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**CITY OF PROVIDENCE
RHODE ISLAND**



**CITY COUNCIL
JOURNAL OF PROCEEDINGS**

No. 49 City Council Regular Meeting, October 3, 1996, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

EVELYN V. FARGNOLI

IN CITY COUNCIL

NOV 21 1996

APPROVED:

Michael J. Clement CLERK

ROLL CALL

**Present: Council President Fargnoli,
Councilwoman DiRuzzo, Councilmen
Glavin, Igliozi, Jackson, Councilwomen
Nolan, Romano, Williams and Young—9.**

**Absent: Councilmen Allen, Clarkin, DeLuca,
Lombardi, Mancini and Rollins—6.**

INVOCATION

The Invocation is given by COUNCILMAN
KEVIN JACKSON.

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

COUNCILWOMAN RITA M. WILLIAMS
leads the members of the City Council and
the Assemblage in the Pledge of Allegiance
to the Flag of the United States of America.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated September 13, 1996, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, he is this day appointing Ms. Mary Dean of 31 Chaucer Street, Providence, Rhode Island 02908, a Member of the Providence Human Relations Commission for a term expiring in January, 1999. Ms. Dean will replace Mr. John Chea who has resigned.

COUNCIL PRESIDENT FARGNOLI
Receives the Communication and Refers the
Appointment to the Committee on Finance.

The motion to Receive and Refer is
Unanimously Sustained.

Communication dated September 13, 1996, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, and 1994 Ordinance 365 Chapter 502.1, he is this day reappointing Elizabeth Chase of 140 Wickenden Street, Providence, Rhode Island 02903, as a Member of the Downcity District Design Review Commission for a term expiring in September, 1999.

Received.

APPOINTMENT BY THE PRESIDENT OF THE CITY COUNCIL

Communication from Council President Evelyn V. Fagnoli, dated September 24, 1996, Informing the Honorable Members of the City Council that she has, this day, appointed Councilman Robert M. Clarkin as a Member of the Commission to Restructure City Finances. Councilman Robert M.

Clarkin will be replacing Council President Pro Tempore John J. Lombardi, who has resigned.

Received.

ORDINANCES SECOND READING

The following Ordinance was in City Council September 19, 1996, Read and Passed, the First Time and is Returned for Passage the Second Time:

An Ordinance in Amendment of and in Addition to Chapter 1995-21 of the Ordinances of the City of Providence, Approved August 17, 1995, and entitled, "An Ordinance Setting Fee Schedules for new Construction, Alteration, Demolition or other Building Operations.

Be it ordained by the City of Providence:

Section 1. That Chapter 1995-21 of the Ordinances of the City of Providence approved August 17, 1995 and entitled "An Ordinance Setting Fee Schedules for new construction, alteration, demolition or other building operations is hereby amended by adding the following:

Section 2. Any new residential construction which:

(a) Consists of three or more separate structures each containing one or two dwelling units and which are substantially identical in both interior and exterior construction;

(b) Is erected by a certified non-profit housing corporation in a redevelopment area as that area is defined in Chapter 20 of the Code of Ordinances and

(c) Is occupied for residential purposes only and for no other

shall tender the usual permit fees to the Department of Inspection and Standards for the initial structure.

Section 3. Each additional structure complying with the requirements stated above and which have substantially identical interior and exterior designs to the first structure shall tender the following fees:

(a) Building permit which shall include plumbing, heating, electrical, ventilation, air conditioning or other mechanical equipment — \$400.00;

(b) Certificate of occupancy — \$50.00;

(c) Rhode Island ADA — \$50.00;

(d) Rhode Island building permit fee — \$0.01 per gross square foot of building.

Section 4. Each structure, however, with a substantially different interior design shall pay a fee in accordance with the usual provisions of this ordinance.

Section 5. A development may, provided all other requirements are met, qualify for the reduced fees of this section if all dwelling units are completed within 5 years of the date of approval of the first construction by the Bureau of Inspection and Standards, provided, however, that the developer shall submit with its application for approval its initial construction a master site plan, identifying the lots on which housing shall be developed, the type of housing to be constructed indicating the structures with similar interior design, shall be submitted. Only those

structures identified on the master site plan will be eligible for this reduced fee.

Section 6. The additional structures in a development may, provided all requirements in Section 2 are met, qualify for reduced fees of this section whenever all dwelling units are completed and a certificate of occupancy issued within five (5) years of the date of issuance of the building permit for the initial structure; provided, however, that the developer shall submit with its application for approval of its initial structure a Master Site Plan identifying the lot or lots upon which the dwellings are to be constructed, the type or types of housing to be constructed, earmarking those structures with similar interior and exterior design. Only subsequent structures identified on the Master Site Plan shall be eligible for the reduced fee.

Section 7. This Ordinance shall take effect upon its passage.

The following Ordinances were in City Council September 19, 1996, Read and Passed the First Time and are Severally Returned for Passage the Second Time, as Amended:

An Ordinance with Reference to the Residency of Employees, as Amended.

Be it ordained by the City of Providence:

1. Finding.

Whereas, In order for the employees of the City of Providence to be most effective, it is necessary for them to identify with the needs and goals of the residents of the City of Providence;

Whereas, This sense of identification can only be accomplished when an employee is actually a resident of the City;

Whereas, As a resident, an employee is also a participant in community activities and issues;

Whereas, This participation and commitment is essential to the development of a strong sense of public service;

Whereas, It is important that the employees of the City of Providence possess this strong sense of public service.

Whereas, The electorate has agreed with the need for this sense of public service by voting in the affirmative to require a residency requirement in the Home Rule Charter of the City of Providence;

Now, therefore, be it Resolved, That all officers and employees of the City shall be residents of the City of Providence.

2. Residency Requirement.

All officers of the City, as defined in section 1207, and all employees of the City and any and all agencies and instrumentalities thereof, including all employees of the school department and the department of public safety, shall be residents of the City during such employment; provided, however, that any person exempted from such residency under the Home Rule Charter or other relevant and applicable provision shall be likewise exempted hereunder.

Persons not residents of the City may be appointed or engaged for employment on the condition that within six (6) months of such appointment or engagement they shall become residents of the City.

Any officer or employee of the City who, during employment ceases to be a resident and who is not exempt shall forfeit his or her position in the employ of the City. It shall be the duty of the Director of Personnel to monitor this residency requirement regularly and to report timely any violations to the Mayor and the City Council for appropriate action.

Police officers and firefighters shall become residents of the City of Providence within six (6) months after he/she has been sworn into his/her position.

The residency requirement shall apply to all full and part-time employees of the City of Providence but shall not apply to temporary and seasonal employees, as defined herein.

3. *Notification.*

Every employee shall be furnished a copy of the residency ordinance and a copy of the City Charter provision when hired and annually thereafter. Failure to do so, however, shall not be held to excuse non-compliance.

4. *Affidavit.*

Every employee shall sign a notarized affidavit averring that he/she is a residence of the City.

5. *Commission.*

There shall be a Commission of five (5) members, which shall enforce the residency requirement, as set forth above. All violations reported to the Mayor and/or the City Council shall then be reported to the Commission for investigation and the Commission shall report to the Mayor and the City Council all findings together with a recommended action.

The Commission shall consist of five (5) members, three (3) of whom shall be Council members, appointed by the Council President and two (2) of whom shall be appointed by the Mayor. Each member shall serve a term concurrent with the appointing authority.

