

CITY OF EAST PROVIDENCE
RHODE ISLAND
DOCKET – REGULAR COUNCIL MEETING
Tuesday, February 19, 2019

6:30 P.M.

145 Taunton Avenue, East Providence, RI 02914

Council Chambers, City Hall

6:30 P.M. Council May Call Executive Session, Room 101

7:00 P.M. Open 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

I. CALL TO ORDER

II. EXECUTIVE SESSION – *The City Council of East Providence may meet in Executive Session pursuant to Rhode Island General Laws §42-46-5 (a) (2)*

Motion to move into Executive Session made by Council Vice President Rodericks, seconded by Councilwoman Sousa. Motion passes unanimously.

A. New Claims

- a. Heather Gardner
- b. Michelle Gesualdi
- c. Dareen Lopes
- d. William Maaia
- e. Raymond Mancini
- f. Ricky and Gabriela Silva

B. Sewer Charge Abatements


- a. Joseph and Luanne Clifford
- b. David Gervais
- c. Kimberly Rodrigues
- d. Gilles Motte
- e. Marjorie P. Mazika
- f. Gail Hoague
- g. Julie Bailey
- h. Alfred Mello
- i. William Lunnie
- j. Maria Borges

C. Reconvene to Open Session from Closed Executive Session

Motion to reconvene to Open Session and to seal the minutes made by Councilman Cahoon, seconded by Councilman Sousa. Motion passes unanimously.

III. OPEN SESSION/CALL TO ORDER 

Open Session and Call to Order made at 7:03 p.m.

IV. PLEDGE OF ALLEGIANCE – *Led by Council President, Robert Britto* 

V. APPROVAL OF CONSENT CALENDAR 

All items under, “Consent Calendar” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council members so requests, in which event the item will be removed from said Consent Calendar and will be considered in its normal sequence in the docket.

A. Cancellations/Abatements

YEAR	AMOUNT
2018	\$8,245.92

B. Council Journals – January 22, 2019-Regular Council Meeting

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

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. Said public comment sheet shall be available on a desk at the entrance of the City Hall Chambers no later than forty five (45) minutes before the call to order of any regularly scheduled council meeting and shall be delivered by the City Clerk to the presiding officer no earlier than five (5) minutes before the call to order of the meeting. 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.

VI. APPOINTMENTS 

A. Tax Board – Darlene Andrade, Glenwood Ave. (Council President Britto)

VII. COUNCIL MEMBERS

- A. **1st Annual Coyote 5k Run** (*Councilman Mourato*)
Karen Zyons spoke on this 5k marathon race. Early registration is \$25.00 and day of registration is \$30.00. Motion to approve by Councilwoman Sousa. Seconded by Council Vice President Rodericks. Motion passes unanimously.
- B. **Boards and Commissions** (*Councilman Cahoon*) **Section 2, Article III – Revised Ordinances, City of East Providence**
Discussion regarding Boards and Commissions. Councilwoman Sousa requested the effective date and end dates, vacancies, proof of residence requirement met. They also wanted to get a schedule and assign each council person a Board and Commission to discuss. The schedule is: Councilman Cahoon for March 5, 2019, Councilwoman Sousa for March 19, 2019, Council Vice President Rodericks for April 2, 2019, Councilman Mourato for April 16, 2019 and May 7, 2019 for Council President Britto.
- C. **City Sergeant** (*Council Vice-President Rodericks*)
Council Vice President Rodericks made mention of this topic to obtain clarification. He did speak with the Solicitor and this appointment is a definite grey area. Is this appointment considered as a carry over, should it be advertised? He wanted to put this on the table. Solicitor Marcello mentioned that in the new charter there is no position such as this listed, nor is it addressed in our ordinance. Unless there was a set term, all other appointments like this would have been expired with the end of the term.
- D. **Council Rules and Regulations** (*Council President Britto*)
Public Comment was addressed regarding the Council Rules and Regulations. Discussion was had over the difference over Public Comment and Communications and how the Council wanted to proceed with limits. Councilwoman Sousa stated that public comments should only be agenda items. Council Vice President Rodericks wanted clarification over the three minutes currently allotted for public comment. Does that include the total interaction or just the public comment speaking time? He mentioned that common sense and Robert's Rules of Order will help.

VIII. PUBLIC HEARING

- A. **An Ordinance in Amendment Of the City of East Providence 2010-2015 Comprehensive Plan Update**
Section I, II and III of the 2010-2015 Comprehensive Plan Update
(*Thomas Moses, Esq.-Moses Ryan, LTD present*)
Motion made by Councilman Cahoon, seconded by Council Vice President Rodericks. Motion passes unanimously.
(SEE ATTACHED DOCUMENTATION)
- B. **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
(*Thomas Moses, Esq.-Moses Ryan, LTD present*)
Motion made by Councilman Cahoon, seconded by Council Vice President Rodericks. Motion passes unanimously.
(SEE ATTACHED DOCUMENTATION)

IX. NEW BUSINESS

A. REPORTS OF OTHER CITY OFFICIALS

1. **Claims Committee Report** (*Solicitor Michael J. Marcello*)

Motion to approve made by Councilman Mourato, seconded by Councilwoman Sousa. Motion passes unanimously.

