

**CITY OF EAST PROVIDENCE
JOURNAL- REGULAR COUNCIL MEETING
TUESDAY APRIL 20, 2021
CALL TO ORDER: 6:30 P.M.
145 TAUNTON AVENUE-CITY COUNCIL CHAMBERS
EAST PROVIDENCE, RHODE ISLAND**

OPEN SESSION WILL RESUME IMMEDIATELY FOLLOWING EXECUTIVE SESSION

City Council:

- Council President, Robert Britto - Ward 1
- Council Vice-President: Bob Rodericks - At Large
- Councilwoman Anna Sousa - Ward 2
- Councilman Nate Cahoon - Ward 3
- Councilman Ricardo Mourato - Ward 4

City Solicitor, Michael J. Marcello
City Clerk, Samantha Burnett

As a result of the COVID-19 pandemic, this meeting can be attended in person or virtually, through an application called, "Zoom".

IN ORDER TO PARTICIPATE VIRTUALLY, USE THE FOLLOWING OPTIONS:

By phone: Call the toll free number: 1-877-853-5247 (audio only) and enter the following information:

MEETING ID: 993-0796-0324
NO PASSCODE NEEDED

By computer or smartphone (this is the audio and video option):

To participate visually (with audio) you will need to log into the following from your computer or smartphone, go to: www.zoom.us

Enter the following information when prompted:

MEETING ID: 993-0796-0324
NO PASSCODE NEEDED

Once entered, you will be able to join the meeting. At the appropriate time for public comment the moderator will allow you to provide comment at the meeting.

The meeting will also be available live on our city website, located at:

http://www.clerkbase.com/RI_EastProvidence_Live_CityCouncil.html

REGARDING PUBLIC COMMENT

In addition, written public comment on any agenda item can be submitted by 4:00 p.m. on Tuesday, April 20, 2021 in the following delivery methods:

Email the City Clerk at: sburnett@eastprovidenceri.gov

Deliver your written comment in person to the City Clerk

Location: City Hall 145 Taunton Avenue East Providence, Rhode Island 02914

IF YOU WISH TO PARTICIPATE IN PUBLIC COMMENT VIA ZOOM, YOU MUST USE THE "RAISE HAND" FUNCTION VIA ZOOM NO LATER THAN 7:15 P.M. TO BE RECOGNIZED BY THE MODERATOR OF THE MEETING.

REGARDING PUBLIC COMMENT


In addition, written public comment on any agenda item can be submitted by 4:00 p.m. on Tuesday, April 20, 2020 in the following delivery methods:

Email the City Clerk at: sburnett@eastprovidenceri.gov

Deliver your written comment in person to the City Clerk

Location: City Hall 145 Taunton Avenue East Providence, Rhode Island 02914

IF YOU WISH TO PARTICIPATE IN PUBLIC COMMENT VIA ZOOM, YOU MUST USE THE "RAISE HAND" FUNCTION VIA ZOOM NO LATER THAN 6:30 P.M. TO BE RECOGNIZED BY THE MODERATOR OF THE MEETING.

I. CALL TO ORDER – Council President Britto called the meeting to order. 

II. PLEDGE OF ALLEGIANCE – Council President Britto led the Pledge.

III. APPROVAL OF THE CONSENT CALENDAR

A. COUNCIL JOURNALS:

APRIL 6, 2021 REGULAR COUNCIL MEETING

B. TAX ABATEMENTS/CANCELLATIONS

2020: \$174.10

Councilman Cahoon made the motion to approve the Consent Calendar. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

PUBLIC COMMENT 

Each speaker will be limited to three (3) minutes. The order of the 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.

1. Candy Seel spoke on "Metacomet"
2. Heather Andrade spoke on "Metacomet"
3. Dr. Alan D'Aiello spoke on "Grass Plains"
4. David O'Connell spoke on "Marshall former development at Metacomet"
5. P. J. Doppke spoke on "Marshall at Metacomet"
6. Sarah Smalley spoke on "Short Term Rentals/Grassy Plains"
7. Rick Lawson spoke on "No Eminent Domain"
8. Delmar Condinho spoke on "Metacomet"
9. Sheila Perkins read in statement and spoke on "Metacomet"
10. Judith Nudelman spoke on "Short Term Rental Ordinance"
11. Michael Collins spoke on "Short Term Rental Ordinance"
12. Lynn Miller spoke on "Metacomet"
13. Jennifer Grantham spoke on "Short Term Rental"
14. Roselette Dewitt had a statement read in on the record by City Clerk, Samantha Burnett
15. Aida Vezikov had a statement read in on the record by City Clerk, Samantha Burnett
16. Councilman Mourato made a statement regarding the current scenario of the East Providence Police Department being vandalized.

IV. COUNCIL APPOINTMENTS

1. Comprehensive Plan Community Advisory Board – Sarah Smalley (Councilman Cahoon)

Motion to approve Ms. Smalley to the Comprehensive Plan Community Advisory Board by Councilman Cahoon. Motion seconded by Councilman Mourato.

Motion passes unanimously, 5-0

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

V. MAYORAL APPOINTMENTS WITH COUNCIL APPROVAL

1. Tamara Primmer – Juvenile Hearing Board Term: 01/03/2020-01/02/2023 (Replacing Rosemaria Pereira)

Motion to approve Ms. Primmer made by Councilwoman Sousa. Motion seconded by Councilman Cahoon. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

VI. MAYORAL APPOINTMENTS WITHOUT COUNCIL CONFIRMATION

(Correspondence Only)

1. Domenic Pontarelli – Affirmative Action Term 04/20/2021-04/19/2023
2. Michael Sullo – Affirmative Action Term 04/20/2021-04/19/2023
3. Tiesha Nieves Sinouhassy – Affirmative Action Term 05/02/2020-05/01/2022
4. Victor S. Regino – Affirmative Action Term 04/21/2021-04/20/23

VII. NEW BUSINESS

1. Presentation of optional development design planned by Marshall Development, LLC. regarding the property located at 500 Veterans Memorial Parkway, East Providence 02914, formerly known as Metacomet Golf Club. (MAP 107/BLOCK 15/PARCEL 1) 

PRESENTATION ONLY. NO VOTES WILL BE TAKEN.

Representatives from Marshall Development were present. The copy of the presentation is included with the physical minutes.

a) COUNCIL COMMUNICATIONS

1. Short Term Rental Ordinance Discussion – Councilman Mourato

There will be a workshop that was scheduled for Thursday, May 6th at 7:00 p.m. to talk about the ordinance and possible revisions. This will be held in the Council Chambers.

2. Grassy Plains Funding and Allocation Update – Councilman Mourato

Friends of Grassy Plains representative, Dr. Alan D'Aiello, Jr. & P.J. Doppke were present and updated the Council on the progress of the playground. Councilman Mourato added to the conversation with updates on the City side. Director of Administration, Napoleon Gonsalves contributed to the conversation regarding the expenses and the leftover funding in the amount of \$67,552.77.

b) COMMUNICATIONS – OFFICE OF THE MAYOR

1. Tree City USA recognition (Napoleon Gonsalves)

Public event, everyone is welcome to attend as they plant trees at the North Hull Playground.

2. Community Earth Day/Month Clean Up (Napoleon Gonsalves)

Challenge to make East Providence litter free. All information is available on the East Providence city website.