6. *Reporting.*

The Personnel Director, shall monthly report any and all violations of the residency requirement to the Mayor and the City Council. The Executive Director of the Civic Center and the Superintendent of Schools shall report any and all violations by persons under their supervision to the Personnel Director on a monthly basis.

7. *Definitions.*

Residence shall mean domiciled in the City of Providence.

Domiciled shall mean that place where a person has his or her true, fixed, and permanent home and principal establishment, and to which, whenever he or she is absent has the intention of returning.

Part-time shall mean an employee who is hired for fewer than thirty-five hours per week.

Temporary shall mean an individual who is hired for a limited period of time or an individual employed to replace an employee on authorized leave for the period of such leave.

Seasonal shall mean an employee who is

employed only during the months of June through September and who performs primarily recreation or recreational related work.

8. *Indicia of Residency.*

All employees shall sign a release of state tax information relative to residency when hired. The address indicated on such state tax records shall be the primary indicia of residency.

In addition, the following shall be considered evidence of permanent and principal legal residence. An employee shall provide three (3) of the same unless the employee is not entitled to or does not qualify for such three. In such case, the Director of Personnel may use the best available evidence to determine the employee's residence. Provided, however, that upon qualifying and obtaining such documents, the same shall be tendered forthwith to the Director of Personnel.

(a) The address furnished to the registry of motor vehicles for the employee's operator's license;

(b) The address from which the employee's motor vehicle is registered;

(c) The address furnished by the employee to the tax collector and/or assessor in those communities where the employee owns taxable real or personal property for the purpose of notification to such employee;

(d) The residence address furnished by the employee to the insurance companies with which the employee maintains policies;

(e) The address furnished by the employee to any business, profession, union, or fraternal organization of which he or she is a member;

(f) The address furnished by the employee to governmental agencies with which the employee has contact;

(g) The address furnished by the employee to the United States Postal Service on a change of address form as verified by the United States Postal Service; and

(h) The address at which the employee is certified by the Board of Canvassers as an elector and resident of the City.

In all cases, the Director of Personnel shall conduct an appropriate hearing.

9. *Violation.*

Any officer or employee of the City who, during the term of employment ceases to be a resident shall forfeit his or her position in the employ of the City. An officer or employee who does not reside in the City on the day after the six-month period subsequent to hiring, and is required to do so, shall forfeit his or her employ in the City.

10. *Exemption.*

Upon certification by the Mayor that after diligent search and no person with proper qualifications can be found to fill a particular position among residents of the City, the City Council may exempt a non-resident employee from the provisions of this section.

If any individual wishes to apply to the City Council for an extension of the six (6) month period, he/she shall make such application prior to the expiration of the six month period and shall show just cause as to why the period should be extended. Whether or not a reason is "just cause" exists for an extension shall be solely in the discretion of the City Council.

11. *Severability.*

If any provision of this ordinance or any rule or determination made hereunder, or application hereof to any person, agency, or circumstance, is held invalid by a court of competent jurisdiction, the remainder of this chapter and its application

to any person, agency or circumstance shall not be affected thereby. The invalidity of any section or sections of this chapter shall not affect the validity of the remainder of the chapter.

Section 2. This Ordinance shall take effect on its passage.

An Ordinance making an Appropriation of Three Hundred Twenty-One Million, Six Hundred Forty-Five Thousand, One Hundred Sixty-Eight (\$321,645,168.00) Dollars for the fiscal year ending June 30, 1997, relative to the City Solicitor's Department, as Amended.

Be it ordained by the City of Providence:

Section 1. Chapter 1996-27 of the Ordinances of the City of Providence, as approved July 23, 1996, is hereby amended, as follows:

<i>Salaries</i>	915,784
<i>Other</i>	950,000

Section 2. This Ordinance shall take effect on its passage.

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 1995-30, approved December 28, 1995, relative to the City Solicitor's Department, as Amended.

Be it ordained by the City of Providence:

Section 1. Chapter 1996-29 of the Ordinances of the City of Providence, as approved July 23, 1996, is hereby amended, as follows:

Add the following position:

1 Paralegal I

An Ordinance Amending the City of Providence Zoning Ordinance Chapter 1994-24 No. 365, approved June 27, 1994, as Amended.

Be it ordained by the City of Providence:

Section 1. The Providence Zoning Ordinance Chapter 1994-24 No. 365, approved June 27, 1994, as amended shall be further amended as follows:

a) Section 303, Table of Use Regulations, Use Code 21, add footnote #1 to all items marked with an "S" Special Use Permit.

b) Renumber existing footnotes #1 through 6 to footnotes #2 through 7, respectively.

c) New footnote #1 shall read as follows:

"Any Institution, as defined in Use Code 21, at its own option, may apply for a Special Use Permit to the Zoning Board of Review, in accordance with Section 902.4 of this Ordinance or it may apply to the City Plan Commission under Section 421 of this Ordinance and be considered a Major Land Development Project. Procedures for the approval of Major Land Development Projects are contained in the Development Review Regulations adopted by the City Plan Commission pursuant to RIGL Section 45-23-25 through 74."

d) Delete Section 421 in its entirety and replace with the following new Section 421, to read as follows:

Section 421 — Major Land Development Project — Approval by City Plan Commission: A Major Land Development Project, is a parcel or parcels of land, containing at least forty thousand (40,000) sq. ft. of land area, which is developed

according to a plan and in accordance with this Section as a single entity. The Major Land Development Project may include one or more residential and/or commercial structures with appurtenant recreation buildings, common areas, open space and roadways or an education institution (primary through secondary schools) as defined by Use Code 21. The purpose of a Major Land Development Project is to allow for the creation of multifamily, mixed use developments or primary through secondary schools through careful site planning.

421.1 Establishment: A Major Land Development Project may be established upon approval by the Commission in any zone in which the proposed principal use and accessory uses of each building are permitted in accordance with Article III. A Major Land Development Project may be initiated by submitting a major land development plan to the Commission in accordance with the Development Review Regulations adopted by the City Plan Commission pursuant to RIGL Section 45-23-25 through 74.

421.2 Primary through Secondary Schools — Master Plan Requirement: Any educational institution (primary through secondary schools) as defined by Use Code 21 that chooses to apply

to the City Plan Commission under Section 421 of this Ordinance as a Major Land Development Project, shall prepare and submit a Master Plan in accordance with Section 503.24 C) 1. through 11 of this Ordinance.

Section 2. This Ordinance shall take effect upon passage.

Severally Read and Collectively Passed, the Second Time, as Amended, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Councilwomen Nolan, Romano, Williams and Young—9.

Noes: None.

Absent: Councilmen Allen, Clarkin, DeLuca, Lombardi, Mancini and Rollins—6.

The motion for Passage the Second Time, as Amended is Unanimously Sustained.

PRESENTATION OF ORDINANCE

COUNCILMAN ROLLINS and COUNCILMAN ALLEN (By Request):

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" for Acquisition of Lot 316 on Assessor's Plat 25.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Unanimously Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN CLARKIN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along various streets located in the vicinity of the East Side of Providence of Brown University beginning on Saturday, September 21, 1996, between the hours of 6:30 o'clock A.M. and 6:30 o'clock P.M. to accommodate Football Season.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along various streets located in the vicinity of the East Side of Providence of Brown University beginning on Saturday, September 21, 1996, between the hours of 6:30 o'clock A.M. and 6:30 o'clock P.M. to accommodate Football Season, as follows:

Suggested Traffic Regulations:

One Way Traffic:

Sessions Street — One way easterly from Morris Avenue to Taft Avenue

Taft Avenue — One way northerly from Sessions Street to Savoy Street

No Traffic:

Between Taft Avenue and Elmgrove Avenue.

