

**CITY OF EAST PROVIDENCE  
RHODE ISLAND  
DOCKET – REGULAR COUNCIL MEETING**

**Tuesday, March 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)*  
**FOR VOTE****

**A. New Claims**

1. Joan Boulanger
2. Christian Capizzo
3. Antonio Chavez
4. Karin DiPietro-Seymour
5. Howard A. Hrdlicka, Jr.
6. Lucia F. Leite
7. Ken Kirsch
8. Brian M. Maia
9. Kathleen T. Malo
10. Philadelphia Insurance Co.


**B. Pending Claims -none**


**C. Sewer Charge Abatements**

1. Albus A. Antavicius
2. James Florio
3. Linda Pimentel
4. Laurie Simoneau
5. Sean Turner

**D. Reconvene to Open Session from Closed Executive Session  
**FOR VOTE****

**III. OPEN SESSION/CALL TO ORDER**

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

**V. APPROVAL OF CONSENT CALENDAR**   
**FOR VOTE**

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 -NONE**

**B. Council Journals** – October 16, 2018 and November 20, 2018, Regular Council Meetings

**VI. LICENSES NOT REQUIRING PUBLIC HEARING – **FOR VOTE**** 

**A. Application for Holiday Sales License**

1. Jose Lopez  
Magallan, Inc. DBA El Mariachi  
736 N. Broadway 02914

**VII. LICENSES REQUIRING PUBLIC HEARING - **FOR VOTE****  >

**A. Application for Victualing License – Class 1**

1. Jose Lopez  
Magallan, Inc. DBA: El Mariachi  
736 Broadway 02914

**VIII. COMMUNICATIONS** 

**A. Mayor Communications** – *His Honor, Mayor Bob DaSilva*

- B. The Lofts on Taunton – *Burman Architect and Joseph A. Lamagna, Esq.* -**FOR VOTE**
- C. [University Orthopedics 5k Race](#) – *Jonathan White, Grey Matter Marketing* - **FOR VOTE**
- D. East Providence [Health Equity Zone](#) – *Rita Capotosto, VP of Family Development-East Bay Community Action Program* -**FOR VOTE**

**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.

**IX. APPOINTMENTS** 

- A. Mary Dwyer, 55 Spring Street, 02915 – Conservation Commission
- B. Steven Hardcastle, 20 Beech Tree Road, 02916 – Waterfront Commission-**FOR VOTE**  
(*Council Vice President Rodericks*)
- C. Richard Lawson, 19 Plum Road, 02915 – Waterfront Commission-**FOR VOTE**  
(*Councilman Mourato*)

**X. COUNCIL MEMBER COMMUNICATION** 

- A. [Council Rules and Regulations](#) (*Council President Britto*) – **FOR VOTE**
- B. **Boards and Commissions – Zoning Board of Review**  
Charter, Subpart A, Article II, Section 2-14 (*Councilwoman Sousa*)
- C. **Community Fundraisers** (*Councilwoman Sousa*)
- D. **Snow/Sidewalk Safety Discussion** (*Councilman Cahoon*)
- E. **Monthly Finance Report Discussion** (*Councilman Cahoon*)
- F. **City Sergeant Discussion** (*Council Vice-President Rodericks*)
- G. **Status of Pierce Field Discussion** (*Council Vice-President Rodericks*)
- H. **Current Sewer Rates Discussion** (*Councilman Mourato*)
- I. **Ward 4 Community Meeting Announcement – April 4, 2019 6:00 p.m.-8:00 p.m.** (*Councilman Mourato*)
- J. **Boards and Commissions Ordinance Discussion** Revised Ordinances, Chapter 2, Section 2-37 (*Councilman Mourato*)
- K. **Colorectal Cancer Awareness Month Follow-Up** (*Councilwoman Sousa*)

