

CITY OF EAST PROVIDENCE

DOCKET-CITY COUNCIL MEETING

TUESDAY, OCTOBER 3, 2023

CALL TO ORDER: 6:30 P.M.

EXECUTIVE SESSION: CONFERENCE ROOM A

OPEN SESSION WILL IMMEDIATELY FOLLOW EXECUTIVE SESSION

145 TAUNTON AVENUE-CITY COUNCIL CHAMBERS

EAST PROVIDENCE, RHODE ISLAND

Notice: The meeting will also be viewable live at:

<https://www.youtube.com/channel/UC0YEW6s1RpjckR47VMil1LA>

City Council:

Council President, Bob Rodericks – At Large

Council Vice-President: Frank Rego – Ward 1

Councilwoman Anna Sousa - Ward 2

Councilman Frank Fogarty - Ward 3

Councilman Rick Lawson - Ward 4

City Solicitor, Michael Marcello

City Clerk, Jill Seppa

I. CALL TO ORDER

Roll Call

Councilman Fogarty _____ Councilman Lawson _____ Council Vice President Rego _____

Councilwoman Sousa _____ Council President Rodericks _____

II. SALUTE TO THE FLAG

III. EXECUTIVE SESSION-

The City Council of East Providence may meet in Executive Session, pursuant to RIGL §42-46-5 (a)(2)

A. R.I.G.L. 42-26-5(5) Any discussions or considerations related to the acquisition of real property for public purposes wherein advance public information would be detrimental to the interest of the public.

VI. CONSENT CALENDAR - For discussion and possible vote-none

A. COUNCIL JOURNALS:

1. September 12, 2023 – Council meeting minutes

2. September 19, 2023 – Council meeting minutes

3. September 26, 2023 – Council meeting minutes

B. TAX ABATEMENTS:

Year	Amount
2023	\$11,893.84
Total	\$11,893.84

VII. LICENSES - For discussion and possible vote - none

A. Motion to bundle licenses C1-C3

Member	Aye	Nay
Councilman Fogarty		
Councilman Lawson		
Council Vice President Rego		
Councilwoman Sousa		
Council President Rodericks		

Motion to approve bundle

Member	Aye	Nay
Councilman Fogarty		
Councilman Lawson		
Council Vice President Rego		
Councilwoman Sousa		
Council President Rodericks		

B. NON-PUBLIC HEARING

- Special Event License-One Day Entertainment
 Applicant name: Vilija Putriute-Bauziene (Ocean State Ballet)
 Event Address: 37 North Blossom St
 Date and Time: October 7, 2023 4:00pm-7:00pm
 Type of Entertainment: Live acoustic music, dance school performance

Member	Aye	Nay
Councilman Fogarty		
Councilman Lawson		
Council Vice President Rego		
Councilwoman Sousa		
Council President Rodericks		

- Application for Bingo License
 Applicant: Steven Medeiros (Sacred Heart)

Location: 118 Taunton Avenue

Member	Aye	Nay
Councilman Fogarty		
Councilman Lawson		
Council Vice President Rego		
Councilwoman Sousa		
Council President Rodericks		

3. Business License- Sundays and Holidays- New

Applicant: Mashal Siddiqui

Business: Prime Comms LLC

Location: 775 Newport Ave, Suite 300

Member	Aye	Nay
Councilman Fogarty		
Councilman Lawson		
Council Vice President Rego		
Councilwoman Sousa		
Council President Rodericks		

C. PUBLIC HEARING

1. Application for Additional Hours to open 24 hours - New

Applicant: Laura Salvucci

Business Name: Cumberland Farms Inc dba Cumberland Farms #001302

Business Address: 125 Newport Avenue, 02916

Member	Aye	Nay
Councilman Fogarty		
Councilman Lawson		
Council Vice President Rego		
Councilwoman Sousa		
Council President Rodericks		

VIII. PROCLAMATIONS & PRESENTATIONS –

1. Acknowledgment of Coach Kristin Coutoulakis for being named Coach of the Year-
Council President Rodericks and Council Vice President Rego

IX. COMMUNICATIONS - none

Any person who submits a communication to the Council and wishes to speak on it must indicate this in writing no later than 4:00 p.m. the Thursday prior to the next regularly scheduled Council meeting. A person who lists more than one topic on their communication will be allowed to speak on the first one listed.

1. Nancy Hale – budget questions

X. PUBLIC COMMENT

All persons wishing to make public comment shall sign a public comment sheet stating their name, address and the subject of their comments. Each speaker will be limited to three (3) minutes. The order of speakers will be on a first come, first serve basis and the maximum time for public comment shall be limited to thirty (30) minutes per meeting.

