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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. 2 City Council Regular Meeting, Thursday, January 7, 1999, 7:30 o'clock P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

ROLL CALL

Present: Council President Lombardi,
Councilmen Allen, Aponte, Butler, Clarkin,
DeLuca, Councilwoman DiRuzzo, Council-
men Hassett, Igliazzi, Jackson, Mancini,
Councilwomen Nolan, Romano, Williams
and Young—15.

Absent: None.

IN CITY COUNCIL

FEB 4 1999

APPROVED:

13

Michael S. Clement
CLERK

INVOCATION

The Invocation is given by DEACON
WALTER SNEAD of Ebenezer Baptist
Church.

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

COUNCILMAN LUIS A. APONTE leads
the members of the City Council and the
Assemblage in the Pledge of Allegiance to
the Flag of the United States of America.

ELECTIONS AND APPOINTMENTS OF CERTAIN CITY OFFICERS

ELECTION OF CITY TREASURER

COUNCILMAN ALLEN moves to Refer
the Election to the Finance Committee.

COUNCILMAN IGLIOZZI moves a Point
of Order.

"Council President, Madam President Pro-
Tempore, leaders and colleagues, I have a few

particular words that you should all be aware
of before you send this to committee and that
is the City Charter. We, as the elected body,
must adhere to the guided principles of this
Charter. Review of this Charter and the City
Ordinances, there is no provision to suspend the
City Charter, nor to circumvent the City
Charter. This a fundamental difference between

an appointing process, which is a committee process, which the council then votes, and an election process, which does not include a committee process, but simply a nomination process, an election process on the City Council floor. We have been directed by the City Charter to hold these elections and any discussions that are to be held should be held on the Council floor not in a committee of five, or other. This is not a personal rule, this is not a political rule, this is a Charter rule. This Honorable Body, here tonight, are ready, are willing and are able to hold the elections and to vote tonight. To forward a Charter specific election to a committee is highly suspect, irregular and unethical. Mr. President, as a leader and as a lawyer, you must see the logic and reasonableness of this position. You must guide and prevail upon this Honorable Body and abide by the letter of the Charter, but also the spirit of the Charter. Therefore, based on the letter and the spirit of this Charter and the duties and obligations bestowed upon me in which I took the oath on Monday, I hereby nominate Stephen Napolitano for City Treasurer."

This motion is seconded by COUNCILWOMAN ROMANO.

COUNCILMAN ALLEN Refers to the Section of the City Charter, Section 602(a) and states:

"... on the first Monday of January, 1983, or soon thereafter as may be practical, and every four years on the first Monday of January, or as soon thereafter as may be practical,..." And states that they can put the election into a much more inclusive process. Councilman Allen states that they have a responsibility to the new members of the City Council to exchange ideas, to ask questions and to review the individuals who have come forth and wants

this position. Councilman Allen states that the new leadership believes very strongly that their leadership was based on a position of inclusion and to do anything else but to send this to a Finance Committee so that the new council people who were elected on November 4, have the opportunity to question and review the qualifications of the individual seeking this position and others.

COUNCILMAN ALLEN moves to Refer the Election to the Committee on Finance.

COUNCILWOMAN DiRUZZO request that the City Solicitor give a ruling on this matter.

CITY SOLICITOR MANSOLILLO states:

"It is clear that the Election of the City Treasurer should take place on the first January, or as soon thereafter as may be practical, and it is an election that must take place and therefore requires the participation of the entire City Council. To refer the matter to committee would put it in the hands of the committee to make its decision regarding it, and that certainly flies in the face of the Charter provision. It would seem to me that although you may move to postpone the election, that it has to be considered by the entire City Council, and that is pretty clear. You certainly could postpone the election, but it has to be done by the entire City Council.

COUNCILMAN ALLEN moves to table the motion on the floor with the understanding that the next motion is to send the matter to the City Council as a Whole.

COUNCILWOMAN DiRUZZO requests a Point of Order and states:

That you cannot table the motion and states that it would be more practical to follow the recommendations of the City Solicitor with regard to postponing the elections. You have already placed the elections, this one and others to follow, on the docket for elections. You should hold your elections. If you choose not to, then do it in its proper format, and the only appropriate way to do that is that of what the Solicitor has stated and that is to postpone the elections.

COUNCILMAN ALLEN states that a motion has been made and seconded and states that he moves to table the motion that is on the floor.

COUNCILMAN CLARKIN seconds this motion.

