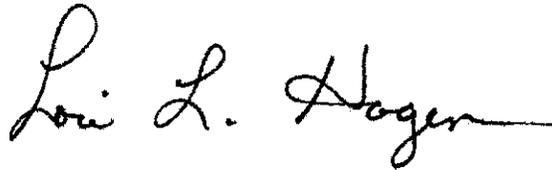
An Ordinance Amending Chapter 4, “Animals and Fowl”, Article II, “Dogs”, to add Section 22, “Dog Breeding.”

COUNCIL PRESIDENT APONTE Refers the Ordinance to the Committee on Ordinances.

RESULT:	REFERRED
TO:	Committee on Ordinances

CONVENTION

There being no further business, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**, it is voted to adjourn in memory of Councilman Miguel Luna at 7:32 o'clock P.M., to meet again **THURSDAY, MARCH 16, 2017 at 7:00 o'clock P.M.**

A handwritten signature in cursive script that reads "Lori L. Hagen". The signature is written in black ink and is centered on the page.

**LORI L. HAGEN
CITY CLERK**

