

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

*No.* 596

*Approved* December 7, 2004

RESOLVED, That the Committee on Finance hereby approves and extension of the Residency Requirement for William T. Smitherman, Senior Assistant City Solicitor, for a six month period to expire on June 13, 2005.

IN CITY COUNCIL  
DEC 2 2004  
READ AND PASSED AS AMENDED  
PRES.  
Michael A. Clement  
CLERK

APPROVED  
MAYOR  
12/7/04

IN CITY COUNCIL

READ AND PASSED AND AMENDED

PREP

CLERK

IN CITY COUNCIL  
OCT 21 2004  
FIRST READING  
REFERRED TO COMMITTEE ON  
FINANCE

Michael P. Clemen CLERK  
Clem

THE COMMITTEE ON

Finance

Recommends

Ann M. Stelson  
CLERK

11-17-04

Communication and Report D



Department of Law

October 8, 2004

Michael R. Clement, City Clerk  
City of Providence  
City Hall  
Providence RI 02903

Dear Mr. Clement:

I was appointed to the position of Senior Assistant City Solicitor on November 5, 2003. I am aware that a condition of my employment is residency within the City of Providence. On April 15, 2004 I requested an extension of time to move to the city based on health problems.

As stated in my previous letter, my wife had back surgery on April 1, 2004. We had hoped that her convalescence would last only a few months. However, she is still suffering dizzy spells and is in considerable pain. We have sought further treatment at the Lahey Clinic in Boston with only limited success. She is still capable of only very limited physical activity. As shown by the attached letter from our family physician at the Navy Ambulatory Care Clinic in Newport, medical indications are that the strain of a move is not something she can undertake at this time. I am her sole care giver and cannot make the move alone.

Of course, I am continuing to do everything possible to prepare our house in Bristol for sale and we fully intend to move to the City as soon as medical circumstances allow.

In light of the above, I respectfully request that the City Council grant me an extension of time to allow for these medical problems to resolve. As soon as the health problems resolve, I am confident that we can find a residence and move to the City as required.

Thank you for your attention to this request.

Sincerely,

  
William T. Smitherman  
Senior Assistant City Solicitor

cc: Honorable Luis A. Aponte, Majority Leader of the City Council  
Honorable Kevin Jackson, Chairman, City Council Committee on Finance  
Margaret Wingate, Human Resources

275 Westminister Street, Suite 200 • Providence, Rhode Island 02903-1845

(401) 421-7740 (Voice) • (401) 751-0203 (TDD) • (401) 351-7596 (Facsimile)

**IN CITY COUNCIL**  
**OCT 21 2004**

**And Returned Back  
To The Committee on**

CLERK

**IN CITY COUNCIL**

**OCT 21 2004**

**Received and Referred  
to the Committee on Finance**

CLERK

*Michael R. Christ*

*Communication*

October 4, 2004

To Whom It May Concern:

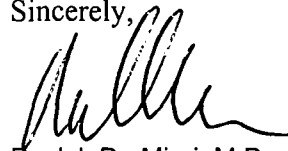
I am the primary care manager for Mrs. Linda Smitherman. She was seen here today for a physical examination and has requested that I write this letter.

Mrs. Smitherman has a history for the past two years of severe episodes of dizziness as well as severe low back and sciatic pain. On April 1, 2004 she underwent spinal surgery to repair a ruptured disk and remove arthritic bone spurs. Though somewhat improved, since the surgery she has continued to have considerable pain and episodes of dizziness and nausea.

As well as the treatment that I have prescribed, Mrs. Smitherman is under the care of a neurologist in Providence and a pain management specialist at the Lahey Clinic. Other than the medications now prescribed, no further treatment has been recommended. It is likely that only time, rest and limited exercise will be effective in leading to her eventual recovery.

The stress of a relocation in residence is not medically recommended at this time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul J. De Mieri', written over a horizontal line.

Paul J. De Mieri, M.D.

CITY OF PROVIDENCE  
DEPARTMENT OF HUMAN RESOURCES  
RESIDENCY STATUS UPDATE - FINANCE COMMITTEE HEARING, Wednesday November 17, 2004

NAME	DATE OF HIRING	TITLE	DEPARTMENT	CITY/TOWN OF RESIDENCE	STATUS
Jack Leyden	8/5/2003				Mr. Leyden resigned his employment 10-29-04
Joseph McGarry	3/8/2004	Deputy Director	Communications	Warwick, Rhode Island	<p>Mr. McGarry petitioned the City Council for extension of residency via correspondence to the City Clerk on 09-02-04. Mr. McGarry's date of compliance was 09-08-04</p> <p>Mr. McGarry is requesting a 6-month extension of residency while he makes structural changes to his current home in preparation for sale.</p>
William Smitherman	11/5/2003	Senior Assistant City Solicitor	Law Department	Bristol, Rhode Island	<p>Mr. Smitherman petitioned the City Council for extension of residency via correspondence to the City Clerk on 04-15-04. Mr. Smitherman's date of compliance was 05-05-04.</p> <p>Mr. Smitherman is requesting a 6-month extension of residency while he prepares his current home for sale. According to his letter, both he and his wife have suffered severe health problems which have hampered his efforts to move.</p>
Tamara Whaley	10/27/2004	Fiscal Officer	City Collector	Bristol, Rhode Island	<p>Ms. Whaley initially requested an extension of residency on 04-27-04 from the HR Director Sybil Bailey. The request was forwarded to the City Clerk on 05-10-04. Ms. Whaley was invited to the Finance Committee meeting of 08-19-04 via correspondence sent to her from Anna Stetson on behalf of Chairman Kevin Jackson.</p> <p>Ms. Whaley did not attend the Finance Committee Hearing on 08-19-04. She indicated in a letter of 09-13-04 that she did not receive the letter to appear at the Hearing as it was not mailed to her correct address. Please note, the address on file in the Human Resources Department on that date and currently is 314 Hope Street Bristol, RI, which is where the letter was sent.</p> <p>On 09-13-04 Ms. Whaley sent a letter of re-application of extension of residency to the City Clerk.</p> <p>On 11-15-04, Ms. Whaley contacted the HR Department inquiring whether or not she needed to attend the Finance Committee Hearing regarding her re-application for residency on 11-17-04. She then submitted correspondence to the City Clerk's Office indicating that she believed she did not need to attend the Finance Committee Meeting due to her ability to re-certify.(11-16-04)</p> <p>On 11-16-04, the HR Department verbally communicated to Ms. Whaley via telephone that she did in fact need to attend the hearing regarding her re-application.</p> <p>On 11-17-04, Sybil Bailey met with Ms. Whaley to communicate this again in person and followed up with a letter to her.</p>



Department of Law

*City of Providence*

275 Westminster Street, Suite 200

Providence, Rhode Island 02903-1845

FILED

OCT 8 10 52 AM '03

CLERK OF CITY CLERK  
PROVIDENCE, R.I.

Michael R. Clement, City Clerk  
City of Providence  
City Hall  
Providence RI 02903