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CITY OF PROVIDENCE RHODE ISLAND



CITY COUNCIL JOURNAL OF PROCEEDINGS

No. 23 City Council Regular Meeting, Thursday, August 4, 2005, 7:30 o'clock P.M. (E.D.T.)

**PRESIDING
COUNCIL PRESIDENT
JOHN J. LOMBARDI**

ROLL CALL

Present: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DeLUCA, HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL and COUNCILWOMEN WILLIAMS and YOUNG - 13.

Absent: COUNCILMAN ALLEN and COUNCILWOMAN DiRUZZO-2.

Also Present: Adrienne G. Southgate, Deputy City Solicitor, Claire E. Bestwick, Acting City Clerk, Anna M. Stetson, Second Deputy City Clerk, Deborah L. Hudson, Assistant Clerk and Vincent J. Berarducci, City Sergeant.

2007 JUN 24 A 10:19
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

FILED

IN CITY COUNCIL
FEB 1 2007

APPROVED. CLERK

INVOCATION

The Invocation is given by COUNCIL-
WOMAN CAROL A. ROMANO.

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

COUNCILWOMAN BALBINA A. YOUNG
Leads the Members of the City Council
and the Assemblage in the Pledge of
Allegiance to the Flag of the United
States of America.

VETO

Consideration of Mayor David N. Cicilline,
VETO of the Resolution Entitled:
"Resolution Authorizing the hiring of an
attorney, under the provisions of the
Providence Home Rule Charter of 1980, As
Amended, Section 410(d), relative to the
review of the proposed amendments to the
City of Providence Zoning Ordinance, in a
total amount not to exceed \$75,000.00."

Resolved, That the City Council hereby
authorizes the hiring of an attorney, under
the provisions of the Providence Home Rule

Charter of 1980, As Amended, Section 410(d),
relative to the review of the proposed
amendments to the City of Providence Zoning
Ordinance, in a total amount not to exceed
\$75,000.00.

**COUNCILMAN APONTE Moves to
Override the VETO, seconded by
COUNCILWOMAN WILLIAMS, by the
following Roll Call Vote:**

**AYES: COUNCIL PRESIDENT
LOMBARDI, COUNCILMEN APONTE,**

BUTLER, DeLUCA, HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL and COUNCILWOMEN WILLIAMS and YOUNG - 13.

NAYES: NONE.

ABSENT: COUNCILMAN ALLEN and COUNCILWOMAN DiRUZZO-2.

The Motion to Override is Sustained.

Consideration of Mayor David N. Cicilline, **VETO** of the Resolution Entitled: "Resolution Authorizing the hiring of a Planning Consultant for the review of the proposed amendments to the City of Providence Zoning Ordinance, in a total amount not to exceed \$75,000.00."

Resolved, That the City Council hereby authorizes the hiring of a Planning Consultant for the review of the proposed amendments to the City of Providence Zoning

Ordinance, in a total amount not to exceed \$75,000.00.

COUNCILMAN APONTE Moves to Override the VETO, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DeLUCA, HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL and COUNCILWOMEN WILLIAMS and YOUNG - 13.

NAYES: NONE.

ABSENT: COUNCILMAN ALLEN and COUNCILWOMAN DiRUZZO - 2.

The Motion to Override is Sustained.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated July 22, 2005, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, and Section 42-63.1-11 of the Rhode Island General Laws, he is this day appointing Mr. Angelo DePeri, General Manager, Westin Hotel, Providence, Rhode Island 02903, to the Greater Providence-

Warwick Convention and Visitors Bureau for a term to expire on June 30, 2008. (Mr. DePeri will be replacing Ms. Kathy Schnell whose term has expired)

Communication dated July 22, 2005, Informing the Honorable Members of the City Council that pursuant to Section 302(b)

of the Providence Home Rule Charter of 1980, as amended, and Section 42-63.1-11 of the Rhode Island General Laws, he is this day re-appointing Mr. Daniel Peterson, General Manager, Marriott Hotel, Providence, Rhode Island 02904, to the Greater Providence-Warwick Convention and Visitors Bureau for a term to expire on June 30, 2007.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Receives the foregoing Communications.

CONTINUED BUSINESS

The Following Resolution was in City Council July 21, 2005 and Laid on the Clerk's Desk until August 4, 2005.

Resolution Retaining R. Kelly Sheridan, under the provisions of the Providence Home Rule Charter of 1980, As Amended, Section 410(d), relative to the removal of the Ten Commandments Monument, in a total amount not to exceed \$20,000.00.