3. Arbor Day/RI Tree Council Event (Napoleon Gonsalves)

Covered in items #1 and #2.

4. March Capital/Expense Report (Malcolm Moore)

Mr. Moore was present or the Council. Monthly report going forward he will continue to send the report to the Council with the expenses to date and a report on Capital.

5. Update on Road Repaving (Dan Borges)

Director Borges was available for the Council. The roadway project began last week in Rumford. Beginning the paving of roadways. Starting in Rumford and finishing in Riverside.

6. Executive Order 2021-011: Extension of Municipal Emergency – FOR VOTE

Extend to May 10, 2021. Motion to approve by Councilman Cahoon. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

c) REPORTS OF OTHER CITY OFFICIALS

1. Boards and Commissions Update: City Clerk, Samantha N. Burnett

City Clerk, Samantha Burnett, shared with the Council that as of March 1, 2021, there were 11 applications received, and provided status of those who have been appointed since.

d) RESOLUTIONS

Full resolutions on ClerkBase, under 04/20/2021 agenda: <https://www.clerkshq.com/eastprovidence-ri>

1. RESOLUTION PROCLAIMING APRIL 24, 2021 AS “ARMENIAN GENOCIDE REMEMBRANCE DAY” TO COMMEMORATE THE ARMENIAN GENOCIDE OF 1915 TO 1923 AND IN HONOR OF ARMENIAN-AMERICANS

Sponsor: Council President Britto

Councilman Cahoon made the motion to approve by Councilman Cahoon. Motion seconded by Council Vice President Rodericks. Motion passes 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

2. RESOLUTION SUPPORTING THE PASSAGE OF RHODE ISLAND SENATE BILL S-0575, GRANTING A PERSONAL INCOME TAX EXEMPTION TO ARTISTS WITHIN THE EAST PROVIDENCE ARTS DISTRICT

Sponsors: Council Vice President Rodericks and Councilman Cahoon

Motion to approve by Councilman Cahoon. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 5-0. Councilman Cahoon also requested the City Clerk, Samantha Burnett, to forward this resolution to Senator Val Lawson.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

3. RESOLUTION REQUESTING THE CITY COUNCIL RE-NAME THE FRANCIS FINN FIELD AT THE HARRY C. MUTTER, JR. ATHLETIC COMPLEX AS THE “FRANCIS FINN/ROBERT O. CLARK FIELD”

Sponsor: Council Vice President Rodericks

Motion to approve the resolution made by Council Vice President Rodericks. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

4. RESOLUTION REQUESTING THE EAST PROVIDENCE CITY COUNCIL NAME THE PLAYGROUND AT GRASSY PLAIN PARK AS THE BLAKE COSTA PLAYGROUND AT GRASSY PLAIN PARK"

Sponsor: Council Vice President Rodericks

Council Vice President Rodericks made the motion to approve the resolution. Motion seconded by Councilwoman Sousa. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

5. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE LEASE AGREEMENT BETWEEN THE CITY OF EAST PROVIDENCE AND LIVE NATION WORLDWIDE, INC. Sponsor: Councilwoman Sousa

Sponsor: Councilwoman Sousa

Katie Spaziano, with Waterfront Concerts was present for the Council. Motion to approve made by Councilwoman Sousa. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	

Rodericks	x	
Sousa	x	
Britto	x	

e) INTRODUCTION TO ORDINANCES FOR FIRST PASSAGE

Full ordinances on ClerkBase, under 04/20/2021 agenda: <https://www.clerkshq.com/eastprovidence-ri>

1. ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS

Sponsor: Council President Britto

Motion to approve for first passage made by Councilman Cahoon. Motion seconded by Councilman Mourato. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

2. AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED "VEHICLES AND TRAFFIC"

Section Section 18-268 (c) The following streets shall be designated "Do Not Enter-Local Traffic Only:" Mountain Avenue

Sponsor: Councilman Cahoon

Motion to approve made by Councilman Cahoon. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

f) ORDINANCES FOR FIRST AND FINAL PASSAGE (AND PUBLIC HEARING)

Full ordinances on ClerkBase, under 04/20/2021 agenda: <https://www.clerkshq.com/eastprovidence-ri>

1. AN ORDINANCE IN AMENDMENT OF CHAPTER 19 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE RHODE ISLAND 1998, AS AMENDED, ENTITLED, "ZONING" (Article III, Section 19-95)

Request to amend the City's Zoning Map from R-3 to C-2

Applicant/Owner: Bianco Realty Associates, LLC

Street location: 697-699 Willett Avenue

Map 512, Block 22, Parcel 60

Sponsors: Council Vice President Rodericks and Councilman Mourato

(Clerk's note: Motion to table to a date this ordinance to a date certain (4/20/2021) made at the April 4, 2021 Council Meeting. Ordinance advertised in March 4th and March 11th editions of The Post.)

Attorney Christine Engustian, was present and represented the petitioner. Discussion was had between the Council and the petitioner.

Public Hearing was offered. Shelia Perkins exercised her right to speak against this zoning change to the Council.

Councilman Mourato made the motion to table to a date certain which is May 4th for additional information and clarification from the East Providence Planning Department. Motion seconded by Council Vice President Rodericks. Motion to table passes 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

g. ORDINANCES FOR SECOND AND FINAL PASSAGE (AND PUBLIC HEARING)

1. AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED "VEHICLES AND TRAFFIC"

SECTION I. Article XIII

Sponsor: Council President Britto

Public Hearing offered and it was not exercised by the public.

Public Hearing closed.

Motion to approve made by Councilwoman Sousa. Motion seconded by Councilman Cahoon. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

2. AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED "VEHICLES AND TRAFFIC" (Stop Sign at Viola Avenue and Pine Crest Drive, 02915)

Section 18-269

Sponsor: Councilman Mourato

Public hearing offered and it was not exercised by the public.

Public Hearing closed. Motion to approve made by Councilman Mourato. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

3. AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED "UTILITIES." (Sec. 17-36 Water Rates)

Sponsor: Councilman Cahoon

Public Hearing offered. Mr. Jim Marcel was available if anyone had any questions. Public Hearing was not exercised by the public and public hearing was closed. Motion to approve by Councilman Cahoon. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

VIII. ADJOURNMENT

Motion to adjourn in the name of Blake Costa and his family by Council Vice President Rodericks. Motion seconded by Councilman Cahoon. Motion passes 5-0.

Member	Aye	Nay
Cahoon	x	
Mourato	x	
Rodericks	x	
Sousa	x	
Britto	x	

If communication assistance is needed or any other accommodations to ensure equal participation, please contact the City Clerk, Samantha Burnett at 401.435.7596 at least 48 hours prior to the meeting date.