Motion is withdrawn.

COUNCILMAN IGLIOZZI withdraws his nomination.

COUNCILWOMAN ROMANO withdraws her second.

Nomination is withdrawn.

COUNCILMAN ALLEN moves to Postpone the Election and Refer it to the Committee of the City Council as a Whole.

COUNCILMAN DeLUCA seconds this motion.

The motion to Postpone the Election and Refer it to the Committee of the City Council as a Whole is Sustained.

ELECTION OF THREE JUDGES OF PROVIDENCE MUNICIPAL COURT

COUNCILMAN ALLEN moves to Refer the Election.

COUNCILMAN IGLIOZZI requests a Point of Order.

COUNCILMAN ALLEN moves to Postpone the Election and Refer the Election

to the Committee of the City Council as a Whole.

This motion is seconded by COUNCILMAN DeLUCA.

COUNCILWOMAN NOLAN, COUNCILWOMAN DiRUZZO, COUNCILWOMAN

ROMANO, COUNCILMAN HASSETT, COUNCILMAN BUTLER and COUNCILMAN IGLIOZZI request to be recorded as Voting "No" on this matter.

The motion to Postpone the Election and Refer it to the Committee of the City Council as a Whole is Sustained.

ELECTION OF CHIEF JUDGE OF PROVIDENCE MUNICIPAL COURT

COUNCILMAN ALLEN moves to Postpone the Election of the Chief Judge of the Providence Municipal Court and Refer the matter to the Committee of the City Council as a Whole.

COUNCILMAN DeLUCA seconds the motion.

COUNCILWOMAN NOLAN, COUNCILWOMAN DiRUZZO, COUNCILWOMAN

ROMANO, COUNCILMAN HASSETT, COUNCILMAN BUTLER and COUNCILMAN IGLIOZZI request to be recorded as Voting "No" on this matter.

The motion to Postpone the Election and Refer it to the Committee of the City Council as a Whole is Sustained.

ELECTION OF CLERK OF PROVIDENCE MUNICIPAL COURT

COUNCILMAN ALLEN moves to Postpone the Election of the Clerk of the Municipal Court and Refer it to the Committee of the City Council as a Whole.

COUNCILMAN DeLUCA seconds this motion.

COUNCILWOMAN NOLAN, COUNCILWOMAN DiRUZZO, COUNCILWOMAN ROMANO, COUNCILMAN HASSETT, COUNCILMAN BUTLER and COUNCILMAN IGLIOZZI request to be recorded as Voting "No" on this matter.

The motion to Postpone the Election and Refer it to the Committee of the City Council as a Whole is Sustained.

ELECTION OF SUPERINTENDENT OF BURIAL OF DECEASED SOLDIERS AND SAILORS

COUNCIL PRESIDENT LOMBARDI calls for Nominations for Superintendent of Burial of Deceased Soldiers and Sailors.

COUNCILMAN ALLEN nominates LYMAN WILLIAMS, and this Nomination is seconded by COUNCILWOMAN YOUNG.

COUNCIL PRESIDENT LOMBARDI calls for further nominations.

COUNCILWOMAN DiRUZZO nominates Webster M. Pidgeon, and this Nomination is seconded by COUNCILWOMAN NOLAN.

COUNCIL PRESIDENT LOMBARDI requests that a Roll Call Vote be taken for the Nomination of WEBSTER M. PIDGEON:

Ayes: Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzo, Councilwomen Nolan, Romano—6.

Nays: Council President Lombardi, Councilmen Allen, Aponte, Clarkin, DeLuca, Jackson, Mancini, Councilwomen Williams, Young—9.

Absent: None.

COUNCIL PRESIDENT LOMBARDI requests that a Roll Call Vote be taken for the Nomination of LYMAN J. WILLIAMS:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Clarkin, DeLuca, Jackson, Mancini, Councilwomen Williams, Young—9.

Nays: Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Councilwomen Nolan, Romano--6.

Absent: None.

COUNCIL PRESIDENT LOMBARDI calls for further nominations and there being none, on motion of **COUNCILMAN ALLEN**, seconded by **COUNCILWOMAN YOUNG**, it is voted that Nominations be

Closed and the Clerk is directed to cast one ballot for LYMAN J. WILLIAMS.

The Clerk casts one ballot as directed.

COUNCIL PRESIDENT LOMBARDI declares **LYMAN J. WILLIAMS**, duly elected Superintendent of Burial of Deceased Soldiers and Sailors, for the ensuing term of Four Years ending on the first Monday in January, 2003.