XI. APPOINTMENTS - none

XII. COUNCIL MEMBERS

1. Detailed ARPA allocation, spending, and existing purchase orders from inception to date broken down by program and line item – *receive report and discussion - Council Vice President Rego*
2. Update on Police Department roofing project-*Discussion only- Councilwoman Sousa*

XIII. PUBLIC HEARINGS – Ordinance for first and final passage and second passage - For discussion and possible vote

1. An ordinance in amendment of the revised ordinances of the City of East Providence, Rhode Island, 1998, as amended.
Summary: Chapter 20 adding redevelopment agency
Sponsor: Council President Rodericks

Member	Aye	Nay
Councilman Fogarty		
Councilman Lawson		
Council Vice President Rego		
Councilwoman Sousa		
Council President Rodericks		

XIV. CONTINUED BUSINESS-

XV. NEW BUSINESS

A. MAYOR COMMUNICATIONS - none

B. REPORTS OF OTHER CITY OFFICIALS

C. REPORT OF SCHOOL COMMITTEE LIAISON

D. RESOLUTIONS - none

E. INTRODUCTION OF ORDINANCES - none

XVII. ADJOURNMENT

Member	Aye	Nay
Councilman Fogarty		
Councilman Lawson		
Council Vice President Rego		
Councilwoman Sousa		
Council President Rodericks		

If communication assistance is needed or any other accommodation to ensure equal participation, please contact the City Clerk's Office at 401.435.7590 at least 48 hours prior to the meeting date.

MEMORANDUM

TO: HONORABLE CITY COUNCIL

FROM: ASSESSOR

DATE: September 27, 2023

SUBJECT: Cancellation/ Abatements

YEAR		AMOUNT
2023		\$11,893.84
TOTAL		<u>\$11,893.84</u>

Docket Request – Communication

Name: Nancy E. Hale

Address: 889 Bullock's Point Ave.

Phone: 401 408 0228

Email Address:

Council Meeting Date: October 3rd 2023

Agenda Item: (limit one item for discussion, per person, per Council Meeting*)

example Budget Questions:

① What is city's plan to synchronize Fiscal Year w/ STATE OF RT TO

**A person who lists more than one topic on their communication will be allowed to speak on the first one listed. (Council Rules of Procedure readopted March 19, 2019)*

STOP paying \$100,000 - \$400,000 in interest to

Describe point in detail or attach copies of handout for Council describing point, please try to be as specific as possible. Example: "Request for a new swing set at Pierce Field" is better than "Request for new playground equipment":

stab of RI?

② ~~cost~~ COST to cancel Pawtucket Ave speed camera.

****NOTE:** Requests must be submitted to the City Clerk's Office no later than Thursday, 4:00pm, prior to the Council Meeting date you are requesting.

③ COST to put a fence around Kent Heights elementary school? (Pawtucket Ave)

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE

CHAPTER

**AN ORDINANCE IN AMENDMENT OF THE REVISED ORDINANCES
OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED**

SECTION I. The Revised Ordinances of the City of East Providence, Rhode Island are hereby amended by adding thereto the following:

CHAPTER 20. REDEVELOPMENT AGENCY

Article I. East Providence Redevelopment Agency

Sec. 20-1. East Providence Redevelopment Agency; creation and membership.

There shall be an East Providence Redevelopment Agency ("agency"). The agency shall consist of five members appointed by the mayor and approved by the council from among persons who are residents and domiciliaries of the city. The members who are first appointed following establishment of the agency shall be designated to serve for calendar year terms of one, two, three, four, and five years respectively. Thereafter members shall be appointed for a term of office of five years such that the term of one member shall expire at the end of each calendar year. All vacancies that occur during a term shall be filled for the unexpired term in the same manner as an appointment. A member continues holds office after an expired term until their successor has been appointed and has qualified. No member of the agency may be an elected officer or an employee of the City. The powers of the agency shall be vested in the members thereof then in office. Members shall receive their actual and necessary expenses including travel expenses and may receive such other compensation as the city council may prescribe. Members may be removed in accordance with Sections 2-39 and 2-40 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended. The Redevelopment Agency shall be listed on the city website in accordance with the provisions of Section 2-38 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended.

Sec. 20-2. Officers.

