

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 8 City Council Regular Meeting, Tuesday, March 30, 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, Igliozi, Jackson, Council-
women Nolan, Romano, Williams and
Young—14.

Absent: Councilman Mancini—1.

IN CITY COUNCIL
JUN 3 1999

APPROVED:

Richard S. Clement CLERK

INVOCATION

The Invocation is given by REVEREND
KAY JOHNSON, Rector of the Church of the
Messiah.

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

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

APPROVAL OF RECORDS

The Journal of Proceedings No. 3 of the
Regular Meeting of the City Council held
January 21, 1999, and Posted on that
Bulletin Board located on the Ground
Floor Level of City Hall on March 19,
1999; Journal of Proceedings No. 4 of the
Regular Meeting of the City Council held
February 4, 1999, and Posted on that
Bulletin Board located on the Ground
Floor Level of City Hall on March 19,
1999; Journal of Proceedings No. 5 of the
Regular Meeting of the City Council held

February 18, 1999, and Posted on that
Bulletin Board located on the Ground
Floor Level of City Hall on March 24,
1999, and Journal of Proceedings No. 6 of
the Regular Meeting of the City Council
held March 4, 1999, and Posted on that
Bulletin Board located on the Ground
Floor Level of City Hall on March 24,
1999, are approved as printed, on motion
of COUNCILMAN ALLEN, seconded by
COUNCILWOMAN WILLIAMS.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated March 22, 1999, Informing the Honorable Members of the City Council that pursuant to Section 703 of the Providence Home Rule Charter of 1980, he is this day appointing Mr. Bienvenido R. Garcia of 96 Miller Avenue, Providence, Rhode Island, as a Member of the Providence School Board, effective immediately. (Mr. Garcia will replace Mr. Robert Bucci who has resigned effective March 22, 1999).

**COUNCIL PRESIDENT LOMBARDI
Receives the Communication and Refers
the same to the Committee on Finance.**

**The motion to Receive and Refer is
Sustained.**

ORDINANCES SECOND READING

**The following Ordinances were in City
Council March 18, 1999, Read and Passed
the First Time and are severally returned
for Passage the Second Time:**

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

Be it ordained by the City of Providence:

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

a) Section 504.2 — Capital Center Special Development District — General Regulations,

Part C, Number 2. Signs shall be amended to read as follows:

2. Signs: To permit maximum flexibility in the location and type of signs, the CCC may grant waivers as follows:

a. Retail Trade — When the principal use of a property is retail trade and the project contains more than 100,000 sq. ft. GFA with at least a minimum of five different retail uses, the owner may request a waiver to the sign regulations of this ordinance. In requesting the

waiver, the owner shall submit to the CCC an overall signage plan that details the size, location, material and lighting of signs on the project and sets signage criteria for retail frontages that would allow the change of retail uses and their signs without additional review. The CCC may grant waivers as follows:

1) Maximum Total Area of All Signs — permit a maximum total area of all signs that shall not exceed 5 square feet of sign for every lineal foot of building frontage. In calculating building frontage, each side of the building may be counted.

2) Maximum Sign Area — permit the maximum sign area of one or more signs to be increased to a size deemed acceptable to the CCC:

3) Illumination — permit a variety of illumination techniques including internal illumination as long as the sign does not read as a plastic back lit sign. Flashing, changeable letter or message, changeable color or any sign that moves are not permitted; and,

4) Material — permit a variety of contemporary sign materials which shall not be limited by Section 502.2 C).

B. All other uses — The owner/applicant may request a waiver from the CCC for signs in accordance with this section. In filing a request for a waiver, the owner/applicant shall submit an overall signage plan that details the size, location, material and lighting of all signs on the project. The CCC may grant waivers for signs as follows:

1) Planned Development — When a parcel, as defined in the Capital Center Regulations,

which consists of five or more buildings that are not divided by a public road is developed in accordance with a plan, the CCC may grant a waiver to permit signs on one building or lot in the parcel to advertise a business located in another building or on another lot in the parcel. The approved signs may be wall mounted, freestanding or projecting. In calculating maximum total sign area, the maximum allowable area for each lot shall be calculated and added together to arrive at the maximum sign area for the parcel.

2) Maximum Sign Area — permit the maximum sign area of one or more signs to be increased to a size deemed acceptable to the CCC but the total area of all signs shall not exceed the maximum total area of all signs on a building.

3) Illumination — permit a variety of illumination techniques including internal illumination as long as the sign does not read as a plastic back lit sign. Flashing, changeable letter or message, changeable color or any sign that moves are not permitted; and,

4) Material — permit a variety of contemporary sign materials which shall not be limited by Section 502.2 C).

Section 2. 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, Iglizoi, Jackson, Councilwomen Romano, Williams and Young—13.

Noes: None.

Absent: Councilman Mancini and Councilwoman Nolan—2.

The motion for Passage the Second Time is Sustained.