ELECTION OF TWO COUNCILMANIC MEMBERS TO THE PROVPORT

COUNCIL PRESIDENT LOMBARDI calls for Nominations for Two Members of the City Council to serve on the ProvPort for the Term 1999-2003.

COUNCILMAN ALLEN nominates **COUNCILMAN LUIS A. APONTE** and **COUNCILWOMAN BALBINA A. YOUNG** and this nomination is seconded by **COUNCILWOMAN WILLIAMS**.

COUNCIL PRESIDENT LOMBARDI calls for further Nominations and there being none, on motion of **COUNCILMAN ALLEN**, seconded by **COUNCILWOMAN WILLIAMS** it is Voted that Nominations

be Closed and the Clerk is directed to cast one Ballot each for COUNCILMAN LUIS A. APONTE and COUNCILWOMAN BALBINA A. YOUNG.

The Clerk casts one ballot each as directed.

COUNCIL PRESIDENT LOMBARDI thereupon declares **COUNCILMAN LUIS A. APONTE** and **COUNCILWOMAN BALBINA A. YOUNG** duly elected members of the City Council of the ProvPort for the ensuing term of Four Years ending on the first Monday in January, 2003.

ELECTION OF TWO COUNCILMANIC MEMBERS TO THE PROVIDENCE HOUSING AUTHORITY

COUNCIL PRESIDENT LOMBARDI calls for Nominations for Two Members of the City Council to serve on the Providence Housing Authority for the Term 1999-2003.

COUNCILMAN ALLEN nominates **COUNCILMAN ROBERT M. CLARKIN** and **COUNCILWOMAN BALBINA A. YOUNG** and this nomination is seconded by **COUNCILMAN DeLUCA**.

COUNCIL PRESIDENT LOMBARDI calls for further Nominations and there being none, on motion of **COUNCILMAN ALLEN**, seconded by **COUNCILMAN DeLUCA** it is Voted that Nominations be

Closed and the Clerk is directed to cast one Ballot each for **COUNCILMAN ROBERT M. CLARKIN** and **COUNCILWOMAN BALBINA A. YOUNG**.

The Clerk casts one ballot each as directed.

COUNCIL PRESIDENT LOMBARDI thereupon declares **COUNCILMAN ROBERT M. CLARKIN** and **COUNCILWOMAN BALBINA A. YOUNG** duly elected members of the City Council of the Providence Housing Authority for the ensuing term of Four Years ending on the First Monday in January, 2003.

ELECTION OF TWO COUNCILMANIC MEMBERS TO THE PROVIDENCE REDEVELOPMENT AGENCY

COUNCIL PRESIDENT LOMBARDI calls for Nominations for Two Members of the City Council to serve on the Providence Redevelopment Agency for the Term of 1999-2003.

COUNCILMAN ALLEN nominates **COUNCILMAN RONALD W. ALLEN** and **COUNCILMAN LUIS A. APONTE** and this nomination is seconded by **COUNCILWOMAN YOUNG**.

COUNCIL PRESIDENT LOMBARDI calls for further Nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN YOUNG it is Voted that Nominations be Closed and the Clerk is directed to cast one Ballot each for COUNCILMAN RONALD W. ALLEN and COUNCILMAN LUIS A. APONTE.

The Clerk casts one ballot each as directed.

COUNCIL PRESIDENT LOMBARDI thereupon declares COUNCILMAN RONALD W. ALLEN and COUNCILMAN LUIS A. APONTE duly elected members of the City Council to the Providence Redevelopment Agency for the ensuing term of Four Years ending on the first Monday in January, 2003.

ELECTION OF TWO COUNCILMANIC MEMBERS TO THE CIVIC CENTER AUTHORITY

COUNCIL PRESIDENT LOMBARDI calls for Nominations for Two Members of the City Council to serve on the Civic Center Authority for the Term 1999-2003.

COUNCILMAN ALLEN nominates COUNCILMAN RONALD W. ALLEN and COUNCILMAN ROBERT M. CLARKIN and this nomination is seconded by COUNCILWOMAN YOUNG.

COUNCIL PRESIDENT LOMBARDI calls for further Nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN YOUNG it is Voted that Nominations be

Closed and the Clerk is directed to cast one Ballot each for COUNCILMAN RONALD W. ALLEN and COUNCILMAN ROBERT M. CLARKIN.

The Clerk casts one ballot each as directed.