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.
RESOLUTION PROCLAIMING APRIL 24, 2021 AS
"ARMENIAN GENOCIDE REMEMBRANCE DAY"
TO COMMEMORATE THE ARMENIAN GENOCIDE OF
1915 TO 1923 AND IN HONOR OF ARMENIAN-AMERICANS

WHEREAS, The Armenian Genocide was conceived and carried out by the Ottoman Empire from 1915 to 1923, and resulted in the deportation of nearly 2,000,000 Armenians, of whom 1,500,000 men, women, and children were killed, and the remaining 500,000 survived but were expelled from their homes. This act succeeded in the elimination of the Armenians from their historic ancestral homeland where they had resided for over 2,500 years; and

WHEREAS, On May 24, 1915, for the first time ever, the Allied Powers of England, France, and Russia, jointly issued a statement explicitly charging another government of committing "a crime against humanity"; and

WHEREAS, This joint statement declared, "the Allied Governments announce publicly to the Sublime Porte that they will hold personally responsible for these crimes all members of the Ottoman Government, as well as those of their agents who are implicated in such massacres"; and

WHEREAS, United States Ambassador Henry Morgenthau, Sr. explicitly described the policy of the Ottoman Empire's government to the United States Department of State as "a campaign of race extermination," and on July 16, 1915, was informed by United States Secretary of State Robert Lansing that the "Department approves your procedure . . . to stop Armenian persecution"; and

WHEREAS, The post-World War I Turkish government indicted the top leaders involved in the organization and execution of the Armenian Genocide and in the "massacre and destruction of the Armenians," and in a series of court-martials, officials of the Young Turk regime were charged, tried and convicted, for organizing and executing massacres against the Armenian people; and

WHEREAS, In 1948, the United Nations War Crimes Commission invoked the Armenian Genocide as "precisely . . . one of the types of acts which the modern term 'crimes against humanity' is intended to cover" as a precedent for the Nuremberg tribunals; and

WHEREAS, The United States National Archives and Record Administration holds extensive and thorough documentation on the Armenian Genocide, especially in its holdings under Record Group 59 of the United States Department of State, files 867.00 and 867.40, which are open and widely available to the public and interested institutions; and

WHEREAS, The United States Holocaust Memorial Council, an independent federal agency, unanimously resolved on April 30, 1981, that the United States Holocaust Memorial Museum would include the Armenian Genocide in the museum and has since done so.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby recognizes April 24, 2021 as:

"AMERICAN GENOCIDE REMEMBRANCE DAY"

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council President Robert Britto

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.

RESOLUTION SUPPORTING THE PASSAGE OF RHODE ISLAND SENATE BILL
S-0575, GRANTING A PERSONAL INCOME TAX EXEMPTION TO ARTISTS WITHIN THE EAST PROVIDENCE ARTS DISTRICT

WHEREAS, the arts constitute an essential segment of any vibrant municipal community; and

WHEREAS, Arts and Entertainment districts have been established in Pawtucket, Providence and Woonsocket, incentivizing entrepreneurship among artists in those communities; and

WHEREAS, Senators Lawson, Coyne, and Mendes have sponsored Rhode Island Senate Bill S-0575, defining the East Providence Art District as follows: "The 'East Providence Art District' shall be defined at a point of land on the northeast bank of the Seekonk River abutting the Henderson Bridge and proceeding easterly along Wilmarth Avenue to a point at the intersection of North Broadway, then proceeding southerly to South Broadway and continuing to the intersection of Warren Avenue, then proceeding westerly on the southerly side of Warren Avenue to the intersection with Burgess Avenue, then proceeding southerly to the intersection at Veterans Memorial Parkway, then proceeding westerly to the intersection at Waterfront Drive, including the area known as Bold Point Park, then northerly along the southeast bank of the Seekonk River back to the point of the beginning;" and

WHEREAS, Rhode Island Senate Bill S-0575 would grant an exemption from the personal income tax to writers, composers and artists residing within the East Providence Arts District, thereby incentivizing arts-focused entrepreneurs to invest in commercial enterprises within this historically underutilized economic zone; and

WHEREAS, Rhode Island Senate Bill S-0575 is endorsed by the East Providence Arts Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Providence hereby supports Rhode Island Senate Bill S-0575 and requests that the City Clerk send a copy of this Resolution to the Governor of the State of Rhode Island, the Lieutenant Governor of the State of Rhode Island, the President of the Rhode Island Senate, the Speaker of the Rhode Island House of Representatives and the Senators and Representatives from the City of East Providence.

This resolution shall take effect upon passage.

Adopted by City Council: _____

Attest:

City Clerk of the City of East Providence, Rhode Island

Introduced by: Council Vice President Rodericks and Councilman Cahoon

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.

RESOLUTION REQUESTING THE CITY COUNCIL RE-NAME THE
FRANCIS FINN FIELD AT THE HARRY C. MUTTER, JR. ATHLETIC COMPLEX
AS THE "FRANCIS FINN /ROBERT O. CLARK FIELD"

WHEREAS, the 2018 season marked the 50th year of sponsoring softball in Rhode Island by Clark & Sons, a small locksmith business started by Walter and Robert O. Clark in 1964; and

WHEREAS, "Clarks" has been a staple of leagues in the City and throughout Rhode Island for five decades. The 1979 team including names familiar to many East Providence residents like Mike Roe, Chucky Manz, Johnny Johnson, Bobby Balkum, Barry Blumsted, among others achieved the greatest heights of all Clark & Sons sides, but the name has been synonymous with softball success for five decades now; and

WHEREAS, the years have had many highlights such as winning two Men's Class "A" State Titles in 1976 and 1979 and winning the Men's Class "A" National Championship in 1979, being the first men's team from Rhode Island ever to accomplish this feat; and

WHEREAS, as years went by, it seemed to Robert only right to sponsor a team in the senior league which was a way for him to continue playing. He played for his eponymous squad in the Rhode Island Men's Over-50 Softball League until he was 75. The team won the RIMSL Over-50 Division title in the summer of 2018; and

WHEREAS, in November 2018, Robert O. Clark was among the first inductees into the newly created Rhode Island American Softball Association Hall of Fame; and

WHEREAS, the Mayor of the City of East Providence hereby requests that the City Council re-name the Francis Finn Field as the Francis Finn/Robert O. Clark Field.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby re-names the Francis Finn Field located at the Harry C. Mutter Athletic Complex to the:

FRANCIS FINN/ROBERT O. CLARK FIELD

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council Vice President Rodericks

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.

RESOLUTION REQUESTING THE EAST PROVIDENCE CITY COUNCIL
NAME THE PLAYGROUND AT GRASSY PLAIN PARK AS THE
"BLAKE COSTA PLAYGROUND AT GRASSY PLAIN PARK"

WHEREAS, Blake Daniel Costa was born in August 2014 in Riverside to his loving parents, Nicholas and Lisa Costa; and

WHEREAS, Blake sadly passed away in May 2020 after a 4-year battle with brain cancer; and

WHEREAS, Blake loved being with his grandparents, family and friends as well as being outside, going to the park, seeing animals, painting, coloring, riding the tractor with his father and being "Chef Blake". He had a passion for cooking and always wanted to cook for others; and

WHEREAS, Blake was a strong, brave and courageous boy who never had any fear and met every challenge head on with a smile and was affectionally called by many "The Beast", the perfect name for the warrior that he was; and

WHEREAS, Blake left an enduring mark on so many people's lives and the community and has brought so many people together over his life by showing others his bravery and love for life; and

WHEREAS, the Mayor of the City of East Providence hereby requests that the City Council name the playground at Grassy Plain Park as the "Blake Costa Playground at Grassy Plain Park."

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby names the playground at Grassy Plain Park as the:

BLAKE COSTA PLAYGROUND AT GRASSY PLAIN PARK

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council Vice-President Rodericks

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.
RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE
LEASE AGREEMENT BETWEEN THE CITY OF EAST PROVIDENCE
AND LIVE NATION WORLDWIDE, INC.