On Motion of COUNCILMAN APONTE, seconded by COUNCILMAN DeLUCA, by the following Roll Call Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, DeLUCA, HASSETT, IGLIOZZI, COUNCIL-

MAN MANCINI, COUNCILWOMEN ROMANO and YOUNG - 8.

NAYES: COUNCILMEN JACKSON, LUNA, SEGAL and COUNCILWOMAN WILLIAMS - 4.

ABSENT: COUNCILMEN ALLEN, BUTLER and COUNCILWOMAN DiRUZZO - 3.

The Motion for Passage Fails.

PRESENTATION OF ORDINANCE

COUNCILMAN SEGAL and COUNCILMAN APONTE:

An Ordinance Amending Article I, Section 15-2. Penalties for traffic violations.

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

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign on Courtland Street at the intersection of Courtland Street and Gesler Street.

COUNCIL PRESIDENT LOMBARDI Refers the Ordinance to the Committee on Public Works.

COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG:

Resolution Proclaiming the City of Providence's desire to impose a restraint on its exercise of the power of the eminent domain for public purposes, and for other

purposes, and to request that the Rhode Island General Assembly enact legislation to impose a restraint on the exercise of the power of eminent domain for public purposes, and for other purposes.

Whereas, The state law grants the City of Providence the power of eminent domain to condemn property for any public purpose; and

Whereas, The City Council believes that the exercise of the City's power of eminent domain should be balanced with the State and Federal Constitutional protections of private property; and

Whereas, On June 23, 2005, the United States Supreme Court in its decision in *Kelo v. City of New London*, found it permissible under the Fifth Amendment of the United States Constitution for a municipality to seize residential property and transfer it to a private developer in order to promote economic development; and

Whereas, The City Council respectfully disagrees with the United States Supreme Court's interpretation of "public use" in the Fifth Amendment of the United States Constitution.

Now, Therefore, Be It Resolved, That the City shall not exercise its power of eminent domain upon private residential property and transfer it to a private developer for the purpose of improving tax revenue or expanding the tax base or for the purpose of economic development; and

Be It Further Resolved, That the City Council urges that the General Assembly enact legislation that the cities and towns of Rhode Island cannot exercise the power of eminent domain upon private residential property and transfer it to a private developer for the purpose of improving tax revenue or expanding the tax base or for the purpose of economic development.

Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

COUNCILMAN ALLEN (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "No Parking" Sign in front of 146 Peace Street.

COUNCILMAN BUTLER (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of speed bumps on Cathedral Avenue between Route 44 and

Mount Pleasant Avenue because of speeding.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.

COUNCILWOMAN DiRUZZO:

Resolution Requesting the Director of Public Works to cause all sewers in Ward 15 to be baited for rodents.

Resolved, That the Director of Public Works is requested to cause all sewers in Ward 15 to be baited for rodents.

COUNCILMAN HASSETT (By Request):

Resolution Authorizing the Chief Electrical Inspector to move Pole No. 4 located at 40 Common Street in order to enhance driveway safety at this location.

Resolved, That the Chief Electrical Inspector is authorized to move Pole No. 4 located at 40 Common Street in order to enhance driveway safety at this location.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

COUNCILMAN HASSETT, COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG:

Resolution Requesting the City Administration through its Department of Recreation to initiate a review and establish a program to re-open Camp Cronin as a full time summer camp for the city's youth and to submit a formal recommendation thereto to the City Council and to the Recreational Advisory Board for the 2006 summer season.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works and the Committee on City Property, Jointly.

COUNCILMAN LUNA:

Resolution Honoring the Centennial Anniversary of the Industrial Workers of the World (IWW).

Whereas, The organization known as the Industrial Workers of the World (I.W.W. or "Wobblies"), founded in 1905, is now one hundred years old; and

Whereas, The Industrial Workers of the World proclaimed itself the champion of the foreign-born, the non-white and "unskilled" worker, firmly opposed to the practice of limiting union membership to the elite of labor alone; and

Whereas, The Industrial Workers of the World guided the famous Lawrence, Massachusetts ("Bread and Roses"), textile strike of 1912, successfully uniting a dozen nationalities under one banner, coordinating support for strikers from across the United States, including Rhode Island; and

Whereas, The Industrial Workers of the World founded a center for organizing the unskilled of Rhode Island in Providence in 1906, from Federal Hill, led by Italian political refugee Luigi Nimini, and published a distinguished newspaper, *Ragione Nuova*; and