COUNCIL PRESIDENT LOMBARDI thereupon declares COUNCILMAN RONALD W. ALLEN and COUNCILMAN ROBERT M. CLARKIN duly elected members of the City Council to the Civic Center Authority for the ensuing term of Four Years ending on the first Monday in January, 2003.

ELECTION OF TWO COUNCILMANIC MEMBERS TO THE WATER SUPPLY BOARD

COUNCIL PRESIDENT LOMBARDI calls for Nominations for Two Members of the City Council to serve on the WATER SUPPLY BOARD for the Term 1999-2003.

COUNCILMAN ALLEN nominates COUNCILWOMAN RITA M. WILLIAMS and COUNCILMAN JOSEPH DeLUCA and this nomination is seconded by COUNCILWOMAN YOUNG.

COUNCIL PRESIDENT LOMBARDI calls for further Nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN YOUNG it is Voted that Nominations be

Closed and the Clerk is directed to cast one Ballot each for COUNCILWOMAN RITA M. WILLIAMS and COUNCILMAN JOSEPH DeLUCA.

The Clerk casts one ballot each as directed.

COUNCIL PRESIDENT LOMBARDI thereupon declares COUNCILWOMAN RITA M. WILLIAMS and COUNCILMAN JOSEPH DeLUCA duly elected members of the City Council to the Providence Water Supply Board for the ensuing term of Four Years ending on the first Monday in January, 2003.

ELECTION OF ONE COUNCILMANIC MEMBER TO THE BOARD OF CONTRACT AND SUPPLY

COUNCIL PRESIDENT LOMBARDI calls for Nomination of One Member of the City Council of a Political Party other than the Mayor to serve on the Board of Contract and Supply for the Term of 1999-2003.

COUNCILMAN ALLEN nominates COUNCILWOMAN PATRICIA K. NOLAN and this nomination is seconded by COUNCILWOMAN YOUNG.

COUNCIL PRESIDENT LOMBARDI calls for further Nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN YOUNG it is Voted that Nominations be Closed and the Clerk is directed to cast one Ballot for COUNCILWOMAN PATRICIA K. NOLAN.

The Clerk casts one ballot each as directed.

COUNCIL PRESIDENT LOMBARDI thereupon declares COUNCILWOMAN PATRICIA K. NOLAN a duly elected member of a Political Party other than the Mayor, to serve on the Board of Contract

and Supply for the ensuing term of Four Years ending on the first Monday in January, 2003.

ELECTION OF TWO COUNCILMANIC MEMBERS TO THE BOARD OF PARK COMMISSIONERS

COUNCIL PRESIDENT LOMBARDI calls for Nominations for Two Members of the City Council to serve on the Board of Park Commissioners for the Term 1999-2003.

COUNCILMAN ALLEN nominates COUNCILWOMAN RITA M. WILLIAMS and COUNCILMAN PATRICK K. BUTLER and this nomination is seconded by COUNCILWOMAN YOUNG.

COUNCIL PRESIDENT LOMBARDI calls for further Nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN YOUNG it is Voted that Nominations be

Closed and the Clerk is directed to cast one Ballot each for COUNCILWOMAN RITA M. WILLIAMS and COUNCILMAN PATRICK K. BUTLER.

The Clerk casts one ballot each as directed. COUNCIL PRESIDENT LOMBARDI thereupon declares COUNCILWOMAN RITA M. WILLIAMS and COUNCILMAN PATRICK K. BUTLER duly elected members of the City Council to the Board of Park Commissioners for the ensuing term of Four Years ending on the first Monday in January, 2003.

ELECTION OF TWO COUNCILMANIC MEMBERS TO THE HISTORIC DISTRICT COMMISSION

COUNCIL PRESIDENT LOMBARDI calls for Nominations for Two Members of the City Council to serve on the Historic District Commission for the Term 1999-2003.

COUNCILMAN ALLEN nominates COUNCILMAN TERRENCE M. HASSETT and COUNCILWOMAN PATRICIA K. NOLAN and this nomination is seconded by COUNCILWOMAN WILLIAMS.

COUNCIL PRESIDENT LOMBARDI calls for further Nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS it is Voted that Nominations

be Closed and the Clerk is directed to cast one Ballot each for COUNCILMAN TERRENCE M. HASSETT and COUNCILWOMAN PATRICIA K. NOLAN.

The Clerk casts one ballot each as directed.