An Ordinance in amendment of and in addition to Chapter 1982-15 of the Ordinance of the City of Providence approved March 26, 1982 and entitled "An Ordinance approving and adopting the Official Redevelopment Plan for the Hartford Avenue Renewal Project" for the acquisition of additional properties.

Be it ordained by the City of Providence:

1. That Chapter 1982-15 of the Ordinances of the City of Providence approved March 26, 1982 and entitled, "An Ordinance approving and adopting the Official Redevelopment Plan for the Hartford Avenue Renewal Project" as amended by the following Ordinances of the City of Providence: Chapter 1986-21, approved April 24, 1986, Chapter 1991-28, approved October 10, 1991, Chapter 1995-11, approved June 9, 1995, Chapter 1997-4, approved January 27, 1997, and Chapter 1998-2, approved January 16, 1998, be and the same is hereby further amended as follows:

A. To the list of designated properties for acquisition in section 2, entitled, "Proposed Acquisition" under Chapter E, entitled "Renewal Plan Proposals" contained and set

forth on Page 24 of that certain booklet entitled, "Hartford Avenue Renewal Project, Official Redevelopment Plan for 1981", which is part of the aforementioned Ordinance, the following lots shall be added:

<i>Plat/Lot/#</i>	<i>Street</i>
115/97/618	Hartford Ave.
115/114/65	Seton
115/115//61	Seton
115/116/57	Seton
115/117/53	Seton
115/118/49	Seton
115/119/45	Seton
115/120/41	Seton
115/121/37	Seton
115/122/33	Seton
115/123/29	Seton
115/124/25	Seton
115/125/21	Seton
115/126/17	Seton
115/131/2	Emperor
115/132/6	Emperor
115/133/10	Emperor
115/134/14	Emperor

115/135/18	Emperor	115/169/11	Woodfall
115/136/22	Emperor	115/179/56	Wright
115/137/26	Emperor	115/180/52	Wright
115/138/30	Emperor	115/181/48	Wright
115/139/34	Emperor	115/182/44	Wright
115/140/38	Emperor	115/183/40	Wright
115/141/32	Springfield	115/184/36	Wright
115/142/24	Springfield	115/185/34	Stanfield
115/143/18	Springfield	115/186/30	Stanfield
115/144/12	Springfield	115/187/26	Stanfield
115/145/25	Emperor	115/188/20	Stanfield
115/146/21	Emperor	115/215/19	Stanfield
115/147/17	Emperor	115/216/25	Stanfield
115/148/13	Emperor	115/217/3	Milo
115/149/9	Emperor	115/218/7	Milo
115/150/25	Thornton	115/219/11	Milo
115/151/29	Thornton	115/234/22	Wright
115/152/33	Thornton	115/235/26	Wright
115/153/37	Thornton	115/236/29	Stanfield
115/154/41	Thornton	115/237/33	Stanfield
115/155/45	Thornton	115/238/650	Hartford Ave.
115/156/51	Thornton	115/239/658	Hartford Ave.

115/240/3	Wright	115/263/31	Diana
115/241/7	Wright	115/264/27	Diana
115/242/11	Wright	115/265/23	Diana
115/243/15	Wright	115/266/19	Diana
115/244/19	Wright	115/267/15	Diana
115/245/23	Wright	115/268/11	Diana
115/246/27	Wright	115/269/7	Diana
115/247/31	Wright	115/270/3	Diana
115/248/2	Diana	115/271/53	Wright
115/249/6	Diana	115/272/92	Springfield
115/250/10	Diana	115/273/98	Springfield
115/251/14	Diana	115/274/106	Springfield
115/252/18	Diana	115/275/112	Springfield
115/253/22	Diana	115/276/118	Springfield
115/254/26	Diana	115/277/124	Springfield
115/255/30	Diana	115/278/130	Springfield
115/256/34	Diana	115/279/136	Springfield
115/257/636	Hartford Ave.	115/280/142	Springfield
115/258/632	Hartford Ave.	115/281/152	Springfield
115/259/630	Hartford Ave.	115/282/158	Springfield
115/261/39	Diana	115/283/164	Springfield
115/262/35	Diana	115/308/95	Springfield

115/309/91	Springfield	2. That said Chapter 1982-15 of the Ordinances of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.
115/310/87	Springfield	
115/311/83	Springfield	
115/312/79	Springfield	3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.
115/313/75	Springfield	
115/314/71	Springfield	
115/315/67	Springfield	<p>Read and Passed the Second Time, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:</p> <p>Ayes: Council President Lombardi, Councilmen Allen, Aporste, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzo, Jackson, Councilwomen Romanc, Williams and Young—13.</p> <p>Noes: None.</p> <p>Absent: Councilman Mancini and Councilwoman Nolan—2.</p> <p>The motion for Passage the Second Time is Sustained.</p>
115/338/26	Ophelia	
115/339/28	Ophelia	
115/340/30	Ophelia	
115/341/32	Ophelia	
115/342/34	Ophelia	
115/343/36	Ophelia	
115/344/38	Ophelia	
115/345/40	Ophelia	

B. Certain maps of the aforementioned Official Redevelopment Plan herein identified, *Proposed Acquisition* and *Disposition* shall be amended to include the Prposed Acquisition of the aforementioned lots.