WHEREAS, the current Lease Agreement between the City of East Providence and Live Nation Worldwide, Inc. will expire as of June 15, 2021; and

WHEREAS, Live Nation Worldwide, Inc. would like to continue to use the property located at Bold Point Park along Waterfront Drive, Map 6, Block 1, Parcel 3 for the presentation of music performances, festivals and other entertainment or private events; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby authorizes the Mayor of the City of East Providence to execute the Lease Agreement between the City of East Providence and Live Nation Worldwide, Inc. attached hereto as Exhibit A.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Councilwoman Sousa

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CITY OF EAST PROVIDENCE
CHAPTER
AN ORDINANCE IN AMENDMENT OF CHAPTER 19 OF THE REVISED
ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND 1998,
AS AMENDED, ENTITLED "ZONING"

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Section 19-95 entitled "Districts Designated" of Article III entitled "District Regulations" is hereby amended as follows:

Parcel 060.00 on Assessor's Map 512, Block 22 presently located in a Residential-3 (R-3) District is hereby changed to be included in a Commercial-2 (C-2) District.

The Zoning Map of the City of East Providence shall be amended accordingly.

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

Adopted: _____

Attest:

City Clerk of the City of East Providence, Rhode Island

Requested by: Bianco Realty Associates, LLC

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
CHAPTER
ORDINANCE AUTHORIZING THE ISSUANCE
OF GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, the City of East Providence (the "City") has previously issued its \$15,000,000 General Obligation Bonds dated October 4, 2012 through the Public Schools Revenue Bond Financing Program of the Rhode Island Health and Educational Building Corporation ("RIHEBC"), (the "Prior Bonds"); and

WHEREAS, the City desires to issue general obligation refunding bonds (the "Refunding Bonds") to refund all or any part of the Prior Bonds in order to take advantage of the lower interest rates which currently are prevailing; and

The Council of the City of East Providence hereby ordains:

SECTION 1. Pursuant to Rhode Island General Laws Section 45-12-5.2 the City is authorized to issue Refunding Bonds of the City in an amount necessary to refund all or a portion of the Prior Bonds and to provide for any principal of, redemption premium, and interest on the Prior Bonds coming due on or prior to the date on which the Prior Bonds are to be redeemed, and costs of issuance of the Refunding Bonds.

SECTION 2. The issuance of the Refunding Bonds will result in a financial benefit to the City.

SECTION 3. The manner of sale, amount, denominations, maturities, conversion or registration privileges, interest rates, medium of payment, and other terms, conditions and details of the Refunding Bonds authorized herein may be fixed by the officers authorized to sign the Refunding Bonds. The City may enter into a financing and/or other agreements with the RIHEBC pursuant to Title 45, Chapter 38.1 of the General Laws.

SECTION 4. The City Council hereby authorizes the Director of Finance and the Mayor acting on behalf of the City, to issue the Refunding Bonds for the purposes set forth in this Ordinance and to take all actions as they deem necessary to effect the issuance of the Refunding Bonds. The Refunding Bonds shall be issued by the City under its corporate name and seal or facsimile of such seal. The Refunding Bonds shall be signed by the manual or facsimile signature of the Director of Finance and the Mayor.

SECTION 5. The Director of Finance and the Mayor are hereby authorized to issue the Refunding Bonds and deliver them to RIHEBC and said officers are hereby authorized and instructed to take all actions, on behalf of the City, necessary to ensure that interest on the Refunding Bonds will be excludable from gross income from federal income tax and state income tax purposes, if applicable and to refrain from all actions which would cause interest on the Refunding Bonds to become subject to federal income taxes or state income taxes, as applicable.

SECTION 6. The Director of Finance and the Mayor are authorized to take all actions necessary to comply with federal tax and securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") and to execute and deliver a Continuing Disclosure Certificate in connection with the Refunding Bonds in the form as shall be deemed advisable by the Director of Finance and the Mayor in order to comply with the Rule. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, as it may be amended from time to time. Notwithstanding any other provision of this Ordinance or the Refunding Bonds, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any bondholder 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 Section and under the Continuing Disclosure Certificate.

SECTION 7. This ordinance shall take effect upon its 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 East Providence, Rhode Island
Introduced by: Council President Britto

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
CHAPTER
AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
"VEHICLES AND TRAFFIC"
THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Sec. 18-268 entitled "Through streets designated" of Article IX entitled "Stop Intersections" of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998 as amended, entitled "Vehicles and Traffic." is amended to read as follows:

Sec. 18-268. Through streets designated.

- (a) Those streets and parts of streets designated as through streets are on file in the city clerk's office.
- (b) The city council is hereby empowered to designate thoroughfares as "Do Not Enter-Local Traffic Only" and to cause the erection and maintenance of signs showing such designation. Prior to the designation of any such thoroughfare, the city council shall require and consider any reports from the chief of police, the fire chief, and the director of the department of public works.
- (c) The following streets shall be designated "Do Not Enter-Local Traffic Only:"

Mountain Avenue

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
Introduced by: Councilman Cahoon

AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
"VEHICLES AND TRAFFIC"

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Article XIII entitled "Motorcycles and Off-Highway Motor Vehicles" of Chapter 18 entitled "Vehicles and Traffic" is amended by adding thereto the following:

DIVISION 1. SNOWMOBILES AND RECREATIONAL OFF-ROAD VEHICLES

Sec. 18-406. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Operate means to control the operation of a snowmobile or recreational off-road vehicle.

Operator means a person who operates or is in actual control of a snowmobile or recreational off-road vehicle.

Recreational off-road vehicle means a motorized or electronic vehicle designed to travel over unimproved terrain including but not limited to minibikes, dirt bikes, all-terrain vehicles, and any other three (3) or four (4) wheel vehicle regardless of type or design. This shall not be construed to include golf mobiles or golf carts, riding lawn mowers, or garden tractors.

Snowmobile means a vehicle designed for travel on snow or ice in a natural terrain steered by wheels, skis or runners.

Register means the act of registering a snow mobile or recreational off-road vehicle, as defined in this section, in accordance with R.I.G.L. § 31-3-2.2.

Sec. 18-407. Registration.

(a) All snowmobiles and recreational off-road vehicles must be registered with the Rhode Island Department of Environmental Management as provided by state statute R.I.G.L. § 31-3-2.2.

(b) No person shall place, store, or keep any snowmobiles or recreational off-road vehicles, which are not registered in accordance with state law, upon public or private land, including any buildings thereon zoned or used for residential purposes.

Sec. 18-408. Operations.

(a) It shall be unlawful for any person to operate a snowmobile or recreational off-road vehicle within the city limits of the City of East Providence, except on private property totaling at least two and one-half (2 1/2) acres in area and with the express permission to do so by the owner or occupant of said private property.

(b) No person illegally operating any recreational vehicle described in this section shall elude or attempt to elude any police officer upon being signaled to stop or upon being told to stop. This subsection shall apply upon the occurrence of any lawful act by a police officer in telling or signaling any vehicle operator to stop by any oral statement, siren, flashing light, hand signal or other signal. This shall apply whether the police officer ordering or signaling the stop is in a vehicle or afoot. This subsection is intended to prohibit acts to elude a police officer, including acts consisting of increasing speed, changing directions, turning off lights or taking similar steps to avoid or escape from a police officer. A failure to notice a signal shall not be deemed eluding or attempting to elude a police officer under this section. Any person apprehended in violation of this subsection shall be subject to a fine.