Sessions Street — Between Taft Avenue and Elmgrove Avenue

Taber Avenue — Between Emeline Street and Sessions Street

No Parking:

Aldrich Terrace — Either side

Savoy Street — Either side between Hope Street and Elmgrove Avenue

Taft Avenue — Either side between Sessions Street and Savoy Street

Morris Avenue — Either side between Sessions Street and Emeline Street

Taber Avenue — Either side between Sessions Street and Emeline Street

Either Side between Doyle Avenue and Emeline Street

Stadium Road — Either side between Sessions Street and Emeline Street

Sessions Street — Either side between Morris Avenue and Elmgrove Avenue

Elmway Street — Either side

Doyle Avenue — One side: between Taber Avenue and Elmgrove Avenue

Upton Avenue — One side: Elmgrove Avenue and Wayland Avenue.

COUNCILMAN DeLUCA (By Request):

Resolution Requesting the Traffic Engineer to repaint all Crosswalks in the 6th Ward.

Resolved, That the Traffic Engineer is requested to repaint all Crosswalks in the 6th Ward.

Resolution Requesting the Chief Electrical Inspector to upgrade the lighting on Yule Avenue, Pole numbers 1, 2 and 3 and Fairmont Avenue, Pole numbers 3 and 4.

Resolved, That the Chief Electrical Inspector is requested to upgrade the lighting on Yule Avenue, Pole numbers 1, 2 and 3 and Fairmont Avenue, Pole numbers 3 and 4.

Resolution Requesting the Parks Department to trim the tree in front of 67 Freedom Road.

Resolved, That the Parks Department is requested to trim the tree in front of 67 Freedom Road.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign at Amherst Street and Hannah Street and at the corner of Steere Avenue and Amherst Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign at the corner of Gray Street and Fowler Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Director of Public Works to repair the road depression at the corner of Oakwood Avenue and Chalkstone Avenue.

Resolved, That the Director of Public Works is requested to repair the road depression at the corner of Oakwood Avenue and Chalkstone Avenue.

Resolution Requesting the Director of Public Works to reset the curbstones in front of 91 Oakwood Avenue.

Resolved, That the Director of Public Works is requested to reset the curbstones in front of 91 Oakwood Avenue.

COUNCILMAN DeLUCA and COUNCILWOMAN DiRUZZO (By Request):

Resolution Requesting the Traffic Engineer to replace the Memorial Plaque, Manfredo Caranci, located at the corner of Webster Avenue and Wallace Street.

Resolved, That the Traffic Engineer is requested to replace the Memorial Plaque, Manfredo Caranci, located at the corner of Webster Avenue and Wallace Street.

COUNCILMAN DeLUCA:

Resolution Requesting the City Solicitor to draft an Ordinance prohibiting city vehicles from leaving the city limits, unless performing city business.

Resolved, That the City Solicitor is requested to draft an Ordinance prohibiting city vehicles from leaving the city limits, unless performing city business.

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting the Rhode Island Public Transit Authority to Reinstate the 9:00 o'clock A.M. bus schedule on Plainfield Street in Providence.

Resolved, That the Rhode Island Public Transit Authority is requested to Reinstate the 9:00 o'clock A.M. bus schedule on Plainfield Street in Providence.

COUNCILMAN IGLIOZZI, COUNCILWOMAN DiRUZZO and COUNCILWOMAN WILLIAMS (By Request):

Amending Rule 16 of the Rules of the City Council.

Amendment to Rule 16 of the Rules of the City Council

(b) The Mayor, members of the City Council, all committees of the City Council and heads of departments having ordinances, resolutions, orders, reports and other business to present to the City Council for consideration, shall file with the City Clerk, in his/her department in proper form, said form to be original papers and not copies of said ordinances, resolutions, orders and other business, **no later than noon of the Friday preceding the Council meeting or in the case of a special meeting, seventy eight (78) hours before each meeting of the City Council** in order that the same may be prepared for the docket. No ordinance, resolution, order, report or other business shall be considered as having been introduced unless notice of same shall have been filed with the City Clerk as herein provided, and said ordinance, resolution, order, report or other business appears on the prepared docket, or unless the City Council, by a majority of those present, shall allow the introduction of such from the floor without it appearing on the printed docket.

COUNCILMAN LOMBARDI (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Union Street, between Fountain Street and Washington Street, on Thursday, November 21, 1996 from 6:00 o'clock A.M. to Friday, November 22, 1996 at 10:00 o'clock A.M., to accommodate the Union Street Station, which will be hosting the cast of the 42nd Street in a special fund raiser for the benefit of Rhode Island Project AIDS.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Union Street, between Fountain Street and Washington Street, on Thursday, November 21, 1996 from 6:00 o'clock A.M. to Friday, November 22, 1996 at 10:00 o'clock A.M., to accommodate the Union Street Station, which will be hosting the cast of the 42nd Street in a special fund raiser for the benefit of Rhode Island Project AIDS.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Aborn Street, from Washington Street to Fountain Street on Saturday, October 5, 1996 between the hours of 9:00 o'clock A.M. to 12:00 o'clock Midnight, to accommodate the celebration of Oktoberfest.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Aborn Street, from Washington Street to Fountain Street on Saturday, October 5, 1996 between the hours of 9:00 o'clock A.M. to 12:00 o'clock Midnight, to accommodate the celebration of Oktoberfest.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

COUNCILWOMAN NOLAN (By Request):

Resolution Requesting the Traffic Engineer to replace all missing "Stop" Signs on Atlantic Avenue and Niagra Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to replace all missing "Stop" Signs on Atlantic Avenue and Hamilton Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking to Corner" Signs on Elmwood Avenue and Gallatin Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking to Corner" Signs on Lenox Avenue and Warrington Street, and along the side streets.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "Four-Way Stop" Signs on Lenox Avenue and Melrose Street and Lenox Avenue and Hamilton Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to replace the "Four-Way Stop" Signs on Niagra Street and Lenox Avenue.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

COUNCILWOMAN ROMANO (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Nahant Street, between Charles Street and Russo Street, on Thursday, October 3, 1996 between the hours of 6:00 o'clock P.M. to 8:00 o'clock P.M. to accommodate an outdoor rally.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Nahant Street, between Charles Street and Russo Street, on Thursday, October 3, 1996 between the hours of 6:00 o'clock P.M. to 8:00 o'clock P.M. to accommodate an outdoor rally.

COUNCILWOMAN ROMANO:

Resolution Requesting the Traffic Engineer to re-paint all Crosswalks in the 4th Ward.

Resolved, That the Traffic Engineer is requested to re-paint all Crosswalks in the 4th Ward.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Chief Electrical Inspector to upgrade the lighting on Pole #4 in front of 45 Hazard Avenue.

Resolved, That the Chief Electrical Inspector is requested to upgrade the lighting on Pole #4 in front of 45 Hazard Avenue.

Resolution Requesting the Chief Electrical Inspector to upgrade the street lighting at the corner of Grotto Avenue and Upton Street.

Resolved, That the Chief Electrical Inspector is requested to upgrade the street lighting at the corner of Grotto Avenue and Upton Street.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

MAJORITY LEADER IGLIOZZI moves to reconsider Amendment of Rule 16 of the Rules of the City Council, seconded by COUNCILWOMAN WILLIAMS, for the purpose of submitting an amendment.

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Four-Way Stop" Sign on Moore Street and Updike Street.

COUNCIL PRESIDENT FARNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign on Stewart Street and Friendship Street, due to the numerous accidents.