Whereas, Rhode Island IWW leader, community dentist and former bobbin boy James P. Reid was elected to the state legislature for one term, from Olneyville, 1910-1912, distinguishing himself by appeals for the welfare of common people; and

Whereas, Providence supporters of the famed IWW leaders falsely arrested in Lawrence, Joseph Ettor and poet Arturo Giovannitti, marched in large numbers toward City Hall in September, 1912, turned back from legal assembly; and

Whereas, Textile workers across Rhode Island, including Providence, went out on strike together in 1913, under the banner of the IWW, seeking to end the industrial tyranny of low wages and terrible working conditions; and

Whereas, Wartime strikers under the banner of other unions, and postwar strikers in 1922 and 1934 revered the memory of the Industrial Workers of the World, foreshadowing the consolidation of industrial unionism and the betterment of labor conditions for all Rhode Islanders.

Now, therefore, be, it resolved, That the Industrial Workers of the World is recognized and saluted by the City of Providence on its centennial anniversary.

COUNCILMAN MANCINI:

Resolution Urging all city departments including but not limited to the Police Department and the Department of Public Works Environmental Division to enforce all ordinances, regulations and fines relating to the littering ordinance.

Resolved, That all city departments including but not limited to the Police Department and the Department of Public Works Environmental Division to enforces all ordinances, regulations and fines relating to the littering ordinance.

Resolution Requesting the Traffic Engineer to create larger and more visible littering signs including specific fines.

Resolved, That the Traffic Engineer is requested to create larger and more visible littering signs including specific fines.

Resolution Requesting the Police Department to create a littering hotline to report littering violations.

Resolved, That the Police Department to create a littering hotline to report littering violations.

COUNCILMAN APONTE Moves to Dispense with the Reading of the forgoing matters and Moves Passage of

the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

COUNCILMAN SEGAL (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Handicap Parking" Sign in front of 28 Thayer Street.

Resolution Requesting the Traffic Engineer to cause the installation of appropriate signage at the intersection of Wickenden Street and Goulding Street, so as to keep the entrance to Goulding Street clear of parked cars.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.

COUNCILMAN SEGAL and COUNCILMAN LUNA:

Resolution Urging the President, the Governor and the United States Congress to maintain current levels of Medicaid eligibility, funding and scope of services and preserve this vital state and federal partnership to protect the health, safety and welfare of all the state's citizens.

Whereas, The Medicaid Program has been an essential part of the American health care system for forty years, and

Whereas, 53,000,000 Americans and 185,000 Rhode Islanders depend on Medicaid for vital health care coverage, and

Whereas, Rhode Islanders who need Medicaid coverage include pregnant women, the elderly, children and parents and people with disabilities, and

Whereas, Families and individuals are faced with ever higher and higher health care costs, and

Whereas, Federal Medicaid revenues also help support our hospitals, nursing homes, community and mental health centers and children's school health services, and

Whereas, Any reduction in Medicaid-funded services would result in increased costs to the entire health care system, including the health insurance costs to Rhode Island's employers and workers, and

Whereas, Co-pays, reducing eligibility, and restricting necessary services would shift costs to the State and its municipalities, deprive vulnerable people of basic health care and increase the number of uninsured people, and

Whereas, The State of Rhode Island and the City of Providence do not have the tax base necessary for covering these costs.

Now, Therefore, Be It Resolved, That the City Council of Providence urges the President, the Governor and the United States Congress to maintain current levels of Medicaid eligibility, funding and scope of services and preserve this vital state and federal partnership to protect the health, safety and welfare of all the state's citizens, and

Be It Further Resolved, That the Providence City Clerk is hereby directed to forward a copy of this Resolution to President Bush, Governor Carcieri, Senator Reed, Senator Chaffee, Representative Langevin and Representative Kennedy.

COUNCILMAN SEGAL:

Resolution Requesting the Traffic Engineer to explore methods of reducing wrong-way driving on the block of Trenton Street that runs from Gano Street to Ives Street.

Resolved, That the Traffic Engineer is requested to explore methods of reducing wrong-way driving on the block of Trenton Street that runs from Gano Street to Ives Street.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "Wrong Way" Signs in the middle of the block of Trenton Street that runs from Gano Street to Ives Street.

Resolution Requesting the Traffic Engineer to cause the installation of "Wrong Way" Signs and "Stop" Signs, facing east at the intersection of Ives Street and Trenton Street, as many vehicles exit 195, drive the wrong way on Trenton, and pose an added

hazard by failing to stop or yield at said intersection.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.