The following Ordinance was in City Council, March 18, 1999, Read and Passed the First Time, as amended, and is returned for Passage the Second Time, as amended:

An Ordinance in amendment of and in addition to Chapter 1984-36 of the Ordinances of the City of Providence approved May 24, 1984, and entitled, "An Ordinance approving the Official Redevelopment Plan for the Lower South Providence Redevelopment Project as amended" for additional acquisition of Lots 738, 772, 773, 775, 821, 958, 966, 968, 969, 970, 971, 972 and 1084 on Assessor's Plat 48.

that certain booklet entitled, "Lower South Providence, Official Redevelopment Plan, 1984" which is part of the aforementioned Ordinance:

	<i>Plat/Lot/#</i>	<i>Street</i>
	48/738/68	Gordon Ave.
	48/772/46	Baxter St.
<i>Be it ordained by the City of Providence:</i>	48/773/248	Potters Ave.
1. That Chapter 1984-36 of the Ordinances of the City of Providence, approved May 24, 1984, and entitled, "An Ordinance approving and adopting the Official Redevelopment Plan for the Lower South Providence Redevelopment Project, as amended" and further amended by the following Ordinances of the City of Providence: Chapter 1984-26 (February 9, 1985), Chapter 1986-5 (February 27, 1986), Chapter 1991-3 (January 24, 1991) and Chapter 1997-8 (February 23, 1997) is hereby further amended as follows:	48/775/258	Potters Ave.
	48/821/236	Potters Ave.
	48/958/61	Gordon Ave.
	48/966/78	Gordon Ave.
	48/968/106-108	Gordon Ave.
	48/969/100	Gordon Ave.
	48/970/94	Gordon Ave.
A. Addendum A hereto attached is hereby adopted as part of the Official Redevelopment Plan for the Lower South Providence Renewal Project.	48/971/88	Gordon Ave.
	48/972/82	Gordon Ave.
B. Add the following lots are hereby added to that listing of lots designated for acquisition in Section 1, entitled "Proposed Acquisition" under Chapter E, entitled, "Plan Proposals" is contained in and set forth in pages 15 to 19 of	48/1084/69	Gordon Ave.

C. All maps of the aforementioned Official Redevelopment Plan shall be amended to indicate the proposed acquisition.

2. That said Chapter 1984-36 of the Ordinances of the City of Providence as adopted and as heretofore amended, is hereby ratified and reaffirmed in all other respects.

3. This Ordinance shall take effect upon passage and the City Clerk shall forward a certified copy to the Providence Redevelopment Agency.

Read and Passed the Second Time, as amended, 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, Iglizzo, Jackson, Councilwomen Romano, Williams and Young—13.

Noes: None.

Absent: Councilman Mancini and Councilwoman Nolan—2.

The motion for Passage the Second Time is Sustained.

The following Ordinance was in City Council February 18, 1999, Read and Passed the First Time and Referred Back to the Committee on Finance and is Returned for Passage the Second Time, as amended:

An Ordinance relating to tax stabilization for W.A./R.E.I. Hotel, LLC., as amended.

ALLEN, seconded by COUNCILWOMAN WILLIAMS.

Referred Back to the Committee on Finance, on motion of COUNCILMAN

The motion to Refer is Sustained.

PRESENTATION OF ORDINANCE

COUNCILMAN ALLEN and COUNCILMAN APONTE (By Request):

An Ordinance in amendment of Chapter 21, Revenue and Finance, by adding Article XI, Section 21-190 entitled "Tax Exemption of Certain Property owned by the Providence Redevelopment Agency."

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

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN DeLUCA, COUNCILMAN JACKSON and COUNCILWOMAN YOUNG:

Resolution Opposing Senate Bill (99-S 458) Relating to the repeal of residency rules, in substantially the form attached.

Resolved, That the Members of the Providence City Council hereby Oppose Senate Bill (99-S 458) Relating to the repeal of residency rules, in substantially the form attached.

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

The motion for Passage is Sustained.

Resolution Requesting the Governor, the Mayor and the Members of the Rhode Island General Assembly to notify the Providence City Council in advance of any legislation, or any meeting or deliberation relative to said legislation affecting the residents of the City of Providence.

Resolved, That the Governor, the Mayor and the Members of the Rhode Island General Assembly are requested to notify the Providence City Council in advance of any legislation, or any meeting or deliberation relative to said legislation affecting the residents of the City of Providence.

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

COUNCIL PRESIDENT JOHN J. LOMBARDI relinquishes the Chair to COUNCIL PRESIDENT PRO TEMPORE BALBINA A. YOUNG.

COUNCIL PRESIDENT PRO TEMPORE
BALBINA A. YOUNG IN THE CHAIR

COUNCIL PRESIDENT JOHN J. LOMBARDI Retains the Chair.