COUNCIL PRESIDENT FARNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Authorizing the Duly Elected Mayor of the City of Providence, to submit an Application to the U.S. Department of Housing and Urban Development for a Section 108 Guaranteed Loan in the amount not to exceed Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) to fund the Construction of Hawthorne Suites/Restaurant/Retail Development.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Unanimously Sustained.

o'clock P.M., to accommodate the Grand Opening of that store called 42nd Street.

Read and Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Saratoga Street, from Broad Street to the end of the parking lot of that building known as 42nd Street, located at 736 Broad Street, on Sunday, October 13, 1996 between the hours of 2:00 o'clock P.M. to 6:00 o'clock P.M., to accommodate the Grand Opening of that store called 42nd Street.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Saratoga Street, from Broad Street to the end of the parking lot of that building known as 42nd Street, located at 736 Broad Street, on Sunday, October 13, 1996 between the hours of 2:00 o'clock P.M. to 6:00

COUNCILWOMAN YOUNG:

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign at the corner of Sprague Street and Harrison Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

Transmits the following with recommendation the same be Adopted:

An Ordinance in Amendment of and in Addition to Chapter 1979-26 of the Ordinances of the City of Providence, approved June 22, 1979, and

entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the West End Project" for additional Acquisition.

Read and Passed the First Time, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Fargnoli, Councilmen Allen, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Councilwomen Nolan, Romano, Williams and Young—10.

Noes: None.

Absent: Councilmen Clarkin, DeLuca, Lombardi, Mancini and Rollins—5.

The motion for Passage the First Time is Unanimously Sustained.

Transmits the following with recommendation the same be Approved:

Resolution Authorizing the Renaming of the John Street School in memory of Robert L. Bailey, IV.

Members of the City Council hereby authorize the renaming of the John Street School in memory of Robert L. Bailey, IV.

Whereas, It is the desire of the Mayor of the City of Providence and the Members of the Providence School Board to honor the memory of Robert L. Bailey, IV who served as Director of Equity and Access for the Providence School Department,

Read and Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

Now, therefore be it Resolved, That the

COUNCILMAN KEVIN JACKSON, Chairman COMMITTEE ON CITY PROPERTY

Transmits the following with recommendation the same be Approved:

Resolution Authorizing easements between the City of Providence, by and through the Water Supply Board and Dover Investment Group in the City of Cranston.

Resolved, That His Honor, the Mayor, is authorized to execute an easement agreement between the City of Providence and Dover Investment Group for two (2) perpetual easements located in the City of Cranston in a location

known as (Assessor's Plat 25-2, Lot 16) for the amount of Five Thousand Seventy (\$5,070.00) Dollars contingent upon other such terms and conditions as have been imposed by the City Council and His Honor, the Mayor.

Be it further Resolved, That the granting of these easements are contingent upon the granting of two (2) perpetual easements by Dover Investment Group to the City of Providence by and through the Water Supply Board.

Read and Passed the First Time, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Councilmen Allen, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Councilwomen Nolan, Romano, Williams and Young—10.

Noes: None.

Absent: Councilmen Clarkin, DeLuca, Lombardi, Mancini and Rollins—5.

The motion for Passage the First Time is Unanimously Sustained.

COUNCILMAN JOHN J. LOMBARDI, Chairman COMMITTEE ON CLAIMS AND PENDING SUITS

Transmits the following with recommendation the same be Severally Approved for Cancellation:

Certificates from the City Assessor (Nos. 1A through 4A) recommending the same be Severally Cancelled pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956, as Amended.

Severally Read and Collectively Approved for Cancellation, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Coun-

cilmen Allen, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Councilwomen Nolan, Romano, Williams and Young—10.

Noes: None.

Absent: Councilmen Clarkin, DeLuca, Lombardi, Mancini and Rollins—5.

The motion of Approval for Cancellation is Unanimously Sustained.

COMMUNICATIONS AND REPORTS

Certificates from the City Assessor (Nos. 7A and 8A) recommending the same be severally cancelled pursuant to the provisions of Sections 14

and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956, as Amended.

COUNCIL PRESIDENT FARGNOLI Refers the Certificates to the Committee on Claims and Pending Suits. **The motion to Refer is Unanimously Sustained.**

FROM THE CLERK'S DESK

Petition Requesting that a Public Hearing be held relative to that property located at 1241 Smith Street.

Referred to the Committee on Ordinances, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN GLAVIN.

The motion to Refer is Unanimously Sustained.

COUNCIL PRESIDENT FARGNOLI wishes to excuse herself from voting on the motion.

Petitions for Compensation for Injuries and Damages, viz:

Sergeant Robert J. Paniccia

Marie A. Gallagher

Insidro Santana

Pablo and Wanda Chala

Juan and Hilda V. Olivo

Joseph R. D'Amico, Jr.

Frank Vescuso

Kathleen Fitzgerald

Pawtucket Mutual Ins. a/s/o Thomas and Janet Wunderlich

Peter S. Smith and Mardee Smith

COUNCIL PRESIDENT FARGNOLI Severally Refers the Petitions to the Committee on Claims and Pending Suits.

The motion to Refer is Unanimously Sustained.

PRESENTATION OF CITATIONS

"In Congratulations"

**COUNCIL PRESIDENT FARGNOLI and
the MEMBERS of the CITY COUNCIL:**

Citations Extending Congratulations.

Resolved, That the Members of the City Council extend their sincere congratulations to the families of the following:

John Mulholland, in recognition of his retirement after 13 years of dedicated service as the Post Steward of the American Legion Roger Williams Post #35.

Mr. and Mrs. Manuel Rosa, in recognition of the celebration of their 50th Wedding Anniversary.

Cosmo "Sam" and Phyllis Lamantia, in recognition of the celebration of their 60th Wedding Anniversary.

Alma Rollins, in recognition of the celebration of her 90th Birthday on October 4, 1996 at the Masonic Temple.

James Graham, in recognition of the celebration of his 50th Birthday on October 4, 1996 at the Masonic Temple.

Mr. Brock Manville, in recognition of the celebration of the Grand Opening of the Westside Marketplace, 50 Murray Street on October 12, 1996.

**Severally Read and Collectively Passed,
on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.**

The motion for Passage is Unanimously Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT FARGNOLI and
the MEMBERS of the CITY COUNCIL:**

Resolutions Extending Sympathy.

Resolved, That the Members of the City Council extend their sincere sympathy to the families of the following:

Angelina Ferri

Dennis M. Kane

Teresa DeStefanis

Edward J. DiMartino, Sr.

Joseph Anthony Pari

Elsa E. Paglia

John J. "Jack" White

John Welzie Wyche

Barbara A. DiDonato

Saul Lindenfeld

Tracy L. Taylor

Grace J. Pierce

Caroline M. "Lena" Gandolfo

Linda E. Saxon

Cecile Siden Low

Roger L. Buonomano

Ann Marie Dube

Jacqueline A. Lombardi

Elsie A. Clarkin

Nicholas Buffardi

Severally Read and Collectively Passed,
by a Unanimous Rising Vote, on motion of
COUNCILMAN IGLIOZZI, seconded by
COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously
Sustained.

ADJOURNMENT

There being no further business, on
motion of COUNCILMAN IGLIOZZI, sec-
onded by COUNCILWOMAN DiRUZZO, it is
voted to adjourn at 8:05 o'clock P.M. (E.D.T.)
to meet again on THURSDAY, OCTOBER
17, 1996 at 7:30 o'clock P.M. (E.D.T.).