**XI. NEW BUSINESS** 

**A. REPORTS OF OTHER CITY OFFICIALS**

- 1. **Claims Committee Report** (*Solicitor Michael J. Marcello*)
- 2. **Handicap Parking Spot Request- 198 Sutton Avenue, 02914** (*DPW Director, Steve Coutu*)

**B. RESOLUTIONS – FOR VOTE**

- 1. [RESOLUTION](#) REQUESTING THAT THE EAST PROVIDENCE CITY COUNCIL NAME THE PUBLIC SKATE PARK AT ONNA MONIZ-JOHN NEIGHBORHOOD PARK AT CENTRAL AVENUE PLAYGROUND AS THE, "KEVIN ROBINSON MEMORIAL SKATE PARK."  
(*Co-Sponsored by: Council Vice-President Rodericks and Councilwoman Sousa*)
- 2. [RESOLUTION](#) AUTHORIZING THE MAYOR TO PAY INVOICES FOR PRECONSTRUCTION EXPENSES FOR THE NEW EAST PROVIDENCE HIGH SCHOOL  
(*Councilman Cahoon*)

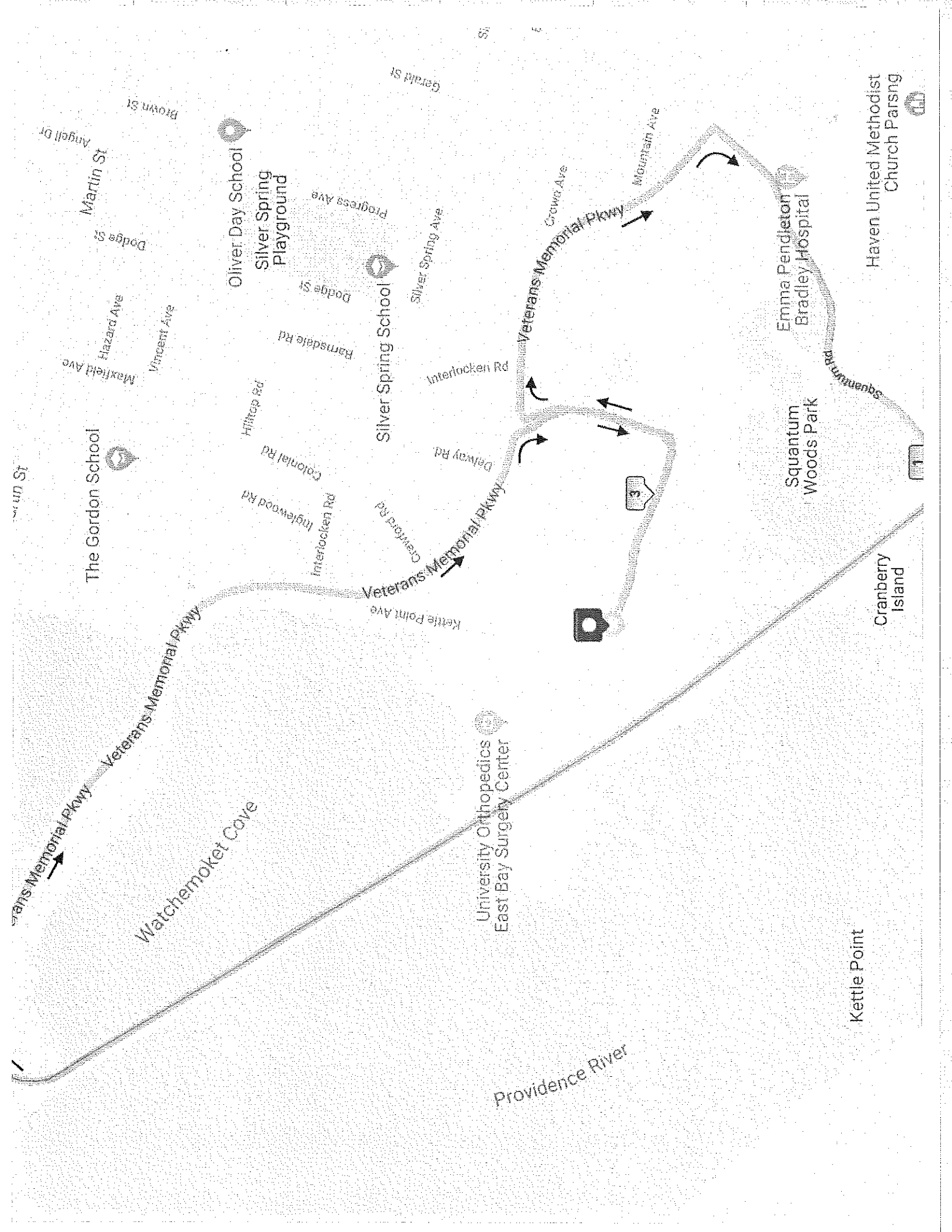
**C. PUBLIC HEARING – ZONING ORDINANCE, FIRST AND FINAL PASSAGE – FOR VOTE**

- 1. AN ORDINANCE IN AMENDMENT OF THE CITY OF EAST PROVIDENCE COMPREHENSIVE PLAN UPDATE 2010-2016
- 2. AN ORDINANCE IN AMENDMENT OF CHAPTER 19 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND 1998, AS AMENDED, ENTITLED "ZONING"

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

**XIII. ADJOURNMENT** 

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



1st Union St

Maxfield Ave  
Hazard Ave  
Dodge St  
Martin St  
Brown St  
Angel Dr

The Gordon School

Veterans Memorial Pkwy

Watchemoket Cave

Oliver Day School  
Silver Spring Playground

Silver Spring School

University Orthopedics  
East Bay Surgery Center

Providence River

Kettle Point

Cranberry Island

Squantum Woods Park

Emma Pendleton Bradley Hospital

Haven United Methodist Church Parking

Progress Ave  
Dodge St  
Ramsdale Rd

Interlocken Rd  
Colonial Rd  
Ingelwood Rd

Interlocken Rd  
Delway Rd  
Kettle Point Ave

Silver Spring Ave

Veterans Memorial Pkwy  
Crow Ave

Mountain Ave

Squantum Blvd



March 8, 2019

Dennis Roy  
President and Chief Executive Officer  
East Bay Community Action Program  
100 Bullocks Point Avenue  
Riverside, RI 02915

Dear Mr. Roy:

