

**CITY OF PROVIDENCE
RHODE ISLAND**



**CITY COUNCIL
JOURNAL OF PROCEEDINGS**

No. 30 City Council Regular Council Meeting, Thursday, December 1, 2016, 7:00 o'clock P.M.

**PRESIDING
COUNCIL PRESIDENT
LUIS A. APONTE**

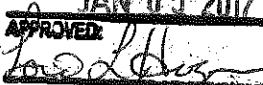
CALL TO ORDER

**PRESENT: COUNCIL PRESIDENT APONTE, COUNCILWOMAN CASTILLO,
COUNCILMEN CORREIA, JACKSON, NARDUCCI, PRINCIPE, YURDIN AND
ZURIER – 8.**

**ABSENT: COUNCILWOMAN HARRIS, COUNCILMEN HASSETT, IGLIOZZI,
JENNINGS, COUNCILWOMEN MATOS, RYAN AND
COUNCILMAN SALVATORE - 7.**

**ALSO PRESENT: LORI L. HAGEN, CITY CLERK, TINA L. MASTROIANNI,
FIRST DEPUTY CITY CLERK AND SHERI A. PETRONIO, SECOND DEPUTY
CITY CLERK**

**(SUBSEQUENTLY, COUNCILWOMAN HARRIS, COUNCILMAN HASSETT,
COUNCILWOMEN MATOS AND RYAN JOIN THE MEETING.)**

IN CITY COUNCIL
JAN 05 2017
APPROVED:  **CLERK**

ROLL CALL

INVOCATION

The Invocation is given by **REVEREND ISRAEL MERCEDES** from **IGLESIA PENTECOSTAL VISION EVANGELICA**.

"Dear God, we come to You in this special time to present to You the very important meeting that we're having. We thank You because today let us begin the last month of this year. It's been a great experience for me during these past eleven months and now that we prepare ourselves to begin a new year, we pray that You give us the wisdom, the compassion and the understanding to work together for a better community. Bring us together and give us the love that we need to have and help us to understand one another. We pray that with this celebration, as a family we come together and we can embrace the people that we love and embrace everyone in our community and even when we have some disagreements we can have a better conclusion for a better community and for a better City of Providence. We pray in the name of the Almighty One. Amen."

PLEDGE OF ALLEGIANCE

COUNCILMAN KEVIN JACKSON Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

COUNCILMAN HASSETT JONES THE MEETING.

PERSONAL EXPRESSION

COUNCILMAN NARDUCCI Requests the privilege of the floor to speak on a Point of Personal Expression and states:

"Some of you may know, and some of you may not know, but I will let everybody know so we can keep him in our prayers. Last night, Councilman Jennings was involved in an accident. He went out to be a good Samaritan like he always is to help a trailer truck that was stuck. He was starting to divert the traffic and unknown to him there was a driver coming up the street, and Councilman Jennings was standing right in the street, and he hit him. Thank God Councilman Jennings is as big and strong as he is. The car got hit, but he is okay, but he is really sore. His right arm is messed up, his wrist, he has some bruised ribs and his legs are hurting him. He is at home, he is not in the hospital. They released him last night. So, if we could all pray for Councilman Jennings and wish him the best. Thank you."

James Y. Jones

APPROVAL OF MINUTES

Journal of Proceedings No. 29 of the Regular Meeting of the City Council held November 17, 2016, 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, Councilmen Correia, Hassett, Jackson, Narducci, Principe, Yurdin and Zurier – 8.
ABSENT:	Councilwoman Harris, Councilmen Igliozi, Jennings, Councilwomen Matos, Ryan and Councilman Salvatore – 7.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated November 21, 2016, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 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 Michael Gazdacko of 78 Harrison Street, Providence, Rhode Island 02909, as General Citizenry Category Member of the City Plan Commission for a term to end January 31, 2018, and respectfully submits the same for your approval. (Mr. Gadacko temporarily resigned from the CPC on June 28, 2016 and will fill his own vacancy.)