Michael R. Clement

City Clerk

October 3]

1036

[1996

**C I T Y O F P R O V I D E N C E
R H O D E I S L A N D**



C I T Y C O U N C I L

JOURNAL OF PROCEEDINGS

No. 49 City Council Regular Meeting, October 3, 1996, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

EVELYN V. FARGNOLI

ROLL CALL

**Present: Council President Fagnoli,
Councilwoman DiRuzzo, Councilmen
Glavin, Igliozi, Jackson, Councilwomen
Nolan, Romano, Williams and Young—9.**

**Absent: Councilmen Allen, Clarkin, DeL-
uca, Lombardi, Mancini and Rollins—6.**

INVOCATION

The Invocation is given by COUNCILMAN
KEVIN JACKSON.

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

COUNCILWOMAN RITA M. WILLIAMS
leads the members of the City Council and
the Assemblage in the Pledge of Allegiance
to the Flag of the United States of America.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated September 13, 1996, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, he is this day appointing Ms. Mary Dean of 31 Chaucer Street, Providence, Rhode Island 02908, a Member of the Providence Human Relations Commission for a term expiring in January, 1999. Ms. Dean will replace Mr. John Chea who has resigned.

COUNCIL PRESIDENT FARGNOLI
Receives the Communication and Refers the
Appointment to the Committee on Finance.

The motion to Receive and Refer is
Unanimously Sustained.

Communication dated September 13, 1996, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, and 1994 Ordinance 365 Chapter 502.1, he is this day reappointing Elizabeth Chase of 140 Wickenden Street, Providence, Rhode Island 02903, as a Member of the Downcity District Design Review Commission for a term expiring in September, 1999.

Received.

APPOINTMENT BY THE PRESIDENT OF THE CITY COUNCIL

Communication from Council President Evelyn V. Fagnoli, dated September 24, 1996, Informing the Honorable Members of the City Council that she has, this day, appointed Councilman Robert M. Clarkin as a Member of the Commission to Restructure City Finances. Councilman Robert M.

Clarkin will be replacing Council President Pro Tempore John J. Lombardi, who has resigned.

Received.

ORDINANCES SECOND READING

The following Ordinance was in City Council September 19, 1996, Read and Passed, the First Time and is Returned for Passage the Second Time:

An Ordinance in Amendment of and in Addition to Chapter 1995-21 of the Ordinances of the City of Providence, Approved August 17, 1995, and entitled, "An Ordinance Setting Fee Schedules for new Construction, Alteration, Demolition or other Building Operations.

Be it ordained by the City of Providence:

Section 1. That Chapter 1995-21 of the Ordinances of the City of Providence approved August 17, 1995 and entitled "An Ordinance Setting Fee Schedules for new construction, alteration, demolition or other building operations is hereby amended by adding the following:

Section 2. Any new residential construction which:

(a) Consists of three or more separate structures each containing one or two dwelling units and which are substantially identical in both interior and exterior construction;

(b) Is erected by a certified non-profit housing corporation in a redevelopment area as that area is defined in Chapter 20 of the Code of Ordinances and

(c) Is occupied for residential purposes only and for no other

shall tender the usual permit fees to the Department of Inspection and Standards for the initial structure.

Section 3. Each additional structure complying with the requirements stated above and which have substantially identical interior and exterior designs to the first structure shall tender the following fees:

(a) Building permit which shall include plumbing, heating, electrical, ventilation, air conditioning or other mechanical equipment — \$400.00;

(b) Certificate of occupancy — \$50.00;

(c) Rhode Island ADA — \$50.00;

(d) Rhode Island building permit fee — \$0.01 per gross square foot of building.

Section 4. Each structure, however, with a substantially different interior design shall pay a fee in accordance with the usual provisions of this ordinance.

Section 5. A development may, provided all other requirements are met, qualify for the reduced fees of this section if all dwelling units are completed within 5 years of the date of approval of the first construction by the Bureau of Inspection and Standards, provided, however, that the developer shall submit with its application for approval its initial construction a master site plan, identifying the lots on which housing shall be developed, the type of housing to be constructed indicating the structures with similar interior design, shall be submitted. Only those

structures identified on the master site plan will be eligible for this reduced fee.

Section 6. The additional structures in a development may, provided all requirements in Section 2 are met, qualify for reduced fees of this section whenever all dwelling units are completed and a certificate of occupancy issued within five (5) years of the date of issuance of the building permit for the initial structure; provided, however, that the developer shall submit with its application for approval of its initial structure a Master Site Plan identifying the lot or lots upon which the dwellings are to be constructed, the type or types of housing to be constructed, earmarking those structures with similar interior and exterior design. Only subsequent structures identified on the Master Site Plan shall be eligible for the reduced fee.

Section 7. This Ordinance shall take effect upon its passage.

The following Ordinances were in City Council September 19, 1996, Read and Passed the First Time and are Severally Returned for Passage the Second Time, as Amended:

An Ordinance with Reference to the Residency of Employees, as Amended.

Be it ordained by the City of Providence:

1. Finding.

Whereas, In order for the employees of the City of Providence to be most effective, it is necessary for them to identify with the needs and goals of the residents of the City of Providence;

Whereas, This sense of identification can only be accomplished when an employee is actually a resident of the City;

Whereas, As a resident, an employee is also a participant in community activities and issues;

Whereas, This participation and commitment is essential to the development of a strong sense of public service;

Whereas, It is important that the employees of the City of Providence possess this strong sense of public service.

Whereas, The electorate has agreed with the need for this sense of public service by voting in the affirmative to require a residency requirement in the Home Rule Charter of the City of Providence;

Now, therefore, be it Resolved, That all officers and employees of the City shall be residents of the City of Providence.

2. Residency Requirement.

All officers of the City, as defined in section 1207, and all employees of the City and any and all agencies and instrumentalities thereof, including all employees of the school department and the department of public safety, shall be residents of the City during such employment; provided, however, that any person exempted from such residency under the Home Rule Charter or other relevant and applicable provision shall be likewise exempted hereunder.

Persons not residents of the City may be appointed or engaged for employment on the condition that within six (6) months of such appointment or engagement they shall become residents of the City.

Any officer or employee of the City who, during employment ceases to be a resident and who is not exempt shall forfeit his or her position in the employ of the City. It shall be the duty of the Director of Personnel to monitor this residency requirement regularly and to report timely any violations to the Mayor and the City Council for appropriate action.

Police officers and firefighters shall become residents of the City of Providence within six (6) months after he/she has been sworn into his/her position.

The residency requirement shall apply to all full and part-time employees of the City of Providence but shall not apply to temporary and seasonal employees, as defined herein.

3. *Notification.*

Every employee shall be furnished a copy of the residency ordinance and a copy of the City Charter provision when hired and annually thereafter. Failure to do so, however, shall not be held to excuse non-compliance.

4. *Affidavit.*

Every employee shall sign a notarized affidavit averring that he/she is a residence of the City.

5. *Commission.*

There shall be a Commission of five (5) members, which shall enforce the residency requirement, as set forth above. All violations reported to the Mayor and/or the City Council shall then be reported to the Commission for investigation and the Commission shall report to the Mayor and the City Council all findings together with a recommended action.

The Commission shall consist of five (5) members, three (3) of whom shall be Council members, appointed by the Council President and two (2) of whom shall be appointed by the Mayor. Each member shall serve a term concurrent with the appointing authority.

6. *Reporting.*

The Personnel Director, shall monthly report any and all violations of the residency requirement to the Mayor and the City Council. The Executive Director of the Civic Center and the Superintendent of Schools shall report any and all violations by persons under their supervision to the Personnel Director on a monthly basis.