The East Providence Arts Council is pleased to join East Bay Community Action Program (EBCAP) in a Collaborative to implement a Health Equity Zone (HEZ) in the city of East Providence. EBCAP is uniquely qualified to lead a comprehensive, community-driven needs assessment in the city of East Providence; and to activate the resources and creativity of new and existing partners to promote the overall wellness and resilience of the East Providence community.

EBCAP's diverse service array is a model for integrated health and human services which address the social determinants of health. Its mission as a CAP agency demonstrates an unwavering commitment to promoting health equity for vulnerable and underserved members of the community. **The work of EBCAP and the proposed East Providence HEZ is consistent with the mission of the East Providence Arts Council to build a thriving arts community in the city of East Providence. Integrating artistic and cultural aspects of wellness into the East Providence HEZ's assessment and planning process will ensure that this critical and increasingly evidence-based component of individual and community health is fully supported by the HEZ Action Plan. We are happy to contribute our expertise and resources to help develop and implement the Action Plan by providing consultation; active participation in focus groups and Collaborative meetings; and assistance with community engagement by disseminating information about the HEZ to the East Providence community including community partners and the individuals and families we serve.**

We look forward to this unique partnership with EBCAP and others to support East Providence residents to live healthy, meaningful, and socially connected lives; and to help build a community which promotes the overall wellness of all its residents through a range of community-driven, creative initiatives.

Sincerely,

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

(Amendment to Resolution No. 8 21- Adopted ~~June 2, 2015~~ June 6, 2017)

**RULES OF PROCEDURE OF THE CITY COUNCIL**

**BE IT RESOLVED**, that the following Rules be and they are hereby adopted as the Rules of the City Council of the City of East Providence.