COUNCIL PRESIDENT LOMBARDI thereupon declares COUNCILMAN TERRENCE M. HASSETT and COUNCILWOMAN PATRICIA K. NOLAN duly elected members to the Historic District Commission for the ensuing term of Four Years ending on the first Monday in January, 2003.

ELECTION OF TWO MEMBERS TO THE RECREATION ADVISORY BOARD

COUNCIL PRESIDENT LOMBARDI calls for Nominations for Two Members to serve on the Recreation Advisory Board for the Term 1999-2003.

COUNCILMAN ALLEN nominates CHARLES NEWTON and ANTHONY

PICOLI, and this nomination is seconded by COUNCILWOMAN YOUNG.

COUNCIL PRESIDENT LOMBARDI calls for further Nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN

YOUNG it is Voted that Nominations be Closed and the Clerk is directed to cast one Ballot each for CHARLES NEWTON and ANTHONY PICOLI.

The Clerk casts one ballot each as directed.

COUNCIL PRESIDENT LOMBARDI thereupon declares CHARLES NEWTON and ANTHONY PICOLI duly elected members to the Recreation Advisory Board for the ensuing term of Four Years ending on the first Monday in January, 2003.

PRESENTATION OF RULES

COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN DeLUCA, COUNCILMAN HASSETT, COUNCILMAN JACKSON and COUNCILWOMAN YOUNG:

Rules of the City Council for the Ensuing Term
January 7, 1999 to January 6, 2003.

COUNCILMAN ALLEN moves to Lay on the Clerk's Desk until the next Council meeting.

COUNCILMAN IGLIOZZI moves a Point of Order and states that he was never notified when this Committee met on this matter and therefore states that it is in violation of the Open Meetings Act for lack of notice.

COUNCILWOMAN WILLIAMS seconds this motion.

The motion to Lay on the Clerk's Desk until the next Council meeting is Sustained.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated December 23, 1998, Informing the Honorable Members of the City

Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980 and

Sections 8-17 of the Code of Ordinances of the City of Providence, he is hereby reappointing Chief Judge Irving Brodsky of 83 Woodbury Street, Providence, Rhode Island, to the Providence Housing Court for a term to expire on the first Monday in January, 2002, and respectfully submits the same for approval.

Received and Referred to the Committee on Finance.

The motion to Receive and Refer is Sustained.

APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication dated January 5, 1999, Informing the City Clerk of his appointments of certain Members of the City Council to the Standing Committees for the term January 7, 1999 to January 6, 2003.

Received.

Communication dated January 5, 1999, Informing the City Clerk of his appointments of certain Members of the City Council to the Special Commission on Residency for the term January 7, 1999 to January 6, 2003.

Received.

CONTINUED BUSINESS

ORDINANCES SECOND READING

The following Ordinances were in City Council December 17, 1998, Read and Passed the First Time and are returned for Passage the Second Time:

An Ordinance creating a Pedestrian Mall on a portion of Fulton Street.

Be it ordained by the City of Providence:

Section 1. The City of Providence, pursuant to the authority granted to it by virtue of Chapter 176 of the Public Laws of the State of Rhode Island 1962, entitled "An Act Authorizing the Conversion of Certain Streets of the City of Providence into Pedestrian Malls, approved 20 April 1962," hereby determines that the public interest and convenience require the establishment of a pedestrian mall on a portion of Fulton Street as shown on a map attached hereto and marked as Exhibit "A" and also filed in the Office of the City Clerk entitled "Fulton Street Pedestrian Mall, Limits of Construction." Further, the City Council determines that vehicular traffic using those streets described therein will not be unduly inconvenienced by said conversion to a pedestrian mall.

Section 2. The City Council of the City of Providence hereby establishes under authority of Chapter 176, Public Laws of Rhode Island 1962, a pedestrian mall as shown on the map entitled "Fulton Street Pedestrian Mall, Limits of Construction" filed in the Office of the Clerk and as hereinafter generally described:

a. That portion of Fulton Street beginning at its intersection with Eddy Street and running southwesterly to its intersection with Union Street as indicated on the aforementioned map.

Section 3. Vehicular traffic shall be prohibited, in whole or in part, on the aforementioned pedestrian mall as follows:

a. All emergency vehicles shall be permitted on all streets and pedestrian malls.

b. Fulton Street — all vehicular traffic is prohibited provided that service vehicles may load or unload from 6:00 p.m. to 8:00 a.m. weekdays.

c. Other than as incidental to the purposes posited in subsections (a) and (b) of Section 3, no parking shall be permitted on the Pedestrian Mall.