COUNCIL PRESIDENT JOHN J. LOMBARDI
IN THE CHAIR

PRESENTATION OF RESOLUTIONS

(Councilman Hassett and Councilman Iglioizzi request to be recorded as Not Voting).

The motion for Passage is Sustained.

COUNCIL PRESIDENT LOMBARDI (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Dexter Street between Division Street and Hollywood Road on Easter Sunday, April 4, 1999 between

the hours of 8:00 o'clock a.m. to 4:00 o'clock p.m. to accommodate a special celebration for the Hmong Evangelical Church of the Christian and Missionary Alliance.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Dexter Street between Division Street and Hollywood Road on Easter Sunday, April 4, 1999 between the hours of 8:00 o'clock a.m. to 4:00 o'clock p.m. to accommodate a special celebration for the Hmong Evangelical Church of the Christian and Missionary Alliance.

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

The motion for Passage is Sustained.

Resolution Supporting House Bills (99-H 5616) and (99-H 5859) Relating to towns and cities zoning ordinance, in substantially the form attached.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on State Legislation.

The motion to Refer is Sustained.

COUNCIL PRESIDENT LOMBARDI and COUNCILWOMAN DIRUZZO:

Resolution Supporting the application of the West Broadway Neighborhood Association to the Rhode Island Department of Transportation as one of the City's top three projects.

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

The motion to Refer is Sustained.

COUNCIL PRESIDENT LOMBARDI, COUNCILWOMAN DIRUZZO and COUNCILWOMAN ROMANO:

Resolution Extending the Sincere Best Wishes of the Members of the City Council to Anita Leach for a complete and speedy recovery.

Resolved, That the Members of the Providence City Council hereby extend their Sincere Best Wishes to Anita Leach for a complete and speedy recovery.

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

The motion for Passage is Sustained.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5919) and Senate Bill (99-S 729) Relating to taxation — investment tax credit — film production, in substantially the form attached.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5494) and Senate Bill (99-S 653) Relating to public buildings, in substantially the form attached.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5767) and Senate Bill (99-S 763) Relating to retail licenses, in substantially the form attached.

COUNCIL PRESIDENT LOMBARDI Severally Refers the Resolutions to the Committee on State Legislation.

The motion to Refer is Sustained.

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

Resolution Creating a Study Commission of the Pension and Retirement System.

Resolved, That the Council President of the City Council engage assistance to examine and study, if necessary, the Pension and Retirement System.

Whereas, The Council President is requested to appoint Three (3) Council Members, One (1) Mayoral appointment and One (1) Pension Administrator to create a Study Commission of the Pension and Retirement System.

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

The motion for Passage is Sustained.

COUNCILMAN DeLUCA (By Request):

Resolution Requesting the Director of Public Works to seek costs estimates to repair and resolve the flood problems on Sax Street and Devereux Avenue.

Resolved, That the Director of Public Works is requested to seek costs estimates to repair and resolve the flood problems on Sax Street and Devereux Avenue.

Resolution Requesting the Director of Public Works to cause the installation of a sewer line check valve on Pemberton Street.

Resolved, That the Director of Public Works is requested to cause the installation of a sewer line check valve on Pemberton Street.

Resolution Requesting the Chief Electrical Inspector to cause the upgrading of street lighting to 27,500 lumens on Pole No. 9 on Imera Avenue, and also on Pole #2 on Pemberton Street.

Resolved, That the Chief Electrical Inspector is requested to cause the upgrading of street lighting to 27,500 lumens on Pole No. 9 on Imera Avenue, and also on Pole #2 on Pemberton Street.

Resolution Requesting the Director of Public Property to make all necessary preparations to facilitate and secure the Board of Alderman Chamber to be used as the public meeting room for the various committees of the City Council.

Resolved, That the Director of Public Property is requested to make all necessary preparations to facilitate and secure the Board of Alderman Chamber to be used as the public meeting room for the various committees of the City Council.

COUNCILMAN ALLEN moves to dispense with the reading of the foregoing matters.

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

The motion for Passage is Sustained.

COUNCILWOMAN NOLAN (By Request):

Resolution Requesting the School Department to rename the Sackett Street School the "Lillian Feinstein Sackett Street School."

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

The motion to Refer is Sustained.

Resolution Requesting the Superintendent of Parks to cause Frederick C. Green Memorial Boulevard located within Roger Williams Park to be repaved.

Resolved, That the Superintendent of Parks is requested to cause Frederick C. Green Memorial Boulevard located within Roger Williams Park to be repaved.

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

The motion for Passage is Sustained.

COUNCILWOMAN NOLAN:

Resolution Requesting the Chief of Police to post a crossing guard at the corner of Adelaide Avenue (Colfax) and Broad Street to insure safe crossing of school children at this hazardous intersection.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Finance.

The motion to Refer is Sustained.