**Rule One. Duties of the Presiding Officer**

a. The ~~Mayor~~ **Council President** shall be the presiding officer at all meetings of the City Council. The ~~Assistant Mayor~~ **Vice President** shall preside in the absence of the ~~Mayor~~ **Council President**.

b. The presiding officer shall preserve order and decorum at all meetings of the City Council. In the interest of preserving order and decorum, the presiding officer may in his/her discretion limit the remarks of a citizen or his/her attorney to a period of not more than five (5) minutes on any matter, and may also limit the remarks by the public to a period of not more than one (1) hour on any matter.

c. The presiding officer may speak in preference to any other member of the City Council and shall, subject to the restrictions imposed by subsection (d) of Rule One, decide all questions of order.

d. Any member of the City Council may appeal from the ruling of the presiding officer or the parliamentarian by moving that the presiding officer's ruling or ruling of the parliamentarian be referred to the members of the City Council who are present. In the event that such motion is seconded, the presiding officer shall immediately, without debate, put the following motion before the body for consideration: "Shall the rule of the chair be sustained?" which question shall be decided by a majority vote of the members present.

e. The presiding officer shall propound all questions and motions in the order in which they are moved, unless the subsequent motion is previous in nature, as set forth in Rule Five, Section (e).

**Rule Two. Order of Business**

a. A majority of all of the members of the City Council shall constitute a quorum for the conducting of business. A smaller number than a majority may adjourn from time to time until a quorum shall be present. Notice to be given in accordance with the provisions of the City Charter in Article II, Section 8.

b. The order of business of each City Council meeting shall be as follows:

I. Call to order

- II. Invocation
- III. Salute to the flag
- IV. Consent Calendar
- V. Licenses (Requiring Public Hearing and Non-Public Hearings)
- VI. Proclamations & Presentations

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

VIII. 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 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.

IX. Appointments. All Council appointments will appear on the docket under the heading Appointments listing the appointment being made, the name and address of the candidate, and the Council member nominating the candidate. City Council members will submit the information to the City Clerk no later than Thursday preceding the Council meeting.

X. Council Members

XI. Public Hearings

XII. Continued Business

XIII. New Business

a. ~~City Manager's Report~~ Mayor Communications

b. Reports of Other City Officials

c. Report of School Committee Liaison

d. Resolutions. All resolutions will appear on the docket with the name of the Resolution's sponsor after having been referred to the Law Department for review.

e. Introduction of Ordinances. All ordinances shall appear on the docket after having been referred to the Law Department for review.

c. At any special meeting called of the City Council, the meeting shall be restricted to the business of the special meeting and no other business shall be considered ~~without the unanimous~~

~~approval of the City Council.~~

d. Council members shall submit items for discussion purposes no later than 4:00 p.m. the Thursday prior to the next regularly scheduled Council meeting. The docket for all regular meetings shall be prepared and delivered and/or electronically forwarded to each Council member at least 72 hours prior to said meeting. Any petition requiring a hearing shall be referred to the proper City department for a written report prior to being placed on the docket for discussion or hearing. Copies of all said petitions shall immediately be forwarded to the City Council. No matter may be considered at any meeting that is not specifically on the docket (including votes) without the unanimous consent of the City Council. No petition for rezoning may be withdrawn at any meeting to which it has been assigned for hearing unless such petition is withdrawn at least 72 hours prior to such meeting. The docket will contain a plain language explanation for all ordinances.