REPORTS FROM COMMITTEES

COMMITTEE ON ORDINANCES

COUNCILWOMAN RITA M. WILLIAMS, Chairwoman

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

An Ordinance Relative to Displaced Workers Notification, As Amended.

COUNCILMAN APONTE Moves Passage of the Ordinance the First Time, As Amended, seconded by **COUNCILMAN DeLUCA**.

COUNCILWOMAN WILLIAMS Moves to Refer the Ordinance Back to the Committee on Ordinances, seconded by **COUNCILMAN IGLIOZZI**, by the following Roll Call Vote:

AYES: **COUNCILMEN IGLIOZZI, MANCINI, COUNCILWOMEN ROMANO and WILLIAMS** - 4.

NAYES: **COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, DeLUCA, HASSETT, JACKSON, LUNA, SEGAL and COUNCILWOMAN YOUNG** - 8.

ABSENT: **COUNCILMEN ALLEN, BUTLER and COUNCILWOMAN DiRUZZO** - 3.

The Motion to Refer Back to the Committee on Ordinances Fails.

COUNCILMAN APONTE Moves to Amend the Ordinance, seconded by **COUNCILWOMAN YOUNG**, by the following Roll Call Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, DeLUCA, HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG - 12.

NAYES: NONE.

ABSENT: COUNCILMEN ALLEN, BUTLER and COUNCILWOMAN DiRUZZO - 3.

The Motion to Amend is Sustained.

COUNCILMAN APONTE Moves Passage of the Ordinance, As Amended, the First Time, seconded by COUNCILWOMAN YOUNG, by the following Roll Call Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, DeLUCA, HASSETT, JACKSON, LUNA, SEGAL and COUNCILWOMAN YOUNG-8.

NAYES: COUNCILMEN IGLIOZZI, MANCINI, COUNCILWOMEN ROMANO and WILLIAMS - 4.

ABSENT: COUNCILMEN ALLEN, BUTLER and COUNCILWOMAN DiRUZZO - 3.

The Motion for Passage the First Time, As Amended, is Sustained.

An Ordinance Establishing a First Source List, As Amended.

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

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, DeLUCA, HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL and COUNCILWOMEN WILLIAMS and YOUNG - 12.

NAYES: NONE.

ABSENT: COUNCILMEN ALLEN, BUTLER and COUNCILWOMAN DiRUZZO - 3.

The Motion for Passage the First Time, is Sustained.

COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

COUNCILWOMAN BALBINA A. YOUNG, Chairwoman

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

Resolution Requesting the Providence Redevelopment Agency to immediately commence proceedings to acquire the property located on Assessor's Plat 53, Lot 198 (1149 Broad Street) through eminent domain.

Whereas, The property located at 1149 Broad Street has been in a continuous state of neglect for many years; and

Whereas, The deteriorated condition of this property has a blighting effect on the surrounding neighborhood; and

Whereas, It is in the best interest of the community that this property be acquired by the City of Providence to initiate its rehabilitation and renewal.

Now, Therefore, Be It Resolved, That the City Council hereby requests the Providence Redevelopment Agency to immediately commence proceedings to acquire the property at 1149 Broad Street through its power of eminent domain.

Resolution Requesting that the City of Providence take whatever steps are necessary to transfer ownership of the vacant lot located on Assessor's Plat 43, Lot

172 (34 Seabury Street), to the Providence Redevelopment Agency.

Resolved, That the City of Providence take whatever steps are necessary to transfer ownership of the vacant lot located on Assessor's Plat 43, Lot 172 (34 Seabury Street), to the Providence Redevelopment Agency.

Resolution Requesting that Bayview Drive be re-named to "Save The Bay Drive."

Resolved, That Bayview Drive is hereby re-named to "Save The Bay Drive."

Resolution Requesting to name a conference room or auditorium at the Providence Public Safety Complex after the late Detective Sergeant James Allen.

Resolved, That the Providence City Council is requested to name a conference room or auditorium at the Providence Public Safety Complex after the late Detective Sergeant James Allen.

**COUNCILMAN APONTE Moves to
Dispense with the Reading of the
foregoing matters and Moves Passage of**

the Several Resolutions, seconded by
COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

COMMUNICATIONS AND REPORTS

Communication from Councilman John J. Igliazzi, dated July 18, 2005, Informing the Honorable John J. Lombardi, Council President that he is this day appointing Mr. David Marshall of 18 Bowlett Street, Providence, Rhode Island, to the Providence External Review Authority (PERA).