COUNCILWOMAN ROMANO (By Request):

Resolution Requesting the Traffic Engineer to cause the feasibility of a traffic study relative to establishing Foch Avenue as a one-way street.

Resolved, That the Traffic Engineer is requested to cause the feasibility of a traffic study relative to establishing Foch Avenue as a one-way street.

Resolution Requesting the Chief Electrical Inspector to cause the upgrading of street lighting to 27,500 lumens along Hawkins Street from Ashton Street Playground to Hall Street, on the right side.

Resolved, That the Chief Electrical Inspector is requested to cause the upgrading of street lighting to 27,500 lumens along Hawkins Street from Ashton Street Playground to Hall Street, on the right side.

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

The motion for Passage is Sustained.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Traffic Engineer to post a "Handicapped Parking" sign in front of 44 Oriole Avenue.

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

The motion to Refer is Sustained.

COUNCIL PRESIDENT PRO TEMPORE YOUNG, COUNCILMAN ALLEN, COUNCILMAN AFONTE, COUNCILMAN BUTLER, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DIRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILWOMAN ROMANO and COUNCILWOMAN WILLIAMS:

Resolution Extending sincere best wishes of the Members of the City Council to Denise Lombardi for a complete and speedy recovery from her recent surgery.

Resolved, That the Members of the Providence City Council hereby extend their sincere best wishes to Denise Lombardi for a complete and speedy recovery from her recent surgery.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILMAN ROBERT M. CLARKIN, Chairman COMMITTEE ON PUBLIC WORKS

Transmits the following with recommendation the same be severally Approved:

Resolution Requesting the Traffic Engineer to cause the installation of "No Thru Trucks" signs along Sterling Avenue from Cumerford Street through Laurel Hill Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Thru Trucks" signs along Sterling Avenue from Cumerford Street through Laurel Hill Avenue.

Resolution Requesting the Traffic Engineer to cause the repair of the "Stop" sign located on Ruggles Street at Dickens Street and to cause the replacement of the "Stop" sign located on Promenade Street at Bath Street.

Resolved, That the Traffic Engineer is requested to cause the repair of the "Stop" sign located on Ruggles Street at Dickens Street and to cause the replacement of the "Stop" sign located on Promenade Street at Bath Street.

Resolution Requesting the Traffic Engineer to cause the installation of a traffic signal light at the intersection of Fruit Hill Avenue and Woonasquatucket Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of a traffic signal light at the intersection of Fruit Hill Avenue and Woonasquatucket Avenue.

Resolution Requesting the Traffic Engineer to redirect the traffic along Manton and Atwells Avenues.

Resolved, That the Traffic Engineer is requested to redirect the traffic along Manton and Atwells Avenues.

Resolution Requesting the Director of Public Works to study the status of curb cuts in the City of Providence and initiate a plan to cause certain curb cuts to be made on every sidewalk in the city.

Whereas, The Director of Public Works is hereby requested to study the status of curb cuts in the City of Providence and to initiate a plan to cause certain curb cuts to be made on every sidewalk in the City, and

Whereas, The Americans with Disabilities Act passed by Congress required that access be given to disabled persons and it is evident that assessment of accessibility should be made and implemented as soon as possible, and

Whereas, The Providence City Council along with the Mayor's Office and the Director of Public Works should press and demand that curb cuts should be made throughout the City in order that we, as the Governing Agency of the City of Providence should show concern for those who are confined to wheelchairs, or have mobility or visual impairments, and

Whereas, These barriers should be eliminated to allow this group of people to travel along our City sidewalks without any hindrance at all, and

Whereas, The City Council does hereby request that the Director of Public Works after such study, begin to construct, renovate, repair and maintain these said curb cuts and sidewalks throughout the City,

Now, therefore, be it Resolved, That the City Council along with His Honor the Mayor be instrumental in initiating such a plan and try to lift these barriers, to allow our handicapped citizens free access along all City sidewalks here in the City of Providence.

Resolution Requesting the Director of Public Works and the City Solicitor to study the feasibility of requiring property owners to pay fifty percent (50%) of the cost of installation of any sidewalk repairs or construction.

Whereas, The City has spent approximately One Million Dollars (\$1,000,000.00) repairing sidewalks in 1994, and

Whereas, There are numerous other sidewalks which need repair or construction, and

Whereas, The City's financial condition does not permit the City to do as many sidewalk repairs as desired, and

Whereas, Other communities such as Pawtucket and Cranston require property owners to contribute to the cost of their sidewalks,

Now, therefore, be it Resolved, That the Director of Public Works and the City Solicitor are requested to study the feasibility of requiring property owners to pay fifty percent (50%) of the cost of installation of any sidewalk repairs or construction.

Resolution Requesting the Traffic Engineer to cause the installation of a "Two Hour Parking between the hours of 7:00 a.m. and 9:00 p.m.", sign on the south side of Alumni Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Two Hour Parking between the hours of 7:00 a.m. and 9:00 p.m.", sign on the south side of Alumni Avenue.

Resolution Ordering the installation of a Gasoline Facility located at 1057-1075 North Main Street.