7. *Definitions.*

Residence shall mean domiciled in the City of Providence.

Domiciled shall mean that place where a person has his or her true, fixed, and permanent home and principal establishment, and to which, whenever he or she is absent has the intention of returning.

Part-time shall mean an employee who is hired for fewer than thirty-five hours per week.

Temporary shall mean an individual who is hired for a limited period of time or an individual employed to replace an employee on authorized leave for the period of such leave.

Seasonal shall mean an employee who is

employed only during the months of June through September and who performs primarily recreation or recreational related work.

8. *Indicia of Residency.*

All employees shall sign a release of state tax information relative to residency when hired. The address indicated on such state tax records shall be the primary indicia of residency.

In addition, the following shall be considered evidence of permanent and principal legal residence. An employee shall provide three (3) of the same unless the employee is not entitled to or does not qualify for such three. In such case, the Director of Personnel may use the best available evidence to determine the employee's residence. Provided, however, that upon qualifying and obtaining such documents, the same shall be tendered forthwith to the Director of Personnel.

(a) The address furnished to the registry of motor vehicles for the employee's operator's license;

(b) The address from which the employee's motor vehicle is registered;

(c) The address furnished by the employee to the tax collector and/or assessor in those communities where the employee owns taxable real or personal property for the purpose of notification to such employee;

(d) The residence address furnished by the employee to the insurance companies with which the employee maintains policies;

(e) The address furnished by the employee to any business, profession, union, or fraternal organization of which he or she is a member;

(f) The address furnished by the employee to governmental agencies with which the employee has contact;

(g) The address furnished by the employee to the United States Postal Service on a change of address form as verified by the United States Postal Service; and

(h) The address at which the employee is certified by the Board of Canvassers as an elector and resident of the City.

In all cases, the Director of Personnel shall conduct an appropriate hearing.

9. *Violation.*

Any officer or employee of the City who, during the term of employment ceases to be a resident shall forfeit his or her position in the employ of the City. An officer or employee who does not reside in the City on the day after the six-month period subsequent to hiring, and is required to do so, shall forfeit his or her employ in the City.

10. *Exemption.*

Upon certification by the Mayor that after diligent search and no person with proper qualifications can be found to fill a particular position among residents of the City, the City Council may exempt a non-resident employee from the provisions of this section.

If any individual wishes to apply to the City Council for an extension of the six (6) month period, he/she shall make such application prior to the expiration of the six month period and shall show just cause as to why the period should be extended. Whether or not a reason is "just cause" exists for an extension shall be solely in the discretion of the City Council.

11. *Severability.*

If any provision of this ordinance or any rule or determination made hereunder, or application hereof to any person, agency, or circumstance, is held invalid by a court of competent jurisdiction, the remainder of this chapter and its application

to any person, agency or circumstance shall not be affected thereby. The invalidity of any section or sections of this chapter shall not affect the validity of the remainder of the chapter.

Section 2. This Ordinance shall take effect on its passage.

An Ordinance making an Appropriation of Three Hundred Twenty-One Million, Six Hundred Forty-Five Thousand, One Hundred Sixty-Eight (\$321,645,168.00) Dollars for the fiscal year ending June 30, 1997, relative to the City Solicitor's Department, as Amended.

Be it ordained by the City of Providence:

Section 1. Chapter 1996-27 of the Ordinances of the City of Providence, as approved July 23, 1996, is hereby amended, as follows:

<i>Salaries</i>	915,784
<i>Other</i>	950,000

Section 2. This Ordinance shall take effect on its passage.

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 1995-30, approved December 28, 1995, relative to the City Solicitor's Department, as Amended.

Be it ordained by the City of Providence:

Section 1. Chapter 1996-29 of the Ordinances of the City of Providence, as approved July 23, 1996, is hereby amended, as follows:

Add the following position:

1 Paralegal I

An Ordinance Amending the City of Providence Zoning Ordinance Chapter 1994-24 No. 365, approved June 27, 1994, as Amended.

Be it ordained by the City of Providence:

Section 1. The Providence Zoning Ordinance Chapter 1994-24 No. 365, approved June 27, 1994, as amended shall be further amended as follows:

a) Section 303, Table of Use Regulations, Use Code 21, add footnote #1 to all items marked with an "S" Special Use Permit.

b) Renumber existing footnotes #1 through 6 to footnotes #2 through 7, respectively.

c) New footnote #1 shall read as follows:

"Any Institution, as defined in Use Code 21, at its own option, may apply for a Special Use Permit to the Zoning Board of Review, in accordance with Section 902.4 of this Ordinance or it may apply to the City Plan Commission under Section 421 of this Ordinance and be considered a Major Land Development Project. Procedures for the approval of Major Land Development Projects are contained in the Development Review Regulations adopted by the City Plan Commission pursuant to RIGL Section 45-23-25 through 74."

d) Delete Section 421 in its entirety and replace with the following new Section 421, to read as follows:

Section 421 — Major Land Development Project — Approval by City Plan Commission: A Major Land Development Project, is a parcel or parcels of land, containing at least forty thousand (40,000) sq. ft. of land area, which is developed

according to a plan and in accordance with this Section as a single entity. The Major Land Development Project may include one or more residential and/or commercial structures with appurtenant recreation buildings, common areas, open space and roadways or an education institution (primary through secondary schools) as defined by Use Code 21. The purpose of a Major Land Development Project is to allow for the creation of multifamily, mixed use developments or primary through secondary schools through careful site planning.

421.1 Establishment: A Major Land Development Project may be established upon approval by the Commission in any zone in which the proposed principal use and accessory uses of each building are permitted in accordance with Article III. A Major Land Development Project may be initiated by submitting a major land development plan to the Commission in accordance with the Development Review Regulations adopted by the City Plan Commission pursuant to RIGL Section 45-23-25 through 74.

421.2 Primary through Secondary Schools — Master Plan Requirement: Any educational institution (primary through secondary schools) as defined by Use Code 21 that chooses to apply

to the City Plan Commission under Section 421 of this Ordinance as a Major Land Development Project, shall prepare and submit a Master Plan in accordance with Section 503.24 C) 1. through 11 of this Ordinance.

Section 2. This Ordinance shall take effect upon passage.

Severally Read and Collectively Passed, the Second Time, as Amended, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Councilwomen Nolan, Romano, Williams and Young—9.

Noes: None.

Absent: Councilmen Allen, Clarkin, DeLuca, Lombardi, Mancini and Rollins— 6.

The motion for Passage the Second Time, as Amended is Unanimously Sustained.

PRESENTATION OF ORDINANCE

COUNCILMAN ROLLINS and COUNCILMAN ALLEN (By Request):

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" for Acquisition of Lot 316 on Assessor's Plat 25.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Unanimously Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN CLARKIN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along various streets located in the vicinity of the East Side of Providence of Brown University beginning on Saturday, September 21, 1996, between the hours of 6:30 o'clock A.M. and 6:30 o'clock P.M. to accommodate Football Season.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along various streets located in the vicinity of the East Side of Providence of Brown University beginning on Saturday, September 21, 1996, between the hours of 6:30 o'clock A.M. and 6:30 o'clock P.M. to accommodate Football Season, as follows:

Suggested Traffic Regulations:

One Way Traffic:

Sessions Street — One way easterly from Morris Avenue to Taft Avenue

Taft Avenue — One way northerly from Sessions Street to Savoy Street

No Traffic:

Between Taft Avenue and Elmgrove Avenue

Sessions Street — Between Taft Avenue and Elmgrove Avenue

Taber Avenue — Between Emeline Street and Sessions Street

No Parking:

Aldrich Terrace — Either side

Savoy Street — Either side between Hope Street and Elmgrove Avenue

Taft Avenue — Either side between Sessions Street and Savoy Street

Morris Avenue — Either side between Sessions Street and Emeline Street

Taber Avenue — Either side between Sessions Street and Emeline Street

Either Side between Doyle Avenue and Emeline Street

Stadium Road — Either side between Sessions Street and Emeline Street

Sessions Street — Either side between Morris Avenue and Elmgrove Avenue

Elmway Street — Either side

Doyle Avenue — One side: between Taber Avenue and Elmgrove Avenue

Upton Avenue — One side: Elmgrove Avenue and Wayland Avenue.