Sec. 18-409. Enforcement.

(a) The East Providence Police Department shall have the authority to enforce the provisions of this article and to promulgate rules and regulations necessary to implement and enforce this article.

(b) The East Providence Police Department shall have the authority to impound any snowmobile or recreational off-road vehicle found to be in violation of this ordinance.

(c) No impounded snowmobile or recreational off-road vehicle shall be released until final disposition of all criminal and/or civil charges relating to the operation or storage of any recreational off-road vehicle, nor until proof of ownership and proper registration according to state statute are verified and applicable towing and storage charges are paid. Additionally, the city solicitor shall have the authority to commence forfeiture proceedings pursuant to Sec. 18-410(1)(a).

Sec. 18-410. Penalty.

The penalty for a violation of this article, shall be forfeiture of the snowmobile or recreational off-road vehicle; or if the defendant does not own the vehicle and the owner did not know and could not reasonably have known that the vehicle would be used in violation of this article and it is the first time that a snowmobile or recreational off-road vehicle belonging to the owner has been found to be in violation of this article, a civil penalty of five hundred (\$500.00) dollars in addition to any and all other fines and/or penalties associated with the illegal operation of such vehicle shall be imposed upon the operator and/or owner. The East Providence Police Department shall be empowered to seize and impound snowmobiles and recreational vehicles in order to enforce this article.

(1) Commencement of forfeiture proceeding and notice.

(a) The city solicitor shall bring an action for forfeiture by filing a complaint in the East Providence Municipal Court.

(b) The city solicitor shall give notice of the forfeiture proceeding by mailing a copy of the forfeiture complaint and a notice for hearing to each person whose right, title, or interest is of record in the division of motor vehicles or any other department or agency of the state, or in any other state or federal agency or department in which the property is required to be registered. Such person or persons are hereinafter referred to as the "owner."

(c) The owner of the property shall, within thirty (30) days after the mailing of the complaint and notice, file a verified answer to the complaint. The owner shall also appear at the hearing on the action for forfeiture.

(2) Forfeiture hearing.

(a) If the owner shall fail to appear at the forfeiture hearing, the court may enter an order of forfeiture by default.

(b) If the owner appears at the forfeiture hearing, the city solicitor shall show, by a preponderance of the evidence, that the property was used in violation of this article.

(c) If the city solicitor has not made the showing required in 2(b) of this section, the court shall order the property released to the owner.

(d) If the court finds that the city solicitor has made the required showing, the owner may offer evidence that the owner was not using the property at the time of the violation that the owner did not know, or have reason to know, that the property was used or possessed, or was to be used or possessed, in any manner that violates Chapter 18, Article XIII. For the purposes of this article, an owner shall be deemed to have knowledge of the provisions of Chapter 18, Article XIII.

(e) If the owner rebuts the city solicitor's showing, by a preponderance of the evidence then the complaint for forfeiture shall be denied and dismissed. The court will determine, based on the circumstances presented, whether the owner shall be responsible for any fines or costs.

(f) Where the city solicitor has made the required showing, and the owner has not rebutted that showing by a preponderance of the evidence, or where the court enters forfeiture by default, the court may order:

(1) That the property be destroyed by the agency which seized it or by some other municipal agency designated by the court, or

(2) That the property be delivered to and retained for use by the agency which seized it, or to some other municipal agency designated by the court, or

(3) That the property be sold at public auction by an agency designated by the court.

(g) Proceeds from sale at public auction, after payment of all reasonable charges and expenses for storage and public auction, shall be transferred to the City's general fund.

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

Introduced by: Council President Britto

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
CHAPTER
AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
"VEHICLES AND TRAFFIC"

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Subsection (b) of Sec. 18-269 entitled "Stop and yield intersections designated; when stops required" is amended by adding thereto the following:

Pine Crest Drive (eastbound & westbound traffic) at Viola Avenue

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: Councilman Mourato

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CITY OF EAST PROVIDENCE
CHAPTER
AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED "UTILITIES."

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Subsection (a) of Sec. 17-36 entitled "Water rates" of Article II entitled "Water" of Chapter 17 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled "Utilities," is amended to read as follows:

(a) The water rates for water furnished by the city to the consumer and measured by meter shall be billed at \$4.05 \$5.03 per 100 cubic feet, until October 31, 2016 May 16, 2021. Effective May 17, 2021, for all consumers, the water rate shall be \$5.33 per 100 cubic feet. For subsequent years, the effective rate shall be modified as follows:

Effective October 15, 2022, the rate per 100 cubic feet will increase to \$5.65.

Effective October 15, 2023, the rate per 100 cubic feet will increase to \$5.99.

Effective October 15, 2024, the rate per 100 cubic feet will increase to \$6.35.

Effective October 15, 2025, the rate per 100 cubic feet will increase to \$6.73.

At the end of each fiscal year, an analysis will be performed to determine if revenues are consistent with projections. Prior to the end of fiscal year 2015-2016 2023-2024, a rate study will be performed to determine if a modification is required for subsequent years.

(b) All additional charges to the city from the Providence water supply board, the state or any other authorized agency shall be added to the city billing for water charges to its customers in the first billing period following the imposition of any such additional charges.

(c) Effective May 1, 2014 May 17, 2021, the annual fixed meter charge portion of the water charge shall be as follows:

Meter Size Fixed Charge (Existing) Fixed Charge Effective May 17, 2021 Fixed Charge Effective November 1, 2022 Fixed Charge Effective November 1, 2023 Fixed Charge Effective November 1, 2024 Fixed Charge Effective November 1, 2025

5/8" \$85.00 \$90.10 \$95.51 \$101.24 \$107.31 \$113.75

3/4" \$127.50 \$135.15 \$143.26 \$151.86 \$160.97 \$170.63

1" \$212.50 \$225.25 \$238.77 \$253.10 \$268.29 \$284.39

1 1/2" \$425.00 \$450.50 \$477.53 \$506.18 \$536.55 \$568.74

2" \$680.00 \$720.80 \$764.05 \$809.89 \$858.48 \$909.99

3" \$1,360.00 \$1,441.60 \$1,528.10 \$1,619.79 \$1,716.98 \$1,820.00

4" \$2,125.00 \$2,252.50 \$2,387.65 \$2,530.91 \$2,682.76 \$2,843.73

6" \$4,250.00 \$4,505.00 \$4,775.30 \$5,061.82 \$5,365.53 \$5,687.46

8" \$6,800.00 \$7,208.00 \$7,640.48 \$8,098.91 \$8,584.84 \$9,099.93

Such fee shall be prorated quarterly or monthly for customers who are billed on a quarterly or monthly basis.

(d) Any amount unpaid on the due date, after a seven (7) calendar day grace period, shall be subject to a penalty at the rate of 12 per centum, per annum.