Section 4. Any person violating the regulations established by this Ordinance shall be subject to a fine or imprisonment as prescribed in Section 1-10 of the Ordinances of the City of Providence as amended.

Section 5. Any vehicle either parked or left standing in violation of the regulations established by this Ordinance shall be subject

to towing by the City at the expense of the owner and in the manner provided by law.

Section 6. The adoption of this Ordinance notwithstanding, the City of Providence and the City Council thereof shall retain its police powers and other rights and powers relating to the City streets constituting a part of the pedestrian mall. No action taken herein shall be interpreted or construed to be a vacation or abandonment in whole or in part, of any City street or any right therein, it being intended that the establishment of a pedestrian mall pursuant to Chapter 176 of the Public Laws of Rhode Island, 1962, be a matter of regulation. Nothing in the Ordinance shall be interpreted or construed to prevent the City and City Council, at any time subsequent to the adoption of this Ordinance from changing the extent of the pedestrian mall, or from changing or repealing any of the rules and regulations pertaining to the pedestrian mall.

Section 7. Any section or part hereof shall be held or declared invalid or unconstitutional by any court or courts of competent jurisdiction; such determination shall not affect or invalidate the remaining portions of this Ordinance.

Section 8. This Ordinance shall take effect upon passage and all Ordinances and existing traffic regulations inconsistent herewith are hereby repealed.

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo,

Councilmen Hassett, Igliozi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Noes: None.

Absent: None.

The motion for Passage the Second Time is Sustained.

An Ordinance amending Providence 2000: The Comprehensive Plan, Chapter 1994-52, No. 798, adopted on December 27, 1994. (Huntington Avenue, Noyes Avenue, Potters Avenue and Calhoun Avenue).

Be it ordained by the City of Providence:

That Chapter 1994-52, No. 798, approved December 27, 1994 also known as *Providence 2000: The Comprehensive Plan*, (hereinafter referred to as the "Plan") is hereby amended, pursuant to Rhode Island General Laws Sec. 45-22.2-12. The following sections shall be considered to be a single action to amend the Plan.

Section 1. To change the "Proposed Land Use Map: Non-Residential Map" by deleting the General Commercial and the Limited Commercial designation in the area generally bounded by Huntington Avenue, Noyes Avenue, Potters Avenue, and Calhoun Avenue and,

Section 2. To change the "Proposed Land Use Map: Non-Residential Map" by inserting the Limited Manufacturing designation in the area generally bounded by Huntington Avenue, Noyes Avenue, Potters Avenue and Calhoun Avenue.

Section 3. This Ordinance shall take effect upon passage.

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo,

Councilmen Hassett, Igliozi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Noes: None.

Absent: None.

The motion for Passage the Second Time is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILWOMAN ROMANO, COUNCILWOMAN WILLIAMS and COUNCILWOMAN YOUNG:

Resolution Extending Gratitude and Appreciation to Evelyn V. Fagnoli, former Council President, on her Retirement from the City Council ending January 4, 1999.

Whereas, Evelyn V. Fagnoli served the City of Providence from March 18, 1982 to January 4, 1999, and

Whereas, Before Evelyn became a Councilwoman she was elected a member of the Providence Home Rule Charter Commission, and

Whereas, Evelyn has served on many Committees, Boards and Commissions such as Chairwoman of Committee on Finance, Chairwoman of Committee on Public Welfare, Chairwoman of Committee on Claims and Pending Suits, Commission to Restructure Providence City Finances, Special Committee on State Legislation, Zoning Board of Review, Water Supply Board, Board of Park Commissioners, Special Committee on the Observance of Christmas Day, Special Committee for the purpose of Observing the Feast of Saint Joseph, the Worker, and

Whereas, The second woman in history to be elected to the Providence City Council, Evelyn

V. Fagnoli owns the distinction of becoming the first woman to hold the post of President in June of 1996. Evelyn succeeded her husband, Council President Ralph Fagnoli who died serving the City of Providence after 8 years on the City Council, and

Whereas, The Constituents of Ward 5 not only elected a public official, but they had chosen an extraordinary woman. Evelyn considered her responsibilities seriously in her home, church, community and business.

Now, therefore, be it Resolved, That the Members of the Providence City Council hereby extend their sincere best wishes to Evelyn V. Fagnoli upon her retirement from the Providence City Council and best of luck in all her future endeavors and many years of happiness with her three beautiful grandchildren.