Whereas, R.H.B. Realty, L.L.C. — Mario Coletta (hereinafter "Applicant") is the owner of realty located at 1057-1075 North Main Street, Providence, Rhode Island (Plat 73, Lots 288 & 289); and

Whereas, Applicant seeks to install underground gasoline and diesel storage tanks with a total capacity of 38,000 gallons and to erect a bank kiosk, a car wash, a food mart and to undertake other construction.

Now, therefore, be it Resolved, That Applicant is authorized to install two (2) underground gasoline and one (1) diesel storage tanks with a total capacity of 38,000 gallons and to undertake the construction of a bank kiosk, a car wash, a food mart and other improvements listed in its application attached hereto provided, however that:

1. All construction is undertaken consistent with the plans presented to the City Council Committee on Public Works Department, the of Public Safety and the Department of Inspection and Standards as those plans may be modified by any of the same.

2. Applicant shall perform any remediation of environmental damage at or originating at the situs which is necessary so as to satisfy the legal requirements of any governmental body or agency.

3. In the event that the construction requires obstruction or displacement of the public way,

Applicant shall obtain the necessary permits, execute an indemnification and hold-harmless agreement satisfactory to the City Solicitor and shall provide insurance (or, if self-insured, a certificate of financial responsibility) in an amount of not less than one hundred thousand dollars (\$100,000.00) listing the City of Providence, its agents, officers, servants, employees, and assigns as additional named insureds. Such policy shall be acceptable to the City Solicitor.

4. Applicant does agree that by undertaking any construction pursuant to this Resolution, any statement(s) or representation(s) made to any municipal department, board or committee are made a part of this Resolution and any authorization granted hereunder are specifically conditioned upon compliance with said statement(s) and representation(s).

5. All work performed hereunder shall be done in a good and workmanlike manner, shall be commenced and completed forthwith and Applicant shall obtain all necessary permits.

6. Nothing herein shall be construed to contradict or limit or modify any ruling or declaration of the Providence Zoning Board.

7. To the extent applicable, the conditions imposed hereunder shall run to any successor in interest to the proposed gasoline station or other buildings.

8. Such other conditions as His Honor, the Mayor; and the City Solicitor may impose.

Transmits the following with recommendation the same be Approved, as amended:

Resolution Requesting the Traffic Engineer to cause the installation of "20 MPH School Zone" Signs along Academy Avenue in the immediate vicinity of Blessed Sacrament Church and School.

Resolved, That the Traffic Engineer is requested to cause the installation of "20 MPH School Zone" Signs along Academy Avenue in the immediate vicinity of Blessed Sacrament Church and School.

**COUNCILMAN KEVIN JACKSON, Chairman
COMMITTEE ON FINANCE**

Transmits the following with recommendation the same be severally Approved:

Resolution Approving the Issuance by the Providence Public Buildings Authority of bonds and/or notes in an amount not to exceed thirty nine million nine hundred thousand dollars (\$39,900,000.00) to finance the 1999 Series A School and Public Facilities Project.

Whereas, That the Providence Public Buildings Authority (the "Authority") was constituted as a body corporate and politic of the City of Providence pursuant to the provisions of Chapter 50 of title 45 of the General Laws of Rhode Island (the "Act") and a resolution duly passed by this City Council on August 13, 1987; and

Whereas, The Authority's creation was approved by the Public Finance Management Board on February 12, 1988; and

Whereas, The Authority may now duly transact its business of acquiring and constructing public facilities, acquiring public equipment; maintaining, renovating, repairing and operating the same; and issuing its revenue bonds and/or notes to finance the public facilities and public equipment; and

Whereas, The Authority may develop its projects only upon the request of the Mayor and the City Council; and

Whereas, Such request must take the form of a proposal by the Mayor approved by the City Council; and

Whereas, The Mayor has submitted the proposal attached heretc as Exhibit "A" for the City Council's approval.

Now, therefore, be it Resolved,

1. That the City Council hereby approved the Proposal of the Mayor dated March 1, 1999 (the "Proposal") which, among other things, requests the Authority to use its best efforts to develop the 1999 Series A School and Public Facilities Projects which shall include the acquisition, construction, expansion, renovation, rehabilitation, repair, improvement, furnishing and equipping of the following projects: a new elementary school and a new middle school complex to be located on Springfield Street, the acquisition of land on Gordon Avenue for a new school, and the renovation, construction and repair of existing schools and public facilities, including feasibility, engineering or other studies which may be necessary in connection therewith, and any other acts necessary or incidental thereto, and to issue Bonds and/or Notes in an amount not to exceed Thirty Nine Million Nine Hundred Thousand Dollars (\$39,900,000) to provide funding for the Projects.

2. That the President of the City Council be, and he hereby is, authorized to execute the Proposal and to deliver it to the Authority.

3. That the City Council hereby authorizes the Mayor to negotiate and lease the Projects from the Authority and to transfer such additional property to the Authority as shall be necessary to secure the Bonds and Notes.