### **Rule Three. Decorum and Debate**

a. When a motion is under debate, the chair shall receive no other motions except as set forth in Rule Five, Section (f).

b. Any member desiring to speak shall address the presiding officer and, after his right to speak has been recognized, he shall not be interrupted while speaking except by a call to order or for the correction of a mistake or to yield to another member. He shall confine his remarks to the question under debate and shall avoid personalities. No member shall speak more than once on the same question until all other members desiring to speak thereon shall have done so, and in no event shall any member speak more than twice on any question without the permission of the majority of the members of the City Council. There shall be no conversation among the members while a roll call is being taken, while any paper is being read, or while a question is being stated by the presiding officer.

c. A roll call vote shall be taken as required by the Charter of the City of East Providence, the ordinances of the City, or at the request of any Council member.

d. After a roll call vote has been ordered, said roll call shall not be interrupted, delayed or stopped by the presiding officer or any member of the Council for any reason whatsoever including points of order, personal privileges or for a member to explain his vote. All roll calls shall be taken alphabetically except for the presiding officer who shall vote last.

e. A motion shall be carried by the affirmative vote of a majority of the Council members voting on the motion and the presiding officer shall declare the passage or defeat of any motion. In the case of a tie, the motion shall be defeated.

f. When a vote has been passed, it shall be in order for ~~ay~~ **any** members voting with the majority to move or second the reconsideration thereof not later than the next regular meeting and, when a motion to reconsider has been decided, that vote shall not be reconsidered.

### **Rule Four. Consent Docket**

a. When the City Manager determines that any item of business requires action by the Council but is of a routine and non-controversial nature, he/she may cause such item to be presented at a regular meeting of the Council as part of the Consent Calendar.

- b. The Consent Calendar shall be introduced by a motion “to approve the Consent Calendar” and shall be considered by the Council as a single item.
- c. There shall be no debate or discussion by any member of the Council regarding any item on the Consent Calendar beyond asking questions for simple clarification.
- d. All items on the Consent Calendar which require public hearings shall be open for hearing simultaneously and the Mayor shall announce or direct the City Clerk to announce the titles of all such items.
- e. On objection by any member of the Council to inclusion of any item on the Consent Calendar, that item shall be removed from the Consent Calendar forthwith. Such objection may be recorded at any time prior to the taking of a vote on the motion to approve the Consent Calendar. All such items shall be considered individually in the order in which they were objected to immediately following consideration of the Consent Calendar.
- f. Approval of the motion to approve the Consent Calendar shall be fully equivalent to approval, adoption, or enactment of each motion, resolution, ordinance, or other item of business thereon exactly as if each has been acted upon individually.

#### **Rule Five. Miscellaneous Provisions**

- a. The City Clerk shall prepare a docket of the business to be conducted at each meeting of the City Council which shall be delivered and/or electronically forwarded to each council member not less than 72 hours before the meeting of the City Council. No ordinance, resolution, petition, order or matter of business shall be considered unless notice of the same shall have been given previously in accordance with these rules. Any additional public hearings concerning a zone change and/or subdivision will require the written consent of a majority of the City Council.
- b. Any reports or communications from any department head, City Manager or otherwise, shall be in writing and copy supplied to each Council member with the docket.
- c. Regular meetings of the City Council shall be held on the first and third Tuesday of each month at ~~7:30~~ 6:30 p.m. in the City Council chamber in City Hall or at such other place as may be designated by a majority of the Council except in the months of July and August when there shall be only one meeting per month on the Tuesday designated by a majority of the City Council. Amended December 1, 1988 (See Council Journal). Amended November 13, 1989 (See Council Journal).
- d. All meetings of the City Council shall be open to the public and all votes shall be cast in public **except votes made in accordance with R.I.G.L. §42-46-4(b).**
- e. A special meeting of the City Council may be called in accordance with the provisions of Article II, Section 7 of the City Charter at the request of the Mayor or upon written request of three (3) members of the City Council, said request addressed to the City Clerk. No business shall be considered at said special meeting other than that as set forth in the call of the meeting without the unanimous consent of the City Council.
- f. The order of precedence of motions shall be as follows:
  - 1. Fix the time in which to adjourn