**COUNCIL PRESIDENT LOMBARDI
Receives the foregoing Communication.**

Communication from J. Michael Bennett, P.E., Deputy Chief Engineer, Rhode Island Department of Transportation, Environmental & Intermodal Planning, dated June 27, 2005, submitting the Woonasquatucket River Heritage Trail-Phase I Enhancement Project Agreement.

**COUNCIL PRESIDENT LOMBARDI
Refers the Communication to the
Committee on Public Works.**

Report from Claire E. Bestwick, Acting City Clerk, dated July 5, 2005, of all moneys received, transmitted to and credited by the City Collector for fiscal quarter of April 1, 2005 to and including June 30, 2005.

Report from Claire E. Bestwick, Acting City Clerk, dated July 5, 2005, of all moneys received and credited by the City Collector for fiscal year ending June 30, 2005.

Report from Vincent J. Mesolella, Chairman, Narragansett Bay Commission, submitting the Capital Improvement Program for the fiscal year 2007-2011.

**COUNCILMAN APONTE Moves to
Dispense with the Reading of the
foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI
Receives the Several Reports.**

FROM THE CLERK'S DESK

Certificates from the City Assessor (Nos. 7J and 8J), 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 Rhode Island, As Amended.

Petitions for Compensation for Injuries and Damages, viz:

Darrell Lee Wilson

Alexandra Washuk

One Beacon Insurance
a/s/o John Finnegan

Sue-Port Realty, Inc. d/b/a North Main Street
Jewelers/Melanie Beauchamp
(Jeffrey F. Richardson, Esquire)

Gloria Paolino
(Jeffrey S. Paolino, Esquire)

Joan Prout
(Richard P. Brederson, Esquire)

Paul D. Wells

James Rua

Nina Perednia
(Lawrence L. Goldberg, Esquire)

Progressive Insurance
a/s/o David Horta

MetLife Auto & Home
a/s/o Anthony Basilio

Zane M. Cooper
(V. Edward Formisano, Esquire)

79-81 Washington Street Inc. d/b/a Strand

Valerio Perez

Clarice Smith

Ramon Collado and Peggy Olaverria
(Anthony Vacca, Esquire)

Alfred Saa and Milton Taylor
(Jimmy Burchfield, Jr., Esquire)

Rhona Lopez

Bethany Lyford

Mario Gonzalez
(Dino A. Brosco, Esquire)

Gary George
(Brian D. Fogarty, Esquire)

Miguel Chavez
(Christopher E. Fay, Esquire)

Luis Gutierrez and Ana Flores
(David Caprio, Esquire)

Dennis Crim
(Robert V. Russo, Esquire)

Louise A. McCloud

Premier Insurance Company
a/s/o Nina Perednia

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

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

PRESENTATION OF RESOLUTIONS

"In Congratulations"

COUNCIL PRESIDENT LOMBARDI and the MEMBERS OF THE CITY COUNCIL:

Resolution Extending Congratulations.

That the Members of the City Council hereby Extend their Sincere Congratulations to the following:

Teny Gross, in recognition of the special occasion of his fortieth birthday.

Captain Raymond F. Joyce, in recognition of his promotion to the rank of Battalion Chief in the Providence Fire Department.

Lieutenant J. Jeffrey Varone, in recognition of his promotion to the rank of Captain in the Providence Fire Department.

Lieutenant James B. Creighton, in recognition of his promotion to the rank of Captain in the Providence Fire Department.

Lieutenant James L. Potenza, in recognition of his promotion to the rank of Captain in the Providence Fire Department.

Lieutenant Peter M. Sperduti, in recognition of his promotion to the rank of Captain in the Providence Fire Department.

Lieutenant Charles J. Morro, in recognition of his promotion to the rank of Captain in the Providence Fire Department.

Lieutenant Daniel B. Morrocco, in recognition of his promotion to the rank of Captain in the Providence Fire Department.

Lieutenant Jeffrey R. Gallo, in recognition of his promotion to the rank of Captain in the Providence Fire Department.

Lieutenant Anthony J. DiGiulio, in recognition of his promotion to the rank of Fire Prevention Captain in the Providence Fire Department.

Firefighter Brian Mahoney, in recognition of his promotion to the rank of Lieutenant in the Providence Fire Department.

Firefighter Joseph F. Jannitto, in recognition of his promotion to the rank of Lieutenant in the Providence Fire Department.