4. That the Mayor be, and he hereby is, authorized to take any and all action and to execute, file and deliver any and all agreements, notes, deeds, leases and other documents as he, in his sole discretion, may deem necessary or desirable to implement the transaction contemplated by the Proposal.

5. That the City's Department of Public Property shall submit all estimates, bids, etc. regarding such construction, renovation, rehabilitation, improvement, furnishing, and equipping of the Project to the Committee on Finance of the City Council as such estimates become available.

6. The City's Director of Finance is authorized to execute and deliver continuing disclosure certificates in connection with the bonds or notes issued by the Authority, in such form as shall be deemed advisable by the City's Director of Finance. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of each continuing disclosure certificate, as it may be amended from time to time. Notwithstanding any other provision of this Resolution or the bonds or notes, failure of the City to comply with any continuing disclosure certificate shall not be considered an event of default; however, any bondholder or noteholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Resolution and under any continuing disclosure certificate.

7. This Resolution is an affirmative action of the City Council towards the issuance of the Authority's Bonds and/or Notes in accordance with the purposes of the laws of the State. This Resolution constitutes the City's declaration of official intent, pursuant to Treasury Regulation § 1.150-2, to reimburse its General Fund in an amount not to exceed Thirty Nine Million Nine Hundred Thousand Dollars (\$39,900,000) for certain capital expenditures for the Projects paid on or after the date which is sixty (60) days prior to the date of this Resolution but prior to the issuance of the Authority's Bonds and/or

Notes, or otherwise as permitted by such regulation. Amounts to be reimbursed shall be reimbursed not later than eighteen months after (a) the date on which the expenditure is paid or (b) the date the Projects are placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid.

8. This Resolution shall take effect upon passage.

Resolution Requesting the Chief of Police to post a crossing guard at the intersection of Chalkstone Avenue at Oakland Avenue to insure safe crossing of school children at this hazardous intersection.

Resolved, That the Chief of Police is requested to post a crossing guard at the intersection of Chalkstone Avenue at Oakland Avenue to insure safe crossing of school children at this hazardous intersection.

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

The motion for Passage is Sustained.

Communication dated February 25, 1999, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 814 of the Providence Home Rule Charter of 1980, he is this day re-appointing Mr. Daniel

A. Pontarelli of 973 Branch Avenue, Providence, Rhode Island, as a member of the Board of Tax Assessment Review for a term to expire in January 2002, and respectfully submits the same for your approval.

February 25, 1999

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, RI 02903

Dear Honorable Members:

Pursuant to Sections 302(b) and 814 of the Providence Home Rule Charter of 1980, I am this day reappointing Mr. Daniel A. Pontarelli of 973 Branch Avenue, Providence, Rhode Island 02904, a member of the Board of Tax Assessment Review for a term to expire in January 2002, and respectfully submit the same for your approval.

Sincerely,

VINCENT A. CIANCI, JR.
Mayor of Providence

Communication Received and Appointment Approved, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion to Receive and Approve is Sustained.

Transmits the following with recommendation the same be Denied:

Communication dated February 25, 1999, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, he is this day re-appointing Mr. James H. Leach of 500 Blackstone Boulevard, Providence, Rhode Island, as a member of the City Plan Commission, and respectfully submits the same for your approval.

Communication Received and Appointment Denied, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Denial is Sustained.

**COUNCILMAN PETER S. MANCINI, Chairman
COMMITTEE ON CLAIMS AND PENDING SUITS**

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

Certificates from the City Assessor (No. 3C through 10C, inclusive) 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.

Read and Passed, 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, Igliozzi, Jackson, Councilwomen Nolan, Romano, Williams and Young—14.

Noes: None.

Absent: Councilman Mancini—1.

The motion for Passage is Sustained.

COMMUNICATION

Communication dated March 24, 1999 from Councilman Joseph DeLuca, Informing the Honorable Members of the City Council to oppose House Bill (99-H 5480) and Senate Bill (99-S 440).

March 24, 1999

Honorable Members of the
Providence City Council
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Dear Council Members:

I am requesting the City Council Members to oppose House Bill 99-H-5480 and 99-S-0440.

Whereas, This Act violates the people's right to vote via Referendum on the Issuance of Bonds, Section 807(g), Providence Home Rule Charter.

Whereas, This Act violates several sound financial safeguards by circumventing Chapter 45-12 of the General Laws and Section 807 of the Providence Home Rule Charter.

Whereas, The Providence City Council by action of a vote of disapproval hereby informs the Honorable Members of the General Assembly that we oppose bill Number 99-H-5480 and 99-S-0440.