The agency shall elect a chairperson and vice-chairperson from among its members. The agency shall elect or appoint a secretary who need not be a member of the agency. The term of office of the chairperson, vice-chairperson, and secretary shall be for the calendar year, or for that portion remaining after each such officer is designated or elected.

Sec. 20-3. Meetings.

The agency shall publish its annual meeting schedule with the Secretary of State and shall schedule regular meetings for each month. Meetings may be cancelled if no agenda items beyond minutes from the previous meeting(s) require a vote.

Sec. 20-4. Agency powers.

The agency shall have all of the powers, duties, and responsibilities in connection with the redevelopment of blighted and substandard areas in the city, and for all other purposes, as set forth in the applicable laws of the state and of the federal government, the Charter, and any applicable municipal ordinances, now or hereinafter in effect for redevelopment agencies generally or the agency in particular, including:

(a) To sue and be sued; to borrow money; to compromise and settle claims; to have a seal; and to make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(b) To make, and, from time to time, amend and repeal bylaws, rules, and regulations, consistent with the Redevelopment Act, to carry into effect the powers and purposes of the Redevelopment Act.

(c) To select and appoint officers, agents, counsel, and employees, permanent and temporary, as it may require, and determine their qualifications, duties, and compensation.

(d) Within the redevelopment area, or for purposes of redevelopment, to purchase, lease, obtain an option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, or any estate or interest in it, together with any improvements on it; to rehabilitate or otherwise improve any or all substandard buildings, structures, or other improvements; to insure or provide for the insurance of any real or personal property or operations of the agency against risk or hazard; and to rent, maintain, rehabilitate, improve, manage, operate, repair, and clear the property.

(e) To develop as a building site any real property owned or acquired by the agency.

(f) To cause streets and highways to be laid out and graded, and pavements or other road surfacing, sidewalks and curbs, public utilities of every kind, parks, playgrounds and other recreational areas, off-street parking areas, and other public improvements to be constructed and installed.

(g) To prepare or have prepared all plans necessary for the redevelopment of blighted and substandard areas; with the consent and approval of the planning board, to carry on and perform all or any part of the planning activities and functions within the community; to undertake and perform, for the community, industrial, commercial, and family relocation services; to obtain appraisals and title searches; to make investigations, studies, and surveys of physical, economic, and social conditions and trends pertaining to a community; to develop, test, and report methods

and techniques and carry out research and other activities for the prevention and the elimination of blighted and substandard conditions and to apply for, accept, and utilize grants of funds from the federal government and other sources for those purposes; and to enter upon any building or property in any redevelopment area in order to make investigations, studies, and surveys, and in the event entry is denied or resisted, the agency may petition the county superior court for an order for this purpose. Upon the filing of a petition, due notice of it shall be served on the person denying or resisting entry, and after a hearing on the petition, the court shall enter an order granting or denying the petition).

(h) To undertake technical assistance to property owners and other private persons to encourage, implement, and facilitate voluntary improvement of real property.

(i) To undertake and carry out code enforcement projects pursuant to the provisions of appropriate federal legislation.

(j) To invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control; and to purchase its bonds at a price not more than the principal amount and accrued interest, all bonds so purchased to be cancelled.

(k) To lend money, and to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber (by mortgage, deed of trust, or otherwise), or otherwise dispose of any real or personal property or any estate or interest in it acquired under the provisions of the Redevelopment Act, to the United States, the state government, any state public body, or any private corporation, firm, or individual at its fair value for uses in accordance with the redevelopment, project, and tax increment district master plan, irrespective of the cost of acquiring and preparing the property for redevelopment. (In determining the fair value of the property for uses in accordance with the redevelopment, project, and tax increment district master plan, the agency shall take into account and give consideration to the uses and purposes required by the plan, the restrictions upon and the obligations assumed by the purchaser or lessee of the property, and the objectives of the redevelopment, project, and tax increment district master plan for the prevention of the recurrence of blighted and substandard conditions. Any lease or sale of the property may be made without public bidding, provided that no sale or lease is made until at least ten days after the town council has received from the agency a report concerning the proposed sale or lease.)

(l) To obligate the purchaser or lessee of any real or personal property or any estate or interest in it to:

(1) Use the property only for the purpose and in the manner stated in the redevelopment, project, and tax increment district master plan;

(2) Begin and complete the construction or rehabilitation of any structure or improvement within a period of time which the agency fixes as reasonable; and

(3) Comply with other conditions that, in the opinion of the agency, are necessary to prevent the recurrence of blighted and substandard conditions and otherwise to carry out the

purposes of the Redevelopment Act. (The agency, by contractual provisions, may make any of the purchasers' or lessees' obligations, covenants, or conditions running with the land, and may provide that, upon breach thereof, the fee reverts to the agency.)