COUNCILMAN DeLUCA (By Request):

Resolution Requesting the Traffic Engineer to re-paint all Crosswalks in the 6th Ward.

Resolved, That the Traffic Engineer is requested to re-paint all Crosswalks in the 6th Ward.

Resolution Requesting the Chief Electrical Inspector to upgrade the lighting on Yule Avenue, Pole numbers 1, 2 and 3 and Fairmont Avenue, Pole numbers 3 and 4.

Resolved, That the Chief Electrical Inspector is requested to upgrade the lighting on Yule Avenue, Pole numbers 1, 2 and 3 and Fairmont Avenue, Pole numbers 3 and 4.

Resolution Requesting the Parks Department to trim the tree in front of 67 Freedom Road.

Resolved, That the Parks Department is requested to trim the tree in front of 67 Freedom Road.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign at Amherst Street and Hannah Street and at the corner of Steere Avenue and Amherst Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign at the corner of Gray Street and Fowler Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Director of Public Works to repair the road depression at the corner of Oakwood Avenue and Chalkstone Avenue.

Resolved, That the Director of Public Works is requested to repair the road depression at the corner of Oakwood Avenue and Chalkstone Avenue.

Resolution Requesting the Director of Public Works to reset the curbstones in front of 91 Oakwood Avenue.

Resolved, That the Director of Public Works is requested to reset the curbstones in front of 91 Oakwood Avenue.

COUNCILMAN DeLUCA and COUNCILWOMAN DiRUZZO (By Request):

Resolution Requesting the Traffic Engineer to replace the Memorial Plaque, Manfredo Caranci, located at the corner of Webster Avenue and Wallace Street.

Resolved, That the Traffic Engineer is requested to replace the Memorial Plaque, Manfredo Caranci, located at the corner of Webster Avenue and Wallace Street.

COUNCILMAN DeLUCA:

Resolution Requesting the City Solicitor to draft an Ordinance prohibiting city vehicles from leaving the city limits, unless performing city business.

Resolved, That the City Solicitor is requested to draft an Ordinance prohibiting city vehicles from leaving the city limits, unless performing city business.

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting the Rhode Island Public Transit Authority to Reinstate the 9:00 o'clock A.M. bus schedule on Plainfield Street in Providence.

Resolved, That the Rhode Island Public Transit Authority is requested to Reinstate the 9:00 o'clock A.M. bus schedule on Plainfield Street in Providence.

COUNCILMAN IGLIOZZI, COUNCILWOMAN DiRUZZO and COUNCILWOMAN WILLIAMS (By Request):

Amending Rule 16 of the Rules of the City Council.

Amendment to Rule 16 of the Rules of the City Council

(b) The Mayor, members of the City Council, all committees of the City Council and heads of departments having ordinances, resolutions, orders, reports and other business to present to the City Council for consideration, shall file with the City Clerk, in his/her department in proper form, said form to be original papers and not copies of said ordinances, resolutions, orders and other business, **no later than noon of the Friday preceding the Council meeting or in the case of a special meeting, seventy eight (78) hours before each meeting of the City Council** in order that the same may be prepared for the docket. No ordinance, resolution, order, report or other business shall be considered as having been introduced unless notice of same shall have been filed with the City Clerk as herein provided, and said ordinance, resolution, order, report or other business appears on the prepared docket, or unless the City Council, by a majority of those present, shall allow the introduction of such from the floor without it appearing on the printed docket.

COUNCILMAN LOMBARDI (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Union Street, between Fountain Street and Washington Street, on Thursday, November 21, 1996 from 6:00 o'clock A.M. to Friday, November 22, 1996 at 10:00 o'clock A.M., to accommodate the Union Street Station, which will be hosting the cast of the 42nd Street in a special fund raiser for the benefit of Rhode Island Project AIDS.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Union Street, between Fountain Street and Washington Street, on Thursday, November 21, 1996 from 6:00 o'clock A.M. to Friday, November 22, 1996 at 10:00 o'clock A.M., to accommodate the Union Street Station, which will be hosting the cast of the 42nd Street in a special fund raiser for the benefit of Rhode Island Project AIDS.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Aborn Street, from Washington Street to Fountain Street on Saturday, October 5, 1996 between the hours of 9:00 o'clock A.M. to 12:00 o'clock Midnight, to accommodate the celebration of Oktoberfest.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Aborn Street, from Washington Street to Fountain Street on Saturday, October 5, 1996 between the hours of 9:00 o'clock A.M. to 12:00 o'clock Midnight, to accommodate the celebration of Oktoberfest.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

COUNCILWOMAN NOLAN (By Request):

Resolution Requesting the Traffic Engineer to replace all missing "Stop" Signs on Atlantic Avenue and Niagara Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to replace all missing "Stop" Signs on Atlantic Avenue and Hamilton Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking to Corner" Signs on Elmwood Avenue and Gallatin Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking to Corner" Signs on Lenox Avenue and Warrington Street, and along the side streets.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "Four-Way Stop" Signs on Lenox Avenue and Melrose Street and Lenox Avenue and Hamilton Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to replace the "Four-Way Stop" Signs on Niagara Street and Lenox Avenue.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

COUNCILWOMAN ROMANO (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Nahant Street, between Charles Street and Russo Street, on Thursday, October 3, 1996 between the hours of 6:00 o'clock P.M. to 8:00 o'clock P.M. to accommodate an outdoor rally.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Nahant Street, between Charles Street and Russo Street, on Thursday, October 3, 1996 between the hours of 6:00 o'clock P.M. to 8:00 o'clock P.M. to accommodate an outdoor rally.

COUNCILWOMAN ROMANO:

Resolution Requesting the Traffic Engineer to re-paint all Crosswalks in the 4th Ward.

Resolved, That the Traffic Engineer is requested to re-paint all Crosswalks in the 4th Ward.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Chief Electrical Inspector to upgrade the lighting on Pole #4 in front of 45 Hazard Avenue.

Resolved, That the Chief Electrical Inspector is requested to upgrade the lighting on Pole #4 in front of 45 Hazard Avenue.

Resolution Requesting the Chief Electrical Inspector to upgrade the street lighting at the corner of Grotto Avenue and Upton Street.

Resolved, That the Chief Electrical Inspector is requested to upgrade the street lighting at the corner of Grotto Avenue and Upton Street.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

MAJORITY LEADER IGLIOZZI moves to reconsider Amendment of Rule 16 of the Rules of the City Council, seconded by COUNCILWOMAN WILLIAMS, for the purpose of submitting an amendment.