B. RESOLUTIONS

1. **Resolution Authorizing The Mayor to Execute The Services Agreement For Rescue Billing Services For The City of East Providence** (*Presented by Council President Britto*)

Chief Elmasian spoke on behalf of the resolution.

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

(SEE ATTACHED FOR FULL RESOLUTION)

2. **Resolution requesting RIDOT to reject proposed cuts to Transportation Alternatives Program** (*Presented by Councilman Cahoon*)

Motion to approve made by Councilwoman Sousa, seconded by Councilman Mourato. Motion passes unanimously.

(SEE ATTACHED FOR FULL RESOLUTION)

3. **Resolution Authorizing the Mayor To Pay Invoices Subject to School Committee Approval for Pre-Construction Expenses for the New East Providence High School**

(*Presented by Councilman Cahoon*)

Motion to approve made by Council Vice President Rodericks, seconded by Councilwoman Sousa. Motion passes unanimously.

(SEE ATTACHED FOR FULL RESOLUTION)

4. **Resolution Declaring March as Colorectal Cancer Awareness Month in East Providence** (*Council President Britto*)

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

(SEE ATTACHED FOR FULL RESOLUTION)

X. Reconvene in Executive Session (if necessary) to Complete Items Under Section II, Executive Session

Not needed.

XI. ADJOURNMENT

Motion to adjourn made by Councilman Mourato, seconded by Councilwoman Sousa. Motion passes unanimously.

If communication assistance is needed or any other accommodations to ensure equal participation, please contact the City Clerk, Samantha Burnett at 401.435.7590.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER

**AN ORDINANCE IN AMENDMENT OF THE CITY OF EAST PROVIDENCE
2010-2015 COMPREHENSIVE PLAN UPDATE**

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Map 1 of the City of East Providence 2010-2015 Comprehensive Plan Update entitled “City of East Providence Generalized Land Use” is hereby amended to identify the property designated as Assessor’s Map 308, Block 9, Parcel 12 as “Mixed Use”.

The City of East Providence Generalized Land Use Map (Map 1) of the City East Providence 2010-2015 Comprehensive Plan shall be amended accordingly.

SECTION II. Map 3 of the City of East Providence 2010-2015 Comprehensive Plan Update entitled “Central East Providence Generalized Land Use” is hereby amended to identify the property designated as Assessor’s Map 308, Block 9, Parcel 12 as “Mixed Use”.

The Central East Providence Generalized Land Use Map (Map 3) of the City East Providence 2010-2015 Comprehensive Plan shall be amended accordingly.

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

Adopted: _____

Approved as to form:

Michael J. Marcello, City Solicitor

Attest:

Samantha Burnett, City Clerk

Requested by: Carpionato Properties, Inc.

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 12 on Assessor's Map 308, Block 09 presently located in the R-4, Residential 4 One-Family and Two-Family District is hereby changed to the C-3, General Retail Business District, but tattoo parlors and check cashing businesses shall be prohibited uses in perpetuity.

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

SECTION II. The petitioner shall be relieved from the literal requirements of the East Providence Zoning Ordinance by reducing the front yard building setback from 7.5 feet to 0 feet for Parcel 012 on Assessor's Map 308, Block 09.

SECTION III. The petitioner shall be relieved from the literal requirements of the East Providence Zoning Ordinance by reducing the rear yard building setback from 30 feet to 4 feet for Parcel 012 on Assessor's Map 308, Block 09.

SECTION IV. The petitioner shall be relieved from the literal requirements of the East Providence Zoning Ordinance by reducing the buffer strip between more intensive that abut less intensive uses from 25 feet to 0 feet for Parcel 012 on Assessor's Map 308, Block 09.

SECTION V. The petitioner shall be relieved from the literal requirements of the East Providence Zoning Ordinance by reducing the space between the building's walls and the wall of another building from 40 feet to 38 feet for Parcel 012 on Assessor's Map 308, Block 09.

SECTION VI. The petitioner shall be relieved from the literal requirements of the East Providence Zoning Ordinance by reducing the buffer strip of vegetation around the site from 5 feet to 0 feet for Parcel 012 on Assessor's Map 308, Block 09.

SECTION VII. The petitioner shall be relieved from the literal requirements of the East Providence Zoning Ordinance by reducing the separation between the parking area and the public right-of-way from 5 feet to 0 feet for Parcel 012 on Assessor's Map 308, Block 09.

SECTION VIII. The petitioner shall be relieved from the literal requirements of the East Providence Zoning Ordinance by increasing the maximum impermeable surface coverage from 80 percent to 86 percent for Parcel 012 on Assessor's Map 308, Block 09.

SECTION IX. The petitioner shall be relieved from the literal requirements of the East Providence Zoning Ordinance by reducing the off-street loading spaces from one to zero for Parcel 012 on Assessor's Map 308, Block 09.

SECTION X. The petitioner shall be relieved from the literal requirements of the East Providence Zoning Ordinance by reducing the required parking spaces from 39 spaces to 28 spaces for Parcel 012 on Assessor's Map 308, Block 09.