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

The motion for Passage is Sustained.

COUNCILMAN HASSETT (By Request):

Resolution Requesting the Chief Electrical Inspector to upgrade the street lighting along Andem Street, in its entirety, from Bergen Street to Academy Avenue to 27,500 lumen.

Resolved, That the Chief Electrical Inspector is requested to upgrade the street lighting along Andem Street, in its entirety, from Bergen Street to Academy Avenue to 27,500 lumen.

COUNCIL PRESIDENT PRO TEMPORE YOUNG, COUNCILMAN ALLEN, COUNCILMAN DeLUCA and COUNCILWOMAN WILLIAMS:

Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of Martin Luther King, Jr., Day, January, 1999 to January, 2002.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Martin Luther King, Jr., Day, January, 1999 to January, 2002.

Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of Saint Patrick's Day, March 17, 1999 to March 17, 2002.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Saint Patrick's Day, March 17, 1999 to March 17, 2002.

Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Feast of Saint Joseph the Worker, 1999 to 2002.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the Feast of Saint Joseph the Worker, 1999 to 2002.

Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Declaration of Independence Day, July 4, 1999 to July 4, 2002.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Independence Day, July 4, 1999 to July 4, 2002.

Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Municipal Observance of Labor Day, September, 1999 to September, 2002.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the Municipal Observance of Labor Day, September, 1999 to September, 2002.

Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Discovery of America by the Italian Navigator, Christofaro Colombo, October, 1999 to October, 2002.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the Discovery of America by the Italian Navigator, Christofaro Colombo, October, 1999 to October, 2002.

Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Municipal Observance of Armistice Day, November 11, 1999 to November 11, 2002.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the Municipal Observance of Armistice Day, November 11, 1999 to November 11, 2002.

Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of Christmas Day, December 25, 1999 to December 25, 2002.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Christmas Day, December 25, 1999 to December 25, 2002.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEE

COUNCILWOMAN PATRICIA K. NOLAN, Chairwoman COMMITTEE ON FINANCE

Transmits the following with recommendation the same be Adopted:

An Ordinance establishing a Tax Stabilization Plan for Rawcliffe Corporation.

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clar-kin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Noes: None.

Absent: None.

The motion for Passage the First Time is Sustained.

An Ordinance establishing a Tax Stabilization Plan for R.D.W. Group, Inc.

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clar-kin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson,

Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Noes: None.

Absent: None.

The motion for Passage the First Time is Sustained.

An Ordinance establishing a Tax Stabilization Plan for Pena Providence Corporation on behalf of Mendez Real Estate for 863 Broad Street.

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Mancini, Councilwomen Nolan, Romano and Williams—12.

Noes: Councilmen Deluca and Jackson—2.

Absent: Councilwoman Young—1.

The motion for Passage the First Time is Sustained.

Transmits the following with recommendation the same be Approved:

Resolution Ratifying an agreement between the City of Providence and Providence Lodge No. 3, Fraternal Order of Police (FOP), effective July 1, 1996 and ending June 30, 1999.

COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, moves to Refer Back to the Committee on Finance.

COUNCILWOMAN NOLAN, seconded by COUNCILWOMAN DiRUZZO, moves to Pass the Resolution.

COUNCIL PRESIDENT LOMBARDI requests a Roll Call Vote to Refer the Resolution Back to the Committee on Finance:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Clarkin, Deluca, Jackson, Councilwomen Williams and Young—8.

Noes: Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Mancini, Councilwoman Nolan and Romano—7.

Absent: None.

The motion to Refer Back is Sustained.

Communication dated December 3, 1998, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1102 of the Providence Home Rule Charter of 1980, he is this day reappointing Margaret DeFelice of 608 Pleasant Valley Parkway, Providence, Rhode Island, as a member of the Board of Licenses for a term expiring in January, 2002 and respectfully submits the same for approval.

COUNCILMAN ALLEN, seconded by **COUNCILWOMAN WILLIAMS**, moves to Refer the Communication Back to the Committee on Finance.

COUNCILWOMAN NOLAN, seconded by **COUNCILWOMAN DiRUZZO**, moves to Pass the Communication.

The motion to Refer Back is put to vote and passed, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Clarkin, DeLuca, Jackson, Councilwomen Williams and Young—8.

Noes: Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzio, Mancini, Councilwomen Nolan and Romano—7.

Absent: None.

The motion to Refer Back is Sustained.