(m) To exercise all or any part or combination of the powers granted in R.I.G.L. 1956, Chapters 45-31 through 33.3 or any other powers that may be enabled or granted by the State of Rhode Island to a redevelopment agency as such may occur from time to time.

(n) To construct new buildings for residential, recreational, commercial, industrial, institutional, public, or other uses contemplated by the redevelopment, project, and tax increment district master plan.

(o) To grant or loan any redevelopment project revenues, or other revenues, including the proceeds of any issue of bonds or notes issued pursuant to this chapter to an individual or any nonprofit organization or governmental or quasi-governmental entity or private enterprise, in order to finance the cost of any portion of a redevelopment project authorized pursuant to R.I.G.L. 1956, Chapters 45-31 through 33.3, including, without limiting the generality of the foregoing, the cost of acquiring land for, and constructing or rehabilitating, furnishing and equipping residential, commercial, industrial, institutional, public, or recreational facilities, within a redevelopment area, or to loan bond or note proceeds in order to refinance any such loans.

(p) To retain a master developer for all or any portion of a project. Any master developer position shall be subject to advertising and solicitation of applicants shall be approved at a duly posted public meeting of the agency.

Sec. 20-5. Budget

The agency shall submit an annual budget to the city council, including a statement of all revenues and expenditures for the prior fiscal year.

Sec. 20-6. Municipal Taxes, Fines, and Fees

All municipal taxes, fines, and fees shall be waived upon the transfer of agency property. No action shall be brought by the city against the agency for any unpaid taxes, fines, or fees. Any proceeds from agency property may be used to repay previously unpaid taxes, fines, and fees for the respective property.

Sec. 20-7. City support

City entities, including, but not limited to departments, boards and commissions shall assist the agency with the performance of its duties as required. The mayor shall direct the completion of tasks requested by the agency.

Sec. 20-8. Petitions

The agency shall respect the US Constitution First Amendment right to petition the government. Any written request to the agency, including, but not limited to requests to transfer property, shall be considered at the next regularly scheduled meeting of the agency.

Sec 20-9. Sale of Property

Agency property shall be offered to the public through the city purchasing agent for a minimum of ten (10) business days through competitive negotiation. The agency shall not be required to select the most valuable offer. Parcel assemblage may be considered in award of sale. Sale terms may include a percent ownership interest in the resulting development or other financial mechanism to enhance the agency's return on investment or increase the development potential of transferred property.

Sec 20-10. Coordination with Chamber of Commerce

The Agency shall confer with the East Providence Chamber of Commerce in the effectuation of its duties.

Sec 20-11. Revenue and Debts

Both the City of East Providence and the Redevelopment Agency are distinct corporate entities each functioning for similar but distinct public purpose. As distinct corporate bodies, any debt or obligation incurred by the Redevelopment Agency is not and shall not be the debt of the City of East Providence or any agent or body thereof and vice versa. The City of East Providence may grant, transfer, or loan funds to the redevelopment agency from time to time as such may be appropriate, but such transactions shall only occur by and through an ordinance or resolution of its Council or public ratification of a bond as each may be appropriate from time to time. Neither the City of East Providence nor the Redevelopment Agency shall have the authority to demand sums or other remuneration from the other, such transactions shall only occur by means of voluntary means in the ordinary course of business in fulfillment of each corporate entity's duties or responsibilities.

The redevelopment agency has a duty to generate revenue as means to further its purpose. Any revenue generated by the Redevelopment Agency in excess of its debt and obligations shall be held in trust by the Redevelopment Agency expressly for the benefit of the redevelopment agency for the express and limited purpose of furthering the purpose of the agency. Such funds may be invested by the redevelopment agency to further the goals of the redevelopment agency. No such funds shall be invested in a manner that is unlikely to be returned to the redevelopment agency unless there is an affirmative finding of the redevelopment agency that there is no reasonable alternative whereby the redevelopment agency can effectuate its purpose.

Secs. 20-12.—20-86. Reserved.

Article II. Redevelopment Areas

Sec. 20-87. Severability

If any chapter, section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance, which shall remain in full force and effect. The City Council hereby declares that it would have adopted the Ordinance in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Given first passage _____ and referred to _____ at 6:30 p.m. for a hearing and consideration of final passage; and adopted _____.

Attest:

City Clerk of the City of East Providence, RI

Introduced by: