

CITY OF EAST PROVIDENCE
JOURNAL/MINUTES DOCKET-REGULAR COUNCIL MEETING
 TUESDAY, JANUARY 17, 2023
 CALL TO ORDER: 6:30 P.M.
 145 TAUNTON AVENUE-CITY COUNCIL CHAMBERS
 EAST PROVIDENCE, RHODE ISLAND
 EXECUTIVE SESSION: CONFERENCE ROOM A

OPEN SESSION WILL IMMEDIATELY FOLLOW EXECUTIVE SESSION

Notice: The meeting will also be viewable live at:
<https://www.youtube.com/channel/UC0YEW6s1RpicKR47VMil1LA>

City Council:

Council President, Bob Rodericks – At Large
 Council Vice-President: Frank Rego – Ward 1
 Councilwoman Anna Sousa - Ward 2
 Councilman Frank Fogarty - Ward 3
 Councilman Rick Lawson - Ward 4

City Solicitor, Michael J. Marcello
 Deputy City Clerk, Leah Stoddard

I. CALL TO ORDER

Roll Call

Fogarty X Lawson X Rego X Sousa X Rodericks X

II. SALUTE TO THE FLAG

- *Salute to the flag led by Councilman Lawson*

III. EXECUTIVE SESSION

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

- *Motion made by Councilman Lawson to enter into executive session. Motion seconded by Councilwoman Fogarty. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- A. New Claims
 - 1. Andrew Campopiano Jr

IV. RECONVENE TO OPEN SESSION

- *Motion made by Council Vice President Rego to reconvene to open session. Motion seconded by Councilwoman Sousa. Motion passes 5-0.*

Fogarty X Lawson X Rego X Sousa X Rodericks X

V. MOTION TO SEAL EXECUTIVE SESSION MINUTES

- *Motion made by Councilman Lawson to seal executive session minutes. Motion seconded by Council Vice President Rego. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

VI. CONSENT CALENDAR - For discussion and possible vote

A. COUNCIL JOURNALS:

1. Regular meeting minutes December 20, 2022
2. Executive session minutes December 20, 2022
3. Organizational meeting minutes January 3, 2023

B. TAX ABATEMENTS

Year	Amount
2022	\$197.98
Total	\$197.98

- *Motion made by Councilman Lawson to approve the consent calendar. Motion seconded by Council Vice President Rego. Motion passes 5-0.*

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

VII. LICENSES - For discussion and possible vote
A. NON-PUBLIC HEARING

1. Road Race
 Applicant: Karen Zyons
 Location: 0 Bullocks Point Avenue (Friends of Pomham Rocks Lighthouse)
 Date & Time of Event: April 22, 2023, 6:30am – 1:30pm

- *Motion to approve made by Council Vice President Rego. Motion seconded by Councilman Fogarty. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

2. Application for Victualing – Class 3- New
 Applicant: Matthew Catania
 Business Name: JM Food Group Boston 13, LLC dba Jersey Mike’s Subs
 Business Address: 75 Newport Avenue, 02916

- *Motion to approve made by Councilman Lawson. Motion seconded by Council Vice President Rego. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

B. PUBLIC HEARING

1. **BV License – New**
 Applicant: Thomas Allen
 Business Name: Myrtlebank LLC dba Myrtle
 Business Address: 132-134 Waterman Ave

- *Thomas Allen and Rosemary Allen describe the business; local, community bar for artists.*

- *Councilwoman Sousa speaks to the parking concerns, explains this is a conditional license pending all other steps still remaining. The owners are open to having discussions with the community about concerns that may arise.*
- *Councilman Lawson explains the location as being across from Jeff's wood fire pizza*
- *Jeanne LaFond approaches to speak to her concerns about parking with the new business and the incoming apartment building that is being built and asks what the hours of the establishment will be*
- *Thomas replies to questions. The hours as of now will be 4pm to midnight. Will be contacting Jeff's wood fire pizza regarding potential use of the business parking lot. Also, will be encouraging their patrons to utilize ride share, public transportation or walking as they are looking to be a neighborhood establishment.*
- *Councilman Fogarty asks the occupancy of the business. Rosemary states 100 or under.*
- *Motion to approve contingent on all other legal requirements prior to getting the license made by Councilman Fogarty. Motion seconded by Councilwoman Sousa and Councilman Lawson. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

VIII. PROCLAMATIONS & PRESENTATIONS – None

IX. COMMUNICATIONS – None

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

X. PUBLIC COMMENT

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

<i>Candy Seel</i>	<i>Statement of Support regarding Resolution for Keep Metacomet Green recommendations</i>
<i>Jeanne LaFond</i>	<i>Spoke during public hearing for Myrtle liquor license</i>
<i>Daniel Baudouin</i>	<i>State of Support for the design guidelines for the Keep Metacomet Green Resolution</i>

- *Council President Rodericks acknowledges Ms. Seel's statement and reminds the audience and viewers there will be Council comments later during the agenda item.*
-

XI. APPOINTMENTS – for discussion and possible vote

1. Police and Fire Pension Board – City Council Member Appointment

- *Council President Rodericks nominates Councilman Fogarty to the Police and Fire Pension Board*
- *Motion to appoint Councilman Fogarty to the Police and Fire Pension Board made by Councilman Lawson. Motion seconded by Council Vice President Rego. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

2. Waterfront Commission, Ward 2 – Dereck Mendoza – term expires 10/28/2023

- *This item is bypassed by Council President Rodericks after explanation that there is not a seat available*

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

3. Waterfront Commission, Ward 4 – Jeanne Boyle – filling unexpired term of Rick Lawson – term expires 03/18/2023

- *Councilman Lawson resigned from his seat after being sworn in as a Councilman.*
- *Motion to approve made by Councilman Lawson. Motion seconded by Council Vice President Rego. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

4. Library Board of Trustees, Ward 4 re-appointment – Christopher LaRoux – term expires 04/02/2025

- *Motion to approve made by Councilman Lawson. Motion seconded by Councilman Fogarty. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

5. Charter Commission, Council appointment – Izilda Fernandes
Councilman Fogarty

- *Motion to approve made by Councilman Fogarty. Motion seconded by Councilman Lawson. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

6. Charter Commission, Council appointment – Joseph Tavares
Council President Rodericks

- *Motion to approve made by Councilwoman Sousa. Motion seconded by Council Vice President Rego. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- *Council President Rodericks moves up agenda item XV, C1*

XII. COUNCIL MEMBERS

1. Council Rules of procedure Resolution 13A – Discussion – Council President Rodericks

- *Council President Rodericks suggests making Rule 1 item b to be set to a reasonable period of time and discretion of the Council.*
- *Council President Rodericks suggests move up proclamations and presentations, possibly move executive session to the end of the meeting. Discretion of the Council on whether or not letters submitted will be fully read or announced receipt of.*
- *Solicitor Marcello explains the reasons and items that can be discussed in executive session, explains that the Council can change the order of the agenda while in session.*
- *New item under Rule 5; approval of council, majority vote for purchases of \$500 or more for services and good*
- *Council President Rodericks recommends remove the 10pm adjournment*
- *Councilman Lawson suggests a start time of 6pm*
- *Use of City issued email only*
- *Solicitor Marcello would like transmission and when the clock starts for ordinances to be signed by Mayor and also how to handle Veto and how they get from the Mayor to the Council*

2. City Charter Review Commission “duties and direction” – Discussion and possible vote – Council President Rodericks

- *Council President Rodericks hands out a City Charter Review Commission Charge to all Councilmembers.*
- *Council President Rodericks suggests the Charter Commission appoints a Chair, Vice Chair and Recording Secretary*
- *Councilman Lawson states the Charter Commission has to submit ballot questions to the Secretary of State by August.*

- *A motion to submit the Charter Review Commission Charge as described changing shall deliver instead of may deliver and they are asked to elect a Chair, Vice Chair and Recording Secretary made by Councilwoman Sousa. Seconded by Councilman Fogarty.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

3. Street crossing concerns at Pawtucket Avenue and Silver Spring Street – Discussion and Possible Vote – Councilman Fogarty

- *Councilman Fogarty states the concerns at this location.*
- *Department of Public Works director, Daniel Borges states this is a State road and he will contact RIDOT about additional lighting and accepting the additional lights as it will be an additional cost to the State. Also states that RIDOT plans on repaving Pawtucket Avenue and will ask if they can place more signage pertaining to the pedestrian crosswalk*

4. Discussion and recommendation related to the Sabin Point boat ramp, repairs or reconfiguration – Discussion – Councilman Lawson