Upon the Affirmative vote of disapproval, the City Clerk is hereby Ordered to deliver forthwith said vote to:

1. Senate Majority Leader Paul S. Kelly

2. Speaker of the House of Representatives John B. Harwood

3. Senator Dominick J. Ruggerio

4. Senator David Iglizoi

5. Senator John M. Roney

6. Senator Maryellen Goodwin

7. Senator Robert T. Kells

8. Representative David N. Cicilline

9. Representative Thomas C. Slater

10. Representative Anastasia Williams

11. Representative Marsha E. Carpenter

12. Representative Steven M. Costantino

13. Governor of the State of Rhode Island, Lincoln C. Almond

Very Truly Yours,

JOSEPH DeLUCA
Councilman, Ward 6

**Received and Approved for Opposition,
on motion of COUNCILMAN ALLEN, sec-
onded by COUNCILWOMAN WILLIAMS.**

**The motion for Receive and Approve for
Opposition is Sustained.**

FROM THE CLERK'S DESK

Petition from Frank M. Corbishley, Executive Director, Providence Community Action Program requesting to grant that portion of Alger Avenue between Hamlin and Dixon Streets.

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

The motion to Refer is Sustained.

Petitions for Compensation for Injuries and Damages, viz:

Heather Ann Caputo

Helen M. Lariviere

Ronald Adamo (Joseph A. Capineri, Esq.)

Beverly Chase

Reginald Chaney (Charles D. Wick, Esq.)

Ralph Supper (John S. Coughlin, Esq.)

SWAP, Inc.

CGU Insurance Co. a/s/o Marsden P. Earle

Johathan D. Cotton

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:

Amelio Cioffi, in recognition of being the oldest member of the Republican Party City Committee and serving over forty consecutive years as Tenth Ward Committee Chairman.

Detective John Charles McGehearty, in recognition of the celebration of his retirement after twenty-seven years of dedicated service to the Providence Police Department.

Clarence J. Souza, in recognition of his election as President of the Portuguese Sporting Club.

Manuel Dutra, in recognition of his election as Vice-President of the Portuguese Sporting Club.

Liberto S. Timoteo, in recognition of his election as Secretary of the Portuguese Sporting Club.

John Duruda, in recognition of his election as Treasurer of the Portuguese Sporting Club.

Manuel Lemos, in recognition of his election as Recording Secretary of the Portuguese Sporting Club.

Alfred Souza, in recognition of his election as Financial Secretary of the Portuguese Sporting Club.

Jose Medeiros, in recognition of his election as Sergeant-At-Arms of the Portuguese Sporting Club.

Jose S. Cabral, in recognition of his election as Auditor of the Portuguese Sporting Club.

Jose Garcia, in recognition of his election as Auditor of the Portuguese Sporting Club.

Joe Rego, in recognition of his election as Auditor of the Portuguese Sporting Club.

Joseph B. Sousa, in recognition of his election as Board of Directors of the Portuguese Sporting Club.

Luisa Augusta, in recognition of his election as Board of Directors of the Portuguese Sporting Club.

Manuel M. Moniz, in recognition of his election as Board of Directors of the Portuguese Sporting Club.

Victor Rebelo, in recognition of his election as Board of Directors of the Portuguese Sporting Club.

Marcelino Pereira, in recognition of his election as Board of Directors of the Portuguese Sporting Club.

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

The motion for Passage is Sustained.

PERSONAL EXPRESSION

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

I rise because I want to relay a true story from a Staff Sergeant Curtis Whiteway. He had a mission with his platoon to capture a bridge in Eastern Europe. On his way, they heard some screams down a side of a mountain. As they followed the sounds, they came across a camp. They walked in and saw 20 to 30 men hanging from poles. The men were still alive, kicking, wiggling. He told his men to cut them down. Two men had been hung by piano wire through their wrists and unmentionables. Then his platoon went inside the barracks. They were lying across bunks. They were chained by their ankles and left to starve to death. Outside one of the prisoners drew his attention to — he was starving to death. He said he picked him up. He could hardly feel him. How light he was. He put the individual on the wooden floor of the

barracks. There were no medics. All he could do was tell the prisoners that they were free. The time of this atrocity was May of 1945. The Staff Sergeant was Curtis Whiteway. He was a member of the 99th division. The division liberated a camp which is known as Dachau. Why I am recanting this story is because I think it behooves us to take a moment of our time to reflect on what is going on in Kosovo, the Albanians, the Serbs and it seems to me that it is history re-written again. It is coming back and this atrocity is occurring again in Eastern Europe. As well as pretty much the day before Passover, because the individuals who were massacred back in 1945 were the Jewish people and I just see some similarity here, so I think we should take the time out of our day and reflect what is going on in Europe and hopefully say a prayer for the ones who passed away in 1945 and what is going on there, hopefully, will be peacefully resolved.

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:

Lillian Leso

Josephine Pepe

Joshua P. Pearlman

Mabel Joseph

Frank Cenerini

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

Celia M. Mantia

Ann M. Neri

The motion for Passage is Sustained.

Domenic A. DiNunzio

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:40 o'clock P.M. (E.S.T.) to meet again on THURSDAY, APRIL 15, 1999 at 7:30 o'clock P.M. (E.S.T.).

Richard R. Clement

City Clerk