2. Adjourn
3. Recess
4. Raise a question of privilege
5. Lay on the table
6. Suspension of the rules
7. Previous question
8. Limit debate
9. Postpone to a certain time
10. Refer to committee or other official
11. Amend
12. Postpone indefinitely
13. Main motion

The above list shall be the order in which motions may be considered. When any motion is pending before the City Council, any motion before that said motion on this list shall take precedence and be acted upon first and those following shall be out of order.

g. The following motions shall not be debatable:

1. Adjourn
2. Recess
3. Raise question of privilege
4. Lay on the table
5. Suspension of the rules
6. Previous question
7. Limit debate

h. These rules shall not be altered, amended, suspended or repealed at any time except by an affirmative vote of four-fifths (4/5) of the entire City Council unless docketed 72 hours prior to meeting.

i. Roberts Rules of Parliamentary Procedure shall prevail in the absence of any specific rule as set forth herein.

j. The City Solicitor is designated as parliamentarian for the purpose of interpreting these rules of procedure.

k. In the event that any section of these rules shall be in conflict with the City Charter or ordinances of the City of East Providence, then such rule shall fail, however, those rules which are not in conflict shall remain in full force and effect.

l. Any member of the public who requests to speak on any docket item that is not part of the Public Hearing section or specifically on the docket will be allowed to speak if approved by unanimous consent of the Council.

m. The City Council shall adjourn no later than 10:00 p.m. The Council shall vote each time in order to extend the meeting in 15 minute increments. Said time increment extensions shall require ~~a super majority vote~~ **an affirmative vote of 4/5 of the entire Council**. Any business before the City Council not completed by 10:00 p.m. will be tabled to the next available meeting. The date shall be announced and determined by the Council President. Waiver of this rule requires a super majority vote.

Adopted by the City Council:

Attest:

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City Clerk of the City of East Providence, RI

For Council Docket - Resolution  
(Council Vice-President Rodericks)

Resolution naming the public skate park at Onna W. Moniz-John Neighborhood Park at Central Avenue Playground as:

Kevin Robinson Memorial Skate Park

Ordinance:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION REQUESTING THAT THE EAST PROVIDENCE CITY COUNCIL  
NAME THE PUBLIC SKATE PARK AT ONNA MONIZ-JOHN NEIGHBORHOOD  
PARK AT CENTRAL AVENUE PLAYGROUND AS THE, "KEVIN ROBINSON  
MEMORIAL SKATE PARK."**

**WHEREAS**, Kevin "K-Rob" Robinson, a graduate of East Providence High School and a distinguished member of the East Providence High School Hall of Fame; and

**WHEREAS**, Kevin "K-Rob" Robinson, was known to thousands of Freestyle BMX riders worldwide; and

**WHEREAS**, Kevin "K-Rob" Robinson, progressed and pioneered the sport during his 25 year career; and

**WHEREAS**, Kevin "K-Rob" Robinson, gained worldwide notoriety as the first person to land a double flair at X Games 2006; and

**WHEREAS**, Kevin "K-Rob" Robinson, is the holder of 10 X Games medals including four Gold and two Guinness World Records; and

**WHEREAS**, Kevin "K-Rob" Robinson, visited schools and events throughout East Providence, RI and other locations in the Nation to provide free demonstrations; and

**WHEREAS**, Kevin "K-Rob" Robinson, through his non-profit K-Rob Foundation, realized his dream of building East Providence's first free, outdoor public skate park in 2016.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of East Providence, in collaboration with the City of East Providence Winter-fest Committee, hereby

names the public skate park at Onna Moniz-John Park as the "Kevin Robinson Memorial Skate Park."

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Council Vice-President Bob Rodericks

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING THE MAYOR TO PAY INVOICES  
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 February 2019 from Ai3 Architects, Inc. in the amount of \$599,049.01 and the Peregrine Group invoice (the owner's program manager) for February 2019 in the amount of \$59,000 for a total amount of \$658,049.01; 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 not to exceed \$658,049.01.

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Councilman Nathan Cahoon