SECTION XI. Bank ATM is an allowed use on Parcel 012 on Assessor's Map 308, Block 09.

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

Adopted: _____

Approved as to form:

Michael J. Marcello, City Solicitor

Attest:

Samantha Burnett, City Clerk

Requested by: Carpionato Properties, Inc.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

RESOLUTION NO.

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
THE SERVICES AGREEMENT FOR RESCUE BILLING
SERVICES FOR THE CITY OF EAST PROVIDENCE**

WHEREAS, the City of East Providence sent out a Request for Proposals for rescue billing services on or about September 10, 2018 and,

WHEREAS, the City received ten (10) responsive proposals in response to the Request for Proposals; and

WHEREAS, a thorough review of the responses to the Request for Proposals was made and an evaluation conducted by various entities including the City of East Providence Fire Department; and

WHEREAS, the Chief of the Fire Department has recommended that the City continue with its current contractor, The Dawson Group, Inc.; and

WHEREAS, Article III, Section 3-5(8) of the City Charter mandates that the Mayor negotiate contracts on behalf of the City subject to the approval of the City Council except as otherwise provided for by the City Charter or State Law.

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 a Services Agreement with The Dawson Group, Inc. for rescue billing services beginning on or about February 1, 2019.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council President Robert Britto

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

RESOLUTION NO.

**RESOLUTION REQUESTING THE RHODE ISLAND DEPARTMENT OF
TRANSPORTATION TO REJECT PROPOSED CUTS TO THE
TRANSPORATION ALTERNATIVES PROGRAM**

WHEREAS, Major Amendment #11 to the State Transportation Improvement Plan (TIP) presented by the Rhode Island Department of Transportation (RIDOT) to the State Transportation Advisory Committee on January 24, 2019 specifies an approximate reduction of \$28 million to Transportation Alternative Program (TAP) projects over ten (10) years; and

WHEREAS, the TAP provides funding for maintenance and improvement for bicycle and foot path routes including the East Bay Bike Path and the Ten Mile River Greenway; and

WHEREAS, these routes provide for safe, environmentally friendly transportation and enhance the East Providence economy and quality of life; and

WHEREAS, the TIP process has been designed to allow the State and municipalities to collaborate to plan the use of transportation funds in a manner that optimizes the strategic initiatives and goals of all parties; and

WHEREAS, this amendment proposes significant reductions without affording all stakeholders reasonable time to assess the associated impacts.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby requests that the Transportation Advisory Committee and the State Planning Council reject the proposed TIP Amendment #11, and requests that RIDOT continue to fund the TAP at current levels, without reductions.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Councilman Nate Cahoon

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

RESOLUTION NO.

**RESOLUTION AUTHORIZING THE MAYOR TO PAY INVOICES
SUBJECT TO SCHOOL COMMITTEE APPROVAL FOR PRECONSTRUCTION
EXPENSES FOR THE NEW EAST PROVIDENCE HIGH SCHOOL**

WHEREAS, the voters of the City of East Providence approved the passage of a bond for the construction of a new high school on November 6, 2018 in the amount of \$189,500,000; and

WHEREAS, the City is in the process of issuing the bonds for said project; and

WHEREAS, prior to the bonds being sold, the City has incurred and will continue to incur preconstruction expenses related to design and architectural review; and

WHEREAS, the School Department has requested payment of invoices for November and December 2018 and January 2019 from Ai3 Architects, Inc. in the amount of \$1,520,401.66 and the Peregrine Group invoice (the owner's program manager) for January 2019 in the amount of \$104,500 for a total amount of \$1,624,901.66; and

WHEREAS, the City will be reimbursed for any outlay of funds from the bond proceeds or bond anticipation notes.

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 acting through and by the City Finance Director to pay the attached invoices, subject to School Committee approval, not to exceed \$1,624,901.66.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Councilman Nathan Cahoon

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

RESOLUTION NO.

**RESOLUTION DECLARING MARCH AS COLORECTAL CANCER
AWARENESS MONTH IN EAST PROVIDENCE**

WHEREAS, colorectal cancer is the second leading cause of cancer deaths in the United States among men and women combined but there is currently no cure and,

WHEREAS, one in twenty men and one in twenty-four women will be diagnosed with colorectal cancer in their lifetimes; and

WHEREAS, there are now more than one million survivors of colorectal cancer in the United States; and

WHEREAS, the national goal established by the National Colorectal Cancer Roundtable is 80 percent of Americans ages 50 and older be screened in every community; and

WHEREAS, if the majority of people in the United States age 50 or older were screened regularly for colorectal cancer, half of all cases could be prevented entirely; and

WHEREAS, it's critical that all people of all ages know the signs and symptoms of the disease; and

WHEREAS, the Brown Medicine Endoscopy Center has pledged to do its part in preventing colorectal cancer by providing education, screening and treatment for its patients in East Providence; and

WHEREAS, observing a Colorectal Cancer Awareness Month during the month of March would provide a special opportunity to offer education on the importance of early detection and screening.

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 proclaim March 2019 as:

COLORECTAL CANCER AWARENESS MONTH.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council President Robert Britto