Communication from His Honor the Mayor, dated November 21, 2016, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, Section 7-15 of the Code of Ordinances of the City of Providence, and Rhode Island General Laws §30-15-12, he is this day appointing Kevin Kugel of 70 Nobel Street, Seekonk, Massachusetts 02771, to the position of Director of the Providence Emergency Management Agency, and respectfully submits the same for your approval.

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

COUNCIL PRESIDENT APONTE Refers the Several Communications to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

ORDINANCE(S) SECOND READING

The Following Ordinances were in City Council November 17, 2016, Read and Passed the First Time and are Severally Returned Passage the Second Time:

COUNCILMAN SALVATORE

An Ordinance in Amendment of Chapter 9, "Fire Prevention and Protection," Article III, "Explosives and Inflammables," to add Section 9-80, Entitled: "Prohibition on Sale and Use of Fireworks."

SECTION 1. In accordance with Rhode Island General Laws § 23-28.1-2(b)(3), and in order to protect persons from the fire and safety hazards posed by fireworks, the Code of Ordinances of the City of Providence, Article III of Chapter 9, is hereby amended to add the following:

Sec. 9-80. Definitions.

Fireworks means any of the following: (i) consumer fireworks, as they are defined in American Pyrotechnics Association Standard (APA) 87-1 2001 Edition section 2.7.1; and (ii) ground based and hand held sparkling devices (non-aerial fireworks) as defined in APA 87-1 2001 Edition section 3.1.1 and 3.5, including fountains, illuminating torches, wheels, ground spinners, flitter sparklers, sparkers; novelties, which are defined in the APA 87-1 2001 Edition section 3.2 and include party poppers, snappers, toy smoke devices, snakes, glow worms, wire sparklers, and dipped sticks; paper caps containing not more than twenty-five hundredth (0.025) grains of explosive mixture ammunition to be consumed by weapons used for sporting and hunting purposes; and model rockets and model rocket engines designed, sold, and used for the purpose of propelling recoverable aero models. For purposes of this section, fireworks does not mean commercial fireworks or pyrotechnics, as those terms are defined by Rhode Island General Laws § 23-28.1-2 and § 23-28.11-3.

Vendor means any business, person, or entity engaged in the sale or distribution of fireworks within the City of Providence.

Sec. 9-81. Prohibition on Sale and Use of Fireworks.

No person shall sell, offer for sale, use or explode, or display or cause to be exploded for exhibition or amusement, fireworks without first obtaining a permit pursuant to Section 9-82.

Sec. 9-82. Permits.

- (a) *Vendor Permit.* A vendor shall apply for a Providence Fireworks Vendor Permit pursuant to this section. The fee to obtain a Providence Fireworks Vendor Permit shall be fifty dollars (\$50.00). An application for a Providence Fireworks Vendor Permit shall be submitted in writing to the office of the Board of Licenses and shall include the name of the applicant, the name of the applicant's business, and the location of where the fireworks will be sold. A vendor must submit a separate application for each location where fireworks will be sold. A vendor permit is valid for one year.
- (b) *User Permit.* Any person who wishes to use or explode, or display or cause to be exploded for exhibition or amusement, fireworks, shall apply for a Providence Fireworks User Permit pursuant to this section. The fee to obtain a Providence Fireworks User Permit shall be twenty-five dollars (\$25.00). An application for a Providence Fireworks User Permit shall be submitted in writing to the office of the Board of Licenses, include the name of the applicant and include all locations where the fireworks will be used. A user permit is valid for twenty four (24) hours.

Sec. 9-83. Violations.

Anyone found to be in violation of the provisions of this section relating to the selling or offering for sale of fireworks shall be subject to a civil fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). Anyone found to be in violation of the provisions of this chapter relating to use or exploding, or displaying or causing to be exploded for exhibition or amusement, of fireworks shall be subject to a civil fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).