SECTION II. This ordinance shall take effect upon its second passage and all ordinances or 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, Rhode Island

Introduced by: Councilman Cahoon

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STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.
RESOLUTION PROCLAIMING APRIL 24, 2021 AS
“ARMENIAN GENOCIDE REMEMBRANCE DAY”
TO COMMEMORATE THE ARMENIAN GENOCIDE OF
1915 TO 1923 AND IN HONOR OF ARMENIAN-AMERICANS

WHEREAS, The Armenian Genocide was conceived and carried out by the Ottoman Empire from 1915 to 1923, and resulted in the deportation of nearly 2,000,000 Armenians, of whom 1,500,000 men, women, and children were killed, and the remaining 500,000 survived but were expelled from their homes. This act succeeded in the elimination of the Armenians from their historic ancestral homeland where they had resided for over 2,500 years; and

WHEREAS, On May 24, 1915, for the first time ever, the Allied Powers of England, France, and Russia, jointly issued a statement explicitly charging another government of committing "a crime against humanity"; and

WHEREAS, This joint statement declared, "the Allied Governments announce publicly to the Sublime Porte that they will hold personally responsible for these crimes all members of the Ottoman Government, as well as those of their agents who are implicated in such massacres"; and

WHEREAS, United States Ambassador Henry Morgenthau, Sr. explicitly described the policy of the Ottoman Empire's government to the United States Department of State as "a campaign of race extermination," and on July 16, 1915, was informed by United States Secretary of State Robert Lansing that the "Department approves your procedure . . . to stop Armenian persecution"; and

WHEREAS, The post-World War I Turkish government indicted the top leaders involved in the organization and execution of the Armenian Genocide and in the "massacre and destruction of the Armenians," and in a series of court-martials, officials of the Young Turk regime were charged, tried and convicted, for organizing and executing massacres against the Armenian people; and

WHEREAS, In 1948, the United Nations War Crimes Commission invoked the Armenian Genocide as "precisely . . . one of the types of acts which the modern term 'crimes against humanity' is intended to cover" as a precedent for the Nuremberg tribunals; and

WHEREAS, The United States National Archives and Record Administration holds extensive and thorough documentation on the Armenian Genocide, especially in its holdings under Record Group 59 of the United States Department of State, files 867.00 and 867.40, which are open and widely available to the public and interested institutions; and

WHEREAS, The United States Holocaust Memorial Council, an independent federal agency, unanimously resolved on April 30, 1981, that the United States Holocaust Memorial Museum would include the Armenian Genocide in the museum and has since done so.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby recognizes April 24, 2021 as:

“AMERICAN GENOCIDE REMEMBRANCE DAY”

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council President Robert Britto

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.

RESOLUTION SUPPORTING THE PASSAGE OF RHODE ISLAND SENATE BILL
S-0575, GRANTING A PERSONAL INCOME TAX EXEMPTION TO ARTISTS WITHIN THE EAST
PROVIDENCE ARTS DISTRICT

WHEREAS, the arts constitute an essential segment of any vibrant municipal community; and

WHEREAS, Arts and Entertainment districts have been established in Pawtucket, Providence and Woonsocket, incentivizing entrepreneurship among artists in those communities; and

WHEREAS, Senators Lawson, Coyne, and Mendes have sponsored Rhode Island Senate Bill S-0575, defining the East Providence Art District as follows: “The ‘East Providence Art District’ shall be defined at a point of land on the northeast bank of the Seekonk River abutting the Henderson Bridge and proceeding easterly along Wilmarth Avenue to a point at the intersection of North Broadway, then proceeding southerly to South Broadway and continuing to the intersection of Warren Avenue, then proceeding westerly on the southerly side of Warren Avenue to the intersection with Burgess Avenue, then proceeding southerly to the intersection at Veterans Memorial Parkway, then proceeding westerly to the intersection at Waterfront Drive, including the area known as Bold Point Park, then northerly along the southeast bank of the Seekonk River back to the point of the beginning;” and

WHEREAS, Rhode Island Senate Bill S-0575 would grant an exemption from the personal income tax to writers, composers and artists residing within the East Providence Arts District, thereby incentivizing arts-focused entrepreneurs to invest in commercial enterprises within this historically underutilized economic zone; and

WHEREAS, Rhode Island Senate Bill S-0575 is endorsed by the East Providence Arts Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Providence hereby supports Rhode Island Senate Bill S-0575 and requests that the City Clerk send a copy of this Resolution to the Governor of the State of Rhode Island, the Lieutenant Governor of the State of Rhode Island, the President of the Rhode Island Senate, the Speaker of the Rhode Island House of Representatives and the Senators and Representatives from the City of East Providence.

This resolution shall take effect upon passage.

Adopted by City Council: _____

Attest:

City Clerk of the City of East Providence, Rhode Island

Introduced by: Council Vice President Rodericks and Councilman Cahoon

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.
RESOLUTION REQUESTING THE CITY COUNCIL RE-NAME THE
FRANCIS FINN FIELD AT THE HARRY C. MUTTER, JR. ATHLETIC COMPLEX
AS THE “FRANCIS FINN /ROBERT O. CLARK FIELD”

WHEREAS, the 2018 season marked the 50th year of sponsoring softball in Rhode Island by Clark & Sons, a small locksmith business started by Walter and Robert O. Clark in 1964; and

WHEREAS, “Clarks” has been a staple of leagues in the City and throughout Rhode Island for five decades. The 1979 team including names familiar to many East Providence residents like Mike Roe, Chucky Manz, Johnny Johnson, Bobby Balkum, Barry Blumsted, among others achieved the greatest heights of all Clark & Sons sides, but the name has been synonymous with softball success for five decades now; and

WHEREAS, the years have had many highlights such as winning two Men’s Class “A” State Titles in 1976 and 1979 and winning the Men’s Class “A” National Championship in 1979, being the first men’s team from Rhode Island ever to accomplish this feat; and

WHEREAS, as years went by, it seemed to Robert only right to sponsor a team in the senior league which was a way for him to continue playing. He played for his eponymous squad in the Rhode Island Men’s Over-50 Softball League until he was 75. The team won the RIMSL Over-50 Division title in the summer of 2018; and

WHEREAS, in November 2018, Robert O. Clark was among the first inductees into the newly created Rhode Island American Softball Association Hall of Fame; and

WHEREAS, the Mayor of the City of East Providence hereby requests that the City Council re-name the Francis Finn Field as the Francis Finn/Robert O. Clark Field.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby re-names the Francis Finn Field located at the Harry C. Mutter Athletic Complex to the:

FRANCIS FINN/ROBERT O. CLARK FIELD

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council Vice President Rodericks

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.
RESOLUTION REQUESTING THE EAST PROVIDENCE CITY COUNCIL
NAME THE PLAYGROUND AT GRASSY PLAIN PARK AS THE
"BLAKE COSTA PLAYGROUND AT GRASSY PLAIN PARK"

WHEREAS, Blake Daniel Costa was born in August 2014 in Riverside to his loving parents, Nicholas and Lisa Costa; and

WHEREAS, Blake sadly passed away in May 2020 after a 4-year battle with brain cancer; and

WHEREAS, Blake loved being with his grandparents, family and friends as well as being outside, going to the park, seeing animals, painting, coloring, riding the tractor with his father and being "Chef Blake". He had a passion for cooking and always wanted to cook for others; and

WHEREAS, Blake was a strong, brave and courageous boy who never had any fear and met every challenge head on with a smile and was affectionally called by many "The Beast", the perfect name for the warrior that he was; and

WHEREAS, Blake left an enduring mark on so many people's lives and the community and has brought so many people together over his life by showing others his bravery and love for life; and

WHEREAS, the Mayor of the City of East Providence hereby requests that the City Council name the playground at Grassy Plain Park as the "Blake Costa Playground at Grassy Plain Park."