Firefighter Paul M. Picozzi, in recognition of his promotion to the rank of Lieutenant in the Providence Fire Department.

Firefighter Joseph G. Dillon, in recognition of his promotion to the rank of Lieutenant in the Providence Fire Department.

Firefighter John M. Romano, in recognition of his promotion to the rank of Lieutenant in the Providence Fire Department.

Firefighter Frank A. Reddington, in recognition of his promotion to the rank of Lieutenant in the Providence Fire Department.

Firefighter Dennis R. Tucker, in recognition of his promotion to the rank of Lieutenant in the Providence Fire Department.

Firefighter Kenneth G. Greenwell, in recognition of his promotion to the rank of Lieutenant in the Providence Fire Department.

Firefighter Julia M. O'Rourke, in recognition of her promotion to the rank of Dispatcher Lieutenant in the Providence Fire Department.

Firefighter Kevin T. Gomes, in recognition of his promotion to the rank of Dispatcher Lieutenant in the Providence Fire Department.

John (Jackie) Murray, in recognition of his retirement from the Providence Police Department, after thirty-one years of dedicated service from December 2, 1974 through July 22, 2005.

David A. Rourke, in recognition of his many contributions to the community, first by serving as a board member of "Seniors Serving in the Community, Inc.", delivering food to shut-ins, and, especially, by donating a D.A.V. Van for transporting veterans.

Team Italy, in recognition of their participation in the international friendly baseball game with Team USA at McCoy Stadium in Pawtucket, RI on July 27, 2005.

Ven. Ros Mey, Wat Thormikaram of Rhode Island, in recognition of the celebration of the happy occasion of his eightieth birthday.

Nick and Kim Disculio, in recognition of the happy occasion of the birth of their son, Mazeo Quentin, born Monday, July 11, 2005.

Lic. Manuel Crespo Gonzalez, Secretario de la Juventud, in recognition of honoring us with his visit to the sister city of Providence.

Lic. Christan Rodriguez, Sub. Secretario de la Juventud, in recognition of honoring us with his visit to the sister city of Providence.

Carlos Tolentino, Sub. Secretario de la Juventud, in recognition of honoring us with his visit to the sister city of Providence.

Vinny Venditelli and Melanie in recognition of the opening of "Melanie's Hair Salon" at its new location on Smith Hill.

Brian Stetson, Manager Courts Sporting Goods, in recognition of successful managing his team to be the 2005 Elmhurst Little League Champions.

Kevin DiNobile, Coach, Courts Sporting Goods, in recognition of successfully coaching

his team to be the 2005 Elmhurst Little League Champions.

Carlos Rivera, Sr., Coach, Courts Sporting Goods, in recognition of successfully coaching his team to be the 2005 Elmhurst Little League Champions.

Joseph Paolino, Jr., Courts Sporting Goods, in recognition of successfully coaching his team to be the 2005 Elmhurst Little League Champions.

Joseph Paolino III, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Ivan Rivera, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Devon Carrol, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Luis Hernandez, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Jeffrey Perez, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Bryan Stetson, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Rueben Cardona, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Brian Quinones, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Leo Nava, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Franco Vargas, Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Carlos Rivera, Jr., Courts Sporting Goods, in recognition of being a member of the 2005 Elmhurst Little League Championship Team.

Severally Read and Collectively Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT LOMBARDI and
the 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.

Elizabeth M. Daly

Enrico L. Simonelli, Sr.

Vincent T. Izzo

Joseph N. Pitrone, Sr.

Michael J. Cirelli

Thomas J. Chellel

Joslyn Hall LeClair

Patricia C. Manzo

Dr. Ira H. Anjoorian

Francis X. Goodwin

Julia A. Pugliese

Dorothy M. Murphy

Domenic Bianco

Angela Russo

Leonard M. Engle

Josephine F. Pasquarelli

Annie E. "Lil" Smith

Anthony A. Ricci

Angela M. Lepore

Rocco Andreozzi

Louis A. Scaglione

Harry Johnson

**Severally Read and Collectively
Passed, by a Unanimous Rising Vote, on
Motion of COUNCILMAN APONTE,
seconded by COUNCILWOMAN
WILLIAMS.**

The Motion for Passage is Sustained.

ADJOURNMENT

There being no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:30 o'clock P.M. (E.D.T.), to meet again on THURSDAY, SEPTEMBER 1, 2005 at 7:30 o'clock P.M. (E.D.T)

Claire E. Bestwick

CLAIRE E. BESTWICK
ACTING DEPUTY CITY CLERK



August 4)

556

(2005

-119-

CITY OF PROVIDENCE RHODE ISLAND



CITY COUNCIL JOURNAL OF PROCEEDINGS

No. 24 Special City Council Meeting, Thursday, August 25, 2005, 6:00 o'clock P.M. (E.D.T.)

**PRESIDING
COUNCIL PRESIDENT
JOHN J. LOMBARDI**

ROLL CALL

**Present: COUNCIL PRESIDENT
LOMBARDI, COUNCILMEN ALLEN,
APONTE, COUNCILWOMAN DIRUZZO,
COUNCILMEN HASSETT, IGLIOZZI,
JACKSON, MANCINI, COUNCILWOMAN
ROMANO and YOUNG - 10.**

**Absent: COUNCILMEN BUTLER,
DeLUCA, LUNA, SEGAL and COUNCIL-
WOMAN WILLIAMS - 5.**

**Also Present: Adrienne G. Southgate,
Deputy City Solicitor, Claire E. Bestwick,
Acting City Clerk, Anna M. Stetson,
Second Deputy City Clerk, Jennifer L.
Emidy, Assistant Clerk and Vincent J.
Berarducci, City Sergeant.**

FILED
AUG 24 A 10:21
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

IN CITY COUNCIL

FEB 1 2007

APPROVED

John J. Lombardi CLERK

INVOCATION

The Invocation is given COUNCIL-
WOMAN CAROL ROMANO

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

COUNCIL PRESIDENT LOMBARDI
Leads the Members of the City Council
and the Assemblage in the Pledge of
Allegiance to the Flag of the United
States of America.

CALL FOR SPECIAL MEETING

COMMUNICATION FROM COUNCIL PRESIDENT JOHN J. LOMBARDI

Request, filed with the Acting City Clerk,
August 23, 2005, Requesting a Special
Meeting of the City Council to be Called on

the 25th day of August, 2005 at 6:00 o'clock
P.M., in the City Council Chamber, Third
Floor, City Hall.

August 23, 2005

Claire E. Bestwick
Acting City Clerk
City Hall
Providence, RI 02903

Dear Mrs. Bestwick:

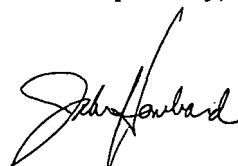
In accordance with the Provisions of Section 406 of the Providence Home Rule Charter of 1980, I am, this day, calling a Special Meeting of the City Council to be held on Thursday, the 25th day of August 2005 at 6:00 o'clock P.M., in the City Council Chamber, Third Floor, City Hall for the purpose of acting upon the following:

RESOLUTION DIRECTING THE CITY SOLICITOR TO TAKE ALL APPROPRIATE ACTION UNDER ARTICLE IV SECTION 603 SUBSECTION (10) AND (11) OF THE PROVIDENCE HOME RULE CHARTER, TO STOP THE BOARD OF LICENSES FROM ISSUING A

LIQUOR LICENSE TO THE "CADILLAC LOUNGE".

COMMUNICATION FROM THE PROVIDENCE CITY COUNCIL DIRECTING THE CITY SOLICITOR TO TAKE ALL APPROPRIATE ACTION UNDER ARTICLE IV SECTION 603 SUBSECTION (10) AND (11) OF THE PROVIDENCE HOME RULE CHARTER, TO STOP THE BOARD OF LICENSES FROM ISSUING A LIQUOR LICENSE TO THE "CADILLAC LOUNGE".

Respectfully,



Council President
John J. Lombardi

Received.

WARRANT FOR SPECIAL MEETING

Warrant of the Acting City Clerk to Vincent J. Berarducci, City Sergeant with Return Certification that he has notified each Member of the City Council of the Special Meeting Called for the 25th day of August, 2005 at 6:00 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

DEPARTMENT OF CITY CLERK
CITY HALL

August 23, 2005

TO VINCENT J. BERARDUCCI, CITY
SERGEANT:

Whereas, Council President John J. Lombardi has, pursuant to Section 406 of the Providence Home Rule Charter of 1980, requested the Acting City Clerk, in writing, to Call a Special Meeting of the City Council to be held on the 25th day of August, 2005, A.D. at 6:00 o'clock P.M., in the Chamber of the City Council, Third Floor, City Hall for the purpose of Enacting the following:

RESOLUTION DIRECTING THE CITY SOLICITOR TO TAKE ALL APPROPRIATE ACTION UNDER ARTICLE IV SECTION 603 SUBSECTION (10) AND (11) OF THE PROVIDENCE HOME RULE CHARTER, TO STOP THE BOARD OF LICENSES FROM ISSUING A

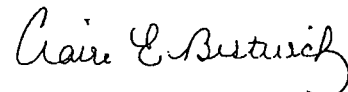
LIQUOR LICENSE TO THE "CADILLAC LOUNGE".