Communication dated December 3, 1998, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1102 of the Providence Home Rule Charter of 1980, he is this day reappointing Mr. Andrew Annaldo of 2 Beloit Street, Providence, Rhode Island, as a member of the Board of Licenses for a term expiring in January, 2002 and respectfully submits the same for approval.

COUNCILMAN ALLEN, seconded by **COUNCILWOMAN WILLIAMS**, moves to Refer the Communication Back to the Committee on Finance.

COUNCILWOMAN NOLAN, seconded by **COUNCILWOMAN DiRUZZO**, moves to Pass the Communication.

The motion to Refer Back is put to vote and passed, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Clarkin, DeLuca, Jackson, Councilwomen Williams and Young—8.

Noes: Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzio, Mancini, Councilwomen Nolan and Romano—7.

Absent: None.

The motion to Refer Back is Sustained.

Transmits the following without recommendation:

Resolution of agreement entered into on the 12th day of February, 1998, by and between the City of Providence and the Rhode Island Laborer's District Council, on behalf of Local 1033.

COUNCILMAN ALLEN, seconded by **COUNCILWOMAN WILLIAMS**, moves to Refer the Resolution Back to the Committee on Finance.

COUNCILMAN MANCINI, seconded by **COUNCILWOMAN DiRUZZO**, moves to Pass the Resolution.

The motion to Refer Back is put to vote and passed, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Clarkin, DeLuca, Jackson, Councilwomen Williams and Young—8.

Noes: Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Mancini, Councilwomen Nolan and Romano—7.

Absent: None.

The motion to Refer Back is Sustained.

PERSONAL EXPRESSION

COUNCILMAN CLARKIN requests the privilege of the floor to speak on a point of personal expression and states:

Mr. President there has been a big mistake here today. You have a man up there that I want to inform you is a trainer of fighters. He is not a referee. I have a feeling you thought he was going to be a referee and that he was

needed here tonight as a referee. Let me applaud you. Phil Addison is a great trainer of fighters. I have never seen him referee, I am sure he could do it. I am glad he didn't have to. He is a little be older to get out here and get between us.

COMMUNICATION AND REPORT

Communication from Michael R. Clement, City Clerk, dated January 5, 1999, Informing the Honorable City Council that in accordance with the provisions of Section 601 (b) of the Providence Home Rule Charter of 1980, entitled: "Division of Archives and History", he is this day reappointing Mrs. Carol Pace as City Archivist.

Received.

Report from the City Clerk informing of all moneys received, transmitted to and credited by the City Collector for the fiscal quarter of October 1, 1998 to and including December 31, 1998.

Received.

FROM THE CLERK'S DESK

Petition of Stephen H. Burke and Douglas A. Giron, Bank Boston Plaza, Providence, Rhode Island for Gerald Hamel and David Shwaery to change the zoning designation of Lot 234, on Assessor's Plat 13, (241 Meeting Street) from R-3 to C-2 and to change the zoning designation of Lot 236 on Assessor's Plat 13 (14 Euclid Avenue) from its present zoning designation R-3 to zoning designation C-2.

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

The motion to Refer is Sustained.

Petitions for Compensation for Injuries and Damages.

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

The motion to Refer is Sustained.

PRESENTATION OF CITATIONS

"In Congratulations"

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

Citations Extending Congratulations.

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

Edward Joseph and Marie Elizabeth Dionne, in recognition of the celebration of their 50th Wedding Anniversary, married on November 25, 1948.

Christine Waldeck, in recognition of being appointed to the Rhode Island Hospitality and Tourism Association.

Jacquelyn Cooper, in recognition of the celebration of twenty five years as librarian at the Rochambeau Branch Library.

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

The motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memorium"

**COUNCIL PRESIDENT LOMBARDI 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:

Joseph A. Virgilio

Anna M. Butler

Thomas P. "T.R." Russo

Rachel Francese

Marie Antionette Indeglia

Ernesto Petricone

Charles Schwartz

Nicholas Jaroma

Vincent Ferrante, Sr.

Jose A. Montardy

Thomas J. Garrick

Anna A. Silva

Sue C. Pislowski

Josephine M. Spino

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

Angelo M. Maiorisi

John P. Palazzo

The motion for Passage is Sustained.

Edward G. Poirier

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:50 o'clock P.M. (E.S.T.) to meet again on THURSDAY, JANUARY 21, 1999 at 7:30 o'clock P.M. (E.S.T.).

Michael R. Clement

City Clerk