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby names the playground at Grassy Plain Park as the:

BLAKE COSTA PLAYGROUND AT GRASSY PLAIN PARK

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council Vice-President Rodericks

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
RESOLUTION NO.
RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE
LEASE AGREEMENT BETWEEN THE CITY OF EAST PROVIDENCE
AND LIVE NATION WORLDWIDE, INC.

WHEREAS, the current Lease Agreement between the City of East Providence and Live Nation Worldwide, Inc. will expire as of June 15, 2021; and

WHEREAS, Live Nation Worldwide, Inc. would like to continue to use the property located at Bold Point Park along Waterfront Drive, Map 6, Block 1, Parcel 3 for the presentation of music performances, festivals and other entertainment or private events; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby authorizes the Mayor of the City of East Providence to execute the Lease Agreement between the City of East Providence and Live Nation Worldwide, Inc. attached hereto as Exhibit A.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Councilwoman Sousa

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
CHAPTER
ORDINANCE AUTHORIZING THE ISSUANCE
OF GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, the City of East Providence (the "City") has previously issued its \$15,000,000 General Obligation Bonds dated October 4, 2012 through the Public Schools Revenue Bond Financing Program of the Rhode Island Health and Educational Building Corporation ("RIHEBC"), (the "Prior Bonds"); and

WHEREAS, the City desires to issue general obligation refunding bonds (the "Refunding Bonds") to refund all or any part of the Prior Bonds in order to take advantage of the lower interest rates which currently are prevailing; and

The Council of the City of East Providence hereby ordains:

SECTION 1. Pursuant to Rhode Island General Laws Section 45-12-5.2 the City is authorized to issue Refunding Bonds of the City in an amount necessary to refund all or a portion of the Prior Bonds and to provide for any principal of, redemption premium, and interest on the Prior Bonds coming due on or prior to the date on which the Prior Bonds are to be redeemed, and costs of issuance of the Refunding Bonds.

SECTION 2. The issuance of the Refunding Bonds will result in a financial benefit to the City.

SECTION 3. The manner of sale, amount, denominations, maturities, conversion or registration privileges, interest rates, medium of payment, and other terms, conditions and details of the Refunding Bonds authorized herein may be fixed by the officers authorized to sign the Refunding Bonds. The City may enter into a financing and/or other agreements with the RIHEBC pursuant to Title 45, Chapter 38.1 of the General Laws.

SECTION 4. The City Council hereby authorizes the Director of Finance and the Mayor acting on behalf of the City, to issue the Refunding Bonds for the purposes set forth in this Ordinance and to take all actions as they deem necessary to effect the issuance of the Refunding Bonds. The Refunding Bonds shall be issued by the City under its corporate name and seal or facsimile of such seal. The Refunding Bonds shall be signed by the manual or facsimile signature of the Director of Finance and the Mayor.

SECTION 5. The Director of Finance and the Mayor are hereby authorized to issue the Refunding Bonds and deliver them to RIHEBC and said officers are hereby authorized and instructed to take all actions, on behalf of the City, necessary to ensure that interest on the Refunding Bonds will be excludable from gross income from federal income tax

and state income tax purposes, if applicable and to refrain from all actions which would cause interest on the Refunding Bonds to become subject to federal income taxes or state income taxes, as applicable.

SECTION 6. The Director of Finance and the Mayor are authorized to take all actions necessary to comply with federal tax and securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") and to execute and deliver a Continuing Disclosure Certificate in connection with the Refunding Bonds in the form as shall be deemed advisable by the Director of Finance and the Mayor in order to comply with the Rule. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, as it may be amended from time to time. Notwithstanding any other provision of this Ordinance or the Refunding Bonds, failure of

the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any bondholder 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 Section and under the Continuing Disclosure Certificate.

SECTION 7. This ordinance shall take effect upon its 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 East Providence, Rhode Island
Introduced by: Council President Britto

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
CHAPTER

AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
“VEHICLES AND TRAFFIC”

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Sec. 18-268 entitled “Through streets designated” of Article IX entitled “Stop Intersections” of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998 as amended, entitled “Vehicles and Traffic.” is amended to read as follows:

Sec. 18-268. Through streets designated.

- (a) Those streets and parts of streets designated as through streets are on file in the city clerk’s office.
- (b) The city council is hereby empowered to designate thoroughfares as “Do Not Enter-Local Traffic Only” and to cause the erection and maintenance of signs showing such designation. Prior to the designation of any such thoroughfare, the city council shall require and consider any reports from the chief of police, the fire chief, and the director of the department of public works.
- (c) The following streets shall be designated “Do Not Enter-Local Traffic Only:”

Mountain Avenue

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

Introduced by: Councilman Cahoon

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CITY OF EAST PROVIDENCE
CHAPTER
AN ORDINANCE IN AMENDMENT OF CHAPTER 19 OF THE REVISED
ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND 1998,
AS AMENDED, ENTITLED “ZONING”

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Section 19-95 entitled “Districts Designated” of Article III entitled “District Regulations” is hereby amended as follows:

Parcel 060.00 on Assessor’s Map 512, Block 22 presently located in a Residential-3 (R-3) District is hereby changed to be included in a Commercial-2 (C-2) District.

The Zoning Map of the City of East Providence shall be amended accordingly.

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

Adopted: _____

Attest:

City Clerk of the City of East Providence, Rhode Island

Requested by: Bianco Realty Associates, LLC

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
CHAPTER
AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
“VEHICLES AND TRAFFIC”

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Article XIII entitled “Motorcycles and Off-Highway Motor Vehicles” of Chapter 18 entitled “Vehicles and Traffic” is amended by adding thereto the following:

DIVISION 1. SNOWMOBILES AND RECREATIONAL OFF-ROAD VEHICLES

Sec. 18-406. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Operate means to control the operation of a snowmobile or recreational off-road vehicle.

Operator means a person who operates or is in actual control of a snowmobile or recreational off-road vehicle.

Recreational off-road vehicle means a motorized or electronic vehicle designed to travel over unimproved terrain including but not limited to minibikes, dirt bikes, all-terrain vehicles, and any other three (3) or four (4) wheel vehicle regardless of type or design. This shall not be construed to include golf mobiles or golf carts, riding lawn mowers, or garden tractors.

Snowmobile means a vehicle designed for travel on snow or ice in a natural terrain steered by wheels, skis or runners.

Register means the act of registering a snow mobile or recreational off-road vehicle, as defined in this section, in accordance with R.I.G.L. § 31-3-2.2.

Sec. 18-407. Registration.

(a) All snowmobiles and recreational off-road vehicles must be registered with the Rhode Island Department of Environmental Management as provided by state statute R.I.G.L. § 31-3-2.2.

(b) No person shall place, store, or keep any snowmobiles or recreational off-road vehicles, which are not registered in accordance with state law, upon public or private land, including any buildings thereon zoned or used for residential purposes.

Sec. 18-408. Operations.

(a) It shall be unlawful for any person to operate a snowmobile or recreational off-road vehicle within the city limits of the City of East Providence, except on private property totaling at least two and one-half (2 1/2) acres in area and with the express permission to do so by the owner or occupant of said private property.