Sec. 9-84. *Enforcement.*

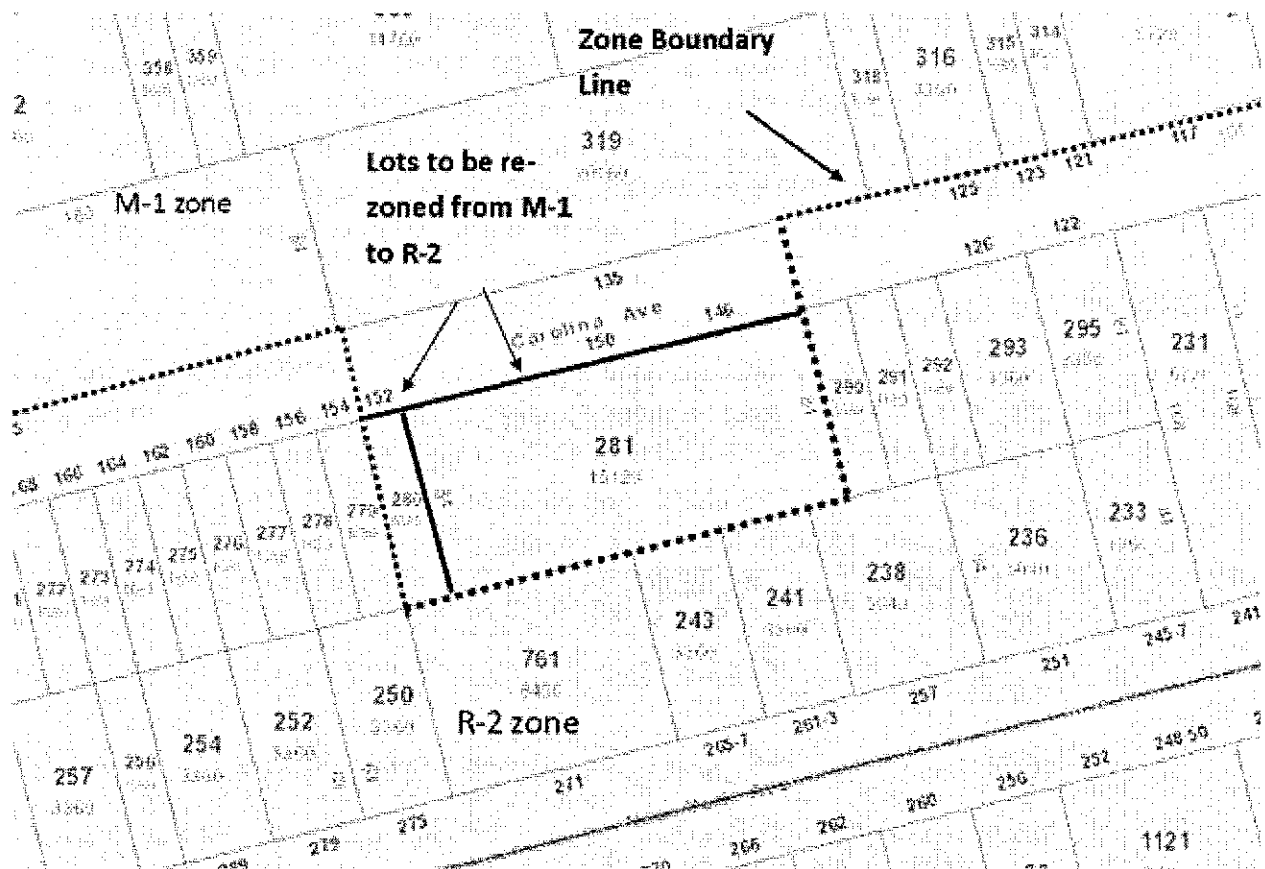
The authority to enforce this ordinance is vested in the Providence Police Department.

SECTION 2. This section shall take effect upon passage and approval the City of Providence and by the Rhode Island Fire Safety Code Board of Appeal and Review.

COUNCIL PRESIDENT APONTE

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 150 and 152 Carolina Avenue (Plat 101, Lots 280 and 281), From M-1 to R-2.

SECTION 1: 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, is hereby further amended by changing the zoning district on the Official Zoning Map for 150 and 152 Carolina Avenue (Plat 101, Lots 280 and 281), as shown on the accompanying map, from M-1 to R-2.



SECTION 2: This ordinance shall take effect upon passage.

COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Ordinances the Second Time, Seconded by **COUNCILMAN CORREIA**, by the following Roll Call Vote:

RESULT:	READ/PASSED SECOND TIME [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilmen Correia, Hassett, Jackson, Narducci, Principe, Yurdin and Zurier – 9.
ABSENT:	Councilwoman Harris, Councilmen Igliozi, Jennings, Councilwomen Matos, Ryan and Councilman Salvatore – 6.

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCE

COUNCIL PRESIDENT APONTE

An Ordinance Amending Chapter 14, Section 196 of the Code of Ordinances, Entitled:
“Entertainment License Conditions.”

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

RESULT:	REFERRED
TO:	Committee on Ordinances

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT APONTE

Resolution Honoring the Providence Preservation Society for 60 Years of improving Providence through Historic Preservation.

WHEREAS, The Providence Preservation Society (PPS) was formed in 1956 to save architecturally significant homes and buildings in College Hill from demolition through urban renewal; and

WHEREAS, PPS has grown into a multi-faceted, city-wide organization that benefits Providence and its residents culturally, economically, and environmentally; and

WHEREAS, PPS educates about and advocates for historic preservation and thoughtful planning in all city neighborhoods; and

WHEREAS, Locally, PPS has become known for important efforts such as the Planning and Architectural Review process, Historic Marker Property Program, Most Endangered Properties List, and educational programs and events; and

WHEREAS, Over six decades, the great work of PPS has gained national attention and accolades for Providence; and

WHEREAS, From its integral role in the first project in which Housing and Urban Development (HUD) funds were used for historic preservation instead of destruction of older houses and buildings to its on-going efforts to preserve, improve, and restore Providence's built environment, PPS has benefitted our city and its residents in innumerable ways; and

WHEREAS, As the elected representatives of the people of Providence, the City Council wishes to honor and preserve the landmarks and historically significant structures that connect us to our past and make our city a vibrant, beautiful, and unique place to live.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby honor and thank the Providence Preservation Society for its dedication to sustaining Providence's historic character and its continued work building a vibrant and sustainable future.

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, Councilmen Correia, Hassett, Jackson, Narducci, Principe, Yurdin and Zurier – 9.
ABSENT:	Councilwoman Harris, Councilmen Iglioizzi, Jennings, Councilwomen Matos, Ryan and Councilman Salvatore – 6.

The Motion for Passage is Sustained.

COUNCILMAN NARDUCCI

Resolution Designating the intersection of Nahant Street and Russo Street as "Sister Patricia Farley Memorial Square."

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

RESULT:	REFERRED
TO:	Committee on Urban Redevelopment, Renewal and Planning

REPORT(S) FROM COMMITTEE

COMMITTEE ON FINANCE COUNCILMAN JOHN J. IGLIOZZI, Chairman

Transmits the Following with Recommendation the Same be Approved, As Amended:

Certificates from City Assessor (17J and 18J), recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

Transmits the Following with Recommendation the Same be Severally Approved:

Certificates from City Assessor (7E and 8E), recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

Certificates from City Assessor (9F and 10F), recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

Certificates from City Assessor (11G and 12G), recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

Certificates from City Assessor (13H and 14H), recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

Certificates from City Assessor (15I and 16I), recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

Certificates from City Assessor (19K and 20K), recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Certificates, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote:

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilmen Correia, Hassett, Jackson, Narducci, Principe, Yurdin and Zurier – 9.
ABSENT:	Councilwoman Harris, Councilmen Igliozi, Jennings, Councilwomen Matos, Ryan and Councilman Salvatore – 6.