COMMUNICATION FROM THE PROVIDENCE CITY COUNCIL DIRECTING THE CITY SOLICITOR TO TAKE ALL APPROPRIATE ACTION UNDER ARTICLE IV SECTION 603 SUBSECTION (10) AND (11) OF THE PROVIDENCE HOME RULE CHARTER, TO STOP THE BOARD OF LICENSES FROM ISSUING A LIQUOR LICENSE TO THE "CADILLAC LOUNGE".

You are therefore, hereby commanded and required to summon each Member of the City Council to that Special Meeting, as Called.

Hereof, Fail Not, and make a true return of this Warrant, with your doings thereon.

Given under my Hand
and the Official Seal of
the City of Providence,
State of Rhode Island
and Providence Plantations
this 23rd day of August,
2005, A.D.



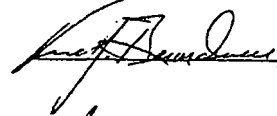
Claire E. Bestwick
Acting City Clerk

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS
THE CITY OF PROVIDENCE, Sc.

AUGUST 23, 2005

I, Vincent J. Berarducci, City Sergeant do hereby certify that I have notified each Member of the City Council of the Special Meeting scheduled to be held on Thursday, August 25, 2005 at 6:00 o'clock P.M., in the

Chamber of the City Council, City Hall, Providence, in accordance with the subject warrant by delivering to each member a copy thereof.


Date Aug 23, 05

Received.

PRESENTATION OF RESOLUTION

COUNCILMAN APONTE:

Resolution directing the City Solicitor to take all appropriate action under Article IV Section 603 Subsection (10) and (11) of the Providence Home Rule Charter, to stop the Board of Licenses from issuing a liquor license to the "Cadillac Lounge".

Resolved, That the City Solicitor to take all appropriate action under Article IV Section 603 Subsection (10) and (11) of the Providence Home Rule Charter, to stop the Board of Licenses from issuing a liquor license to the "Cadillac Lounge".

COUNCILMAN JACKSON Moves to Amend the Resolution by replacing "Article IV" with "Article VI", seconded by COUNCILWOMAN YOUNG.

COUNCILMAN APONTE Moves Passage of the foregoing Resolution, seconded by COUNCILWOMAN YOUNG.

COUNCILMAN APONTE Withdraws his Motion for Passage of the Resolution, and COUNCILWOMAN YOUNG Withdraws her second of the Motion.

COUNCIL PRESIDENT LOMBARDI
RELINQUISHES THE CHAIR

ACTING COUNCIL PRESIDENT PRO
TEMPORE YOUNG IN THE CHAIR

COUNCIL PRESIDENT LOMBARDI
RETURNS TO THE CHAIR

COUNCILMAN HASSETT Moves Passage as amended of the foregoing

**Resolution, seconded by COUNCIL-
WOMAN YOUNG.**

COMMUNICATION

Communication from the Providence City Council directing the City Solicitor to take all appropriate action under Article IV Section 603 Subsection (10) and (11) of the Providence Home Rule Charter, to stop the Board of Licenses from issuing a liquor license to the "Cadillac Lounge".

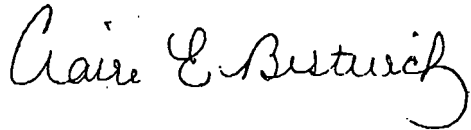
**COUNCILMAN APONTE Moves to
Amend the Communication by replacing**

**"Article IV" with "Article VI", seconded
by COUNCILMAN JACKSON.**

**COUNCILMAN APONTE Moves
Passage as amended of the foregoing
Communication, seconded by COUNCIL-
WOMAN YOUNG.**

ADJOURNMENT

There be no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN YOUNG, it is voted to adjourn at 7:10 o'clock P.M. (E.D.T.), to meet again on THURSDAY, SEPTEMBER 1, 2005 at 7:30 o'clock P.M. (E.D.T)



CLAIRE E. BESTWICK
ACTING CITY CLERK



August 25)

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(2005