(b) No person illegally operating any recreational vehicle described in this section shall elude or attempt to elude any police officer upon being signaled to stop or upon being told to stop. This subsection shall apply upon the occurrence of any lawful act by a police officer in telling or signaling any vehicle operator to stop by any oral statement, siren, flashing light, hand signal or other signal. This shall apply whether the police officer ordering or signaling the stop is in a vehicle or afoot. This subsection is intended to prohibit acts to elude a police officer, including acts consisting of increasing speed, changing directions, turning off lights or taking similar steps to avoid or escape from a police officer. A failure to notice a signal shall not be deemed eluding or attempting to elude a police officer under this section. Any person apprehended in violation of this subsection shall be subject to a fine.

Sec. 18-409. Enforcement.

(a) The East Providence Police Department shall have the authority to enforce the provisions of this article and to promulgate rules and regulations necessary to implement and enforce this article.

(b) The East Providence Police Department shall have the authority to impound any snowmobile or recreational off-road vehicle found to be in violation of this ordinance.

(c) No impounded snowmobile or recreational off-road vehicle shall be released until final disposition of all criminal and/or civil charges relating to the operation or storage of any recreational off-road vehicle, nor until proof of ownership and proper registration according to state statute are verified and applicable towing and storage charges are paid. Additionally, the city solicitor shall have the authority to commence forfeiture proceedings pursuant to Sec. 18-410(1)(a).

Sec. 18-410. Penalty.

The penalty for a violation of this article, shall be forfeiture of the snowmobile or recreational off-road vehicle; or if the defendant does not own the vehicle and the owner did not know and could not reasonably have known that the vehicle would be used in violation of this article and it is the first time that a snowmobile or recreational off-road vehicle belonging to the owner has been found to be in violation of this article, a civil penalty of five hundred (\$500.00) dollars in addition to any and all other fines and/or penalties associated with the illegal operation of such vehicle shall be imposed upon the operator and/or owner. The East Providence Police Department shall be empowered to seize and impound snowmobiles and recreational vehicles in order to enforce this article.

(1) Commencement of forfeiture proceeding and notice.

(a) The city solicitor shall bring an action for forfeiture by filing a complaint in the East Providence Municipal Court.

(b) The city solicitor shall give notice of the forfeiture proceeding by mailing a copy of the forfeiture complaint and a notice for hearing to each person whose right, title, or interest is of record in the division of motor vehicles or any other department or agency of the state, or in any other state or federal agency or department in which the property is required to be registered. Such person or persons are hereinafter referred to as the "owner."

(c) The owner of the property shall, within thirty (30) days after the mailing of the complaint and notice, file a verified answer to the complaint. The owner shall also appear at the hearing on the action for forfeiture.

(2) Forfeiture hearing.

(a) If the owner shall fail to appear at the forfeiture hearing, the court may enter an order of forfeiture by default.

(b) If the owner appears at the forfeiture hearing, the city solicitor shall show, by a preponderance of the evidence, that the property was used in violation of this article.

(c) If the city solicitor has not made the showing required in 2(b) of this section, the court shall order the property released to the owner.

(d) If the court finds that the city solicitor has made the required showing, the owner may offer evidence that the owner was not using the property at the time of the violation that the owner did not know, or have reason to know, that the property was used or possessed, or was to be used or possessed, in any manner that violates Chapter 18, Article XIII. For the purposes of this article, an owner shall be deemed to have knowledge of the provisions of Chapter 18, Article XIII.

(e) If the owner rebuts the city solicitor's showing, by a preponderance of the evidence then the complaint for forfeiture shall be denied and dismissed. The court will determine, based on the circumstances presented, whether the owner shall be responsible for any fines or costs.

(f) Where the city solicitor has made the required showing, and the owner has not rebutted that showing by a preponderance of the evidence, or where the court enters forfeiture by default, the court may order:

(1) That the property be destroyed by the agency which seized it or by some other municipal agency designated by the court, or

(2) That the property be delivered to and retained for use by the agency which seized it, or to some other municipal agency designated by the court, or

(3) That the property be sold at public auction by an agency designated by the court.

(g) Proceeds from sale at public auction, after payment of all reasonable charges and expenses for storage and public auction, shall be transferred to the City's general fund.

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

Introduced by: Council President Britto

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
CHAPTER
AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
“VEHICLES AND TRAFFIC”

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Subsection (b) of Sec. 18-269 entitled “Stop and yield intersections designated; when stops required” is amended by adding thereto the following:

Pine Crest Drive (eastbound & westbound traffic) at Viola Avenue

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: Councilman Mourato

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CITY OF EAST PROVIDENCE
CHAPTER
AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED "UTILITIES."

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Subsection (a) of Sec. 17-36 entitled "Water rates" of Article II entitled "Water" of Chapter 17 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled "Utilities," is amended to read as follows:

(a) The water rates for water furnished by the city to the consumer and measured by meter shall be billed at \$4.05 \$5.03 per 100 cubic feet, until October 31, 2016 May 16, 2021. Effective May 17, 2021, for all consumers, the water rate shall be \$5.33 per 100 cubic feet. For subsequent years, the effective rate shall be modified as follows:

Effective October 15, 2022, the rate per 100 cubic feet will increase to \$5.65.

Effective October 15, 2023, the rate per 100 cubic feet will increase to \$5.99.

Effective October 15, 2024, the rate per 100 cubic feet will increase to \$6.35.

Effective October 15, 2025, the rate per 100 cubic feet will increase to \$6.73.

At the end of each fiscal year, an analysis will be performed to determine if revenues are consistent with projections. Prior to the end of fiscal year 2015-2016 2023-2024, a rate study will be performed to determine if a modification is required for subsequent years.

(b) All additional charges to the city from the Providence water supply board, the state or any other authorized agency shall be added to the city billing for water charges to its customers in the first billing period following the imposition of any such additional charges.

(c) Effective May 1, 2014 May 17, 2021, the annual fixed meter charge portion of the water charge shall be as follows:

Meter Size	Fixed Charge (Existing)	Fixed Charge Effective May 17, 2021	Fixed Charge Effective November 1, 2022	Fixed Charge Effective November 1, 2023	Fixed Charge Effective November 1, 2024	Fixed Charge Effective November 1, 2025
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5/8"	\$85.00	\$90.10	\$95.51	\$101.24	\$107.31	\$113.75
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¾"	\$127.50	\$135.15	\$143.26	\$151.86	\$160.97	\$170.63
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1"	\$212.50	\$225.25	\$238.77	\$253.10	\$268.29	\$284.39
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1½"	\$425.00	\$450.50	\$477.53	\$506.18	\$536.55	\$568.74
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2"	\$680.00	\$720.80	\$764.05	\$809.89	\$858.48	\$909.99
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3"	\$1,360.00	\$1,441.60	\$1,528.10	\$1,619.79	\$1,716.98	\$1,820.00
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4" \$2,125.00 \$2,252.50 \$2,387.65 \$2,530.91 \$2,682.76 \$2,843.73

6" \$4,250.00 \$4,505.00 \$4,775.30 \$5,061.82 \$5,365.53 \$5,687.46

8" \$6,800.00 \$7,208.00 \$7,640.48 \$8,098.91 \$8,584.84 \$9,099.93

Such fee shall be prorated quarterly or monthly for customers who are billed on a quarterly or monthly basis.

(d) Any amount unpaid on the due date, after a seven (7) calendar day grace period, shall be subject to a penalty at the rate of 12 per centum, per annum.

SECTION II. This ordinance shall take effect upon its second passage and all ordinances or 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, Rhode Island

Introduced by: Councilman Cahoon