The Motion for Passage is Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Jeff White
(Austin Dana, Esquire)
Rosanna Collins p.p.a. Rhakim Symonds
(Christopher E. Fay, Esquire)
Krishna Bhattarai
Andreina Burgos
(Michael R. Bottaro, Esquire)
Kayla Rose
(Frank L. Orabona, Esquire)

American Commerce Insurance a/s/o
Merline Cadet
Brittany Williams
Paul Smith
Jennifer Hemenway
Julia I. Hall
Joseph Manfredi
Ysolina Mella

COUNCILMAN 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

Executive Order 2016-4, submitted by His Honor the Mayor, dated November 14, 2016,
Entitled: "Establishing the PVD Gives Commission."

Executive Order 2016-5, submitted by His Honor the Mayor, dated November 22, 2016,
Entitled: "Establishing the Muslim-American Advisory Board."

Communication from Claudia J. Haugen, Chairperson, Board of Canvassers, dated November 22, 2016, Informing Lori L. Hagen, City Clerk, that in accordance with Section 411 of the Providence Home Rule Charter relative to public hearings and the petition received regarding, "Resolution in Opposition to the proposed Fields Point Liquefaction Facility", it has been determined that there are 85 signatures of qualified electors.

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

**COUNCIL PRESIDENT APONTE Receives the Several Executive Orders and
Communication.**

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:

Providence Preservation Society, in recognition of celebration of their 60th Anniversary.

Zack Odsen, Providence Sports & Leadership, in recognition of being the recipient of the 18 and
Under Summer Baseball Team's 2016 Sportsmanship Award.

Carlos Pena, Providence Sports & Leadership, in recognition of being the recipient of the 18 and
Under Summer Baseball Team's 2016 Sportsmanship Award.

Benny Marte, Providence Sports & Leadership, in recognition of being the recipient of the 14
and Under Spring Baseball Team's 2016 Sportsmanship Award.

Lenier Lugo, Providence Sports & Leadership, in recognition of being the recipient of the 10 and
Under Fall Baseball Team's 2016 Sportsmanship Award.

Alex Ramirez, Providence Sports & Leadership, in recognition of being the recipient of the 16
and Under Summer Baseball Team's 2016 Sportsmanship Award.

Darien Ramos, Providence Sports & Leadership, in recognition of being the recipient of the 16
and Under Fall Baseball Team's 2016 Sportsmanship Award.

Manuel DeLeon, Providence Sports & Leadership, in recognition of being the recipient of the 14
and Under Fall Baseball Team's 2016 Sportsmanship Award.

Franklin Salcedo Jr., Coach, Providence Sports & Leadership, in recognition of his outstanding contribution to the development of the sports program and youth development.

Anita Fagiano, in recognition of the celebration of her 100th Birthday, born on November 26, 1916.

Pat Greene, in recognition of the celebration of her retirement after 37 years of dedicated service to the State of Rhode Island.

**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, Councilmen Correia, Hassett, Jackson, Narducci, Principe, Yurdin and Zurier – 9.
ABSENT:	Councilwoman Harris, Councilmen Iglioizzi, Jennings, Councilwomen Matos, Ryan and Councilman Salvatore – 6.

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:

Caroline Sousa

Freeman Soares

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

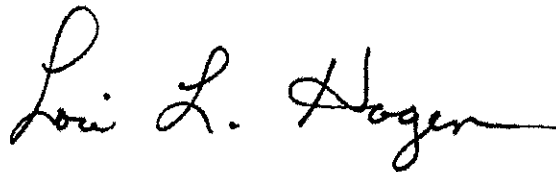
RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilmen Correia, Hassett, Jackson, Narducci, Principe, Yurdin and Zurier – 9.
ABSENT:	Councilwoman Harris, Councilmen Igliozi, Jennings, Councilwomen Matos, Ryan and Councilman Salvatore – 6.

The Motion for Passage is Sustained.

COUNCILWOMEN HARRIS, MATOS AND RYAN JOIN THE MEETING.

CONVENTION

There being no further business, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**, it is voted to adjourn at 7:28 o'clock P.M., to meet again **THURSDAY, JANUARY 5, 2017 at 7:00 o'clock P.M.**



**LORI L. HAGEN
CITY CLERK**