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Four-Way Stop" Sign on Moore Street and Uptike Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign on Stewart Street and Friendship Street, due to the numerous accidents.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Authorizing the Duly Elected Mayor of the City of Providence, to submit an Application to the U.S. Department of Housing and Urban Development for a Section 108 Guaranteed Loan in the amount not to exceed Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) to fund the Construction of Hawthorne Suites/Restaurant/Retail Development.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Unanimously Sustained.

o'clock P.M., to accommodate the Grand Opening of that store called 42nd Street.

Read and Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Saratoga Street, from Broad Street to the end of the parking lot of that building known as 42nd Street, located at 736 Broad Street, on Sunday, October 13, 1996 between the hours of 2:00 o'clock P.M. to 6:00 o'clock P.M., to accommodate the Grand Opening of that store called 42nd Street.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Saratoga Street, from Broad Street to the end of the parking lot of that building known as 42nd Street, located at 736 Broad Street, on Sunday, October 13, 1996 between the hours of 2:00 o'clock P.M. to 6:00

COUNCILWOMAN YOUNG:

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign at the corner of Sprague Street and Harrison Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

Transmits the following with recommendation the same be Adopted:

An Ordinance in Amendment of and in Addition to Chapter 1979-26 of the Ordinances of the City of Providence, approved June 22, 1979, and

entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the West End Project" for additional Acquisition.

Read and Passed the First Time, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Councilmen Allen, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Councilwomen Nolan, Romano, Williams and Young—10.

Noes: None.

Absent: Councilmen Clarkin, DeLuca, Lombardi, Mancini and Rollins—5.

The motion for Passage the First Time is Unanimously Sustained.

Transmits the following with recommendation the same be Approved:

Resolution Authorizing the Renaming of the John Street School in memory of Robert L. Bailey, IV.

Members of the City Council hereby authorize the renaming of the John Street School in memory of Robert L. Bailey, IV.

Whereas, It is the desire of the Mayor of the City of Providence and the Members of the Providence School Board to honor the memory of Robert L. Bailey, IV who served as Director of Equity and Access for the Providence School Department,

Read and Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

Now, therefore be it Resolved, That the

COUNCILMAN KEVIN JACKSON, Chairman COMMITTEE ON CITY PROPERTY

Transmits the following with recommendation the same be Approved:

Resolution Authorizing easements between the City of Providence, by and through the Water Supply Board and Dover Investment Group in the City of Cranston.

known as (Assessor's Plat 25-2, Lot 16) for the amount of Five Thousand Seventy (\$5,070.00) Dollars contingent upon other such terms and conditions as have been imposed by the City Council and His Honor, the Mayor.

Resolved, That His Honor, the Mayor, is authorized to execute an easement agreement between the City of Providence and Dover Investment Group for two (2) perpetual easements located in the City of Cranston in a location

Be it further Resolved, That the granting of these easements are contingent upon the granting of two (2) perpetual easements by Dover Investment Group to the City of Providence by and through the Water Supply Board.

Read and Passed the First Time, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Councilmen Allen, Councilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Councilwomen Nolan, Romano, Williams and Young—10.

Noes: None.

Absent: Councilmen Clarkin, DeLuca, Lombardi, Mancini and Rollins—5.

The motion for Passage the First Time is Unanimously Sustained.

COUNCILMAN JOHN J. LOMBARDI, Chairman COMMITTEE ON CLAIMS AND PENDING SUITS

Transmits the following with recommendation the same be Severally Approved for Cancellation:

Certificates from the City Assessor (Nos. 1A through 4A) recommending the same be Severally Cancelled pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956, as Amended.

Severally Read and Collectively Approved for Cancellation, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Coun-

cilmen Allen, Councilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Councilwomen Nolan, Romano, Williams and Young—10.

Noes: None.

Absent: Councilmen Clarkin, DeLuca, Lombardi, Mancini and Rollins—5.

The motion of Approval for Cancellation is Unanimously Sustained.

COMMUNICATIONS AND REPORTS

Certificates from the City Assessor (Nos. 7A and 8A) recommending the same be severally cancelled pursuant to the provisions of Sections 14

and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956, as Amended.

COUNCIL PRESIDENT FARGNOLI Refers the Certificates to the Committee on Claims and Pending Suits.

The motion to Refer is Unanimously Sustained.

FROM THE CLERK'S DESK

Petition Requesting that a Public Hearing be held relative to that property located at 1241 Smith Street.

Referred to the Committee on Ordinances, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN GLAVIN.

The motion to Refer is Unanimously Sustained.

COUNCIL PRESIDENT FARGNOLI wishes to excuse herself from voting on the motion.

Petitions for Compensation for Injuries and Damages, viz:

Sergeant Robert J. Paniccia

Marie A. Gallagher

Insidro Santana

Pablo and Wanda Chala

Juan and Hilda V. Olivo

Joseph R. D'Amico, Jr.

Frank Vescuso

Kathleen Fitzgerald

Pawtucket Mutual Ins. a/s/o Thomas and Janet Wunderlich

Peter S. Smith and Mardee Smith

COUNCIL PRESIDENT FARGNOLI Severally Refers the Petitions to the Committee on Claims and Pending Suits.

The motion to Refer is Unanimously Sustained.

PRESENTATION OF CITATIONS

"In Congratulations"

**COUNCIL PRESIDENT FARGNOLI and
the MEMBERS of the CITY COUNCIL:**

Citations Extending Congratulations.

Resolved, That the Members of the City Council extend their sincere congratulations to the families of the following:

John Mulholland, in recognition of his retirement after 13 years of dedicated service as the Post Steward of the American Legion Roger Williams Post #35.

Mr. and Mrs. Manuel Rosa, in recognition of the celebration of their 50th Wedding Anniversary.

Cosmo "Sam" and Phyllis Lamantia, in recognition of the celebration of their 60th Wedding Anniversary.

Alma Rollins, in recognition of the celebration of her 90th Birthday on October 4, 1996 at the Masonic Temple.

James Graham, in recognition of the celebration of his 50th Birthday on October 4, 1996 at the Masonic Temple.

Mr. Brock Manville, in recognition of the celebration of the Grand Opening of the Westside Marketplace, 50 Murray Street on October 12, 1996.

**Severally Read and Collectively Passed,
on motion of COUNCILMAN IGLIOZZI, sec-
onded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Unanimously
Sustained.**

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT FARGNOLI and
the MEMBERS of the CITY COUNCIL:**

Resolutions Extending Sympathy.

Resolved, That the Members of the City Council extend their sincere sympathy to the families of the following:

Angelina Ferri

Dennis M. Kane

Teresa DeStefanis

Edward J. DiMartino, Sr.

Joseph Anthony Pari

Elsa E. Paglia

John J. "Jack" White

Roger L. Buonomano

John Welzie Wyche

Ann Marie Dube

Barbara A. DiDonato

Jacqueline A. Lombardi

Saul Lindenfeld

Elsie A. Clarkin

Tracy L. Taylor

Nicholas Buffardi

Grace J. Pierce

Severally Read and Collectively Passed,
by a Unanimous Rising Vote, on motion of
COUNCILMAN IGLIOZZI, seconded by
COUNCILWOMAN WILLIAMS.

Caroline M. "Lena" Gandolfo

Linda E. Saxon

The motion for Passage is Unanimously
Sustained.

Cecile Siden Low

ADJOURNMENT

There being no further business, on
motion of COUNCILMAN IGLIOZZI, sec-
onded by COUNCILWOMAN DiRUZZO, it is
voted to adjourn at 8:05 o'clock P.M. (E.D.T.)
to meet again on THURSDAY, OCTOBER
17, 1996 at 7:30 o'clock P.M. (E.D.T.).

Richard R. Clement

City Clerk

October 3]

1036

[1996