- *Councilman Lawson asks that items 4, 6 & 8 be discussed together.*
- *Councilman Lawson asks if the City is responsible for the ramp. Would like to address the parking issues also.*
- *DPW Director Borges states the City is responsible for the ramp, any improvements or repairs to the ramp must go through CRMC. There is a contract with an engineering firm to replace the boat ramp and has been submitted to CRM, waiting to see if it is determined that the ramp can be replaced.*
- *Director of Administration Napoleon Gonsalves states he would like more research into if there was funding given to maintain that ramp*

5. ARPA Funds update – Discussion – Councilman Lawson

- *Councilman Lawson asks Finance Director Malcolm Moore how much the City has received in ARPA funds. Director Moore states that \$6.6 million has been spent, \$28 million has been received, \$19.4 unexpended and roughly \$2 million in pending PO's. The funds have to be expended or encumbered by Dec. 31, 2024.*

6. Crescent Park concession building status update – Discussion – Councilman Lawson

- *Bid/RFP is currently outdated.*
- *Tracy Johnson states the State Historic Preservation has agreed to specs for the building that the Carousel currently has.*
- *The quote was only for the shell of the building*
- *Suggested that a work group meeting be set up to further discuss*

7. City Clerk vacancy/appointment procedure– Discussion and Possible vote – Council President Rodericks and Councilman Lawson

- *Councilman Lawson states that the City Charter reads that the City Council has the duty to appointment a City Clerk. Councilman Lawson proposes the HR Department to craft a job listing based on the charter criteria for the position.*
- *Council President Rodericks asks that Deputy City Clerk Leah Stoddard distribute the job description that he drafted previously to the whole Council.*
- *Council Vice President Rego would like to see past experience working in a clerk’s office in the job description*
- *Council President Rodericks asks to place this item on the next agenda*

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

8. Skating rink equipment – Discussion – Councilman Lawson

- *Skating rink is temporary and will be put into place seasonally. There is equipment in a shed to maintain the rink, unsure if it is in working condition.*

9. Status of FY22 audit – Discussion - Council Vice President Rego

- *Council Vice President asks Finance Director Malcolm Moore when the Council will see the most current audit.*
- *Director Moore stated that FY21 has yet to be completed, due to the information needed from State has not been received by the City yet.*
- *Director Moore confirms that it is allowable for the audit to not be complete due to the City filing an extension. Also, he makes the council aware that one of the issues is also partially due to the fiscal year of the City not lining up with the State’s fiscal year.*
- Henderson Bridge property ownership and present zoning – Discussion – Council Vice President Rego

- *Council Vice President Rego confirms with the Administration that the land in question is owned by the State and the sale of the property would be up to the State.*

10. Distribution method of bi-monthly Council docket to members of the City Council
 – Discussion – Councilwoman Sousa

- *Councilman Fogarty will pick up his packet and deliver the physical printed packets to Councilwoman Sousa and Council Vice President Rego*

XIII. PUBLIC HEARINGS – Ordinance for second passage - For discussion and possible vote – None

XIV. CONTINUED BUSINESS – None

XV. NEW BUSINESS

A. MAYOR COMMUNICATIONS

1. Appointment/Reappointment requiring Council Confirmation

- a. Michelle DiMeo to the Board of Assessment Review, term 01/01/2021-12/31/2026

- *Motion to approve made by Councilman Lawson. Seconded by Councilwoman Sousa. Motion passes 5-0*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- b. Lucy Rose-Correia to the Board of Assessment Review, term 09/04/2018-09/03/2024

- *Motion to approve made by Councilman Lawson. Seconded by Councilwoman Sousa. Motion passes 5-0*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- ***Motion to extend the meeting made by Councilwoman Sousa. Seconded by Councilman Lawson. Motion passes 5-0***

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- ***Motion to reconfirm the two appointments to the assessment board of review made by Councilman Lawson. Seconded by Councilwoman Sousa. Motion passes 5-0***

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

2. Appointment/Reappointment not requiring Council Confirmation

- ***Motion to accept all appointments made by Councilman Lawson. Seconded by Council Vice President Rego. Motion passes 5-0***

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- a. Donna McMahon - reappointment to Carousel Park Commission - At-Large - term 06/05/2021-06/04/2024
- b. Bruce Rogers - reappointment to Carousel Park Commission - Ward 2 - term 11/30/2022-11/29/2025
- c. Joan Hanrahan Miller - reappointment to Carousel Park Commission - Ward 3 - term 10/19/2022-10/18/2025
- d. Michelle Rhea - reappointment to Carousel Park Commission - Ward 3 - term 10/05/2022-10/04/2025
- e. Lumena Rodrigues - reappointment to Carousel Park Commission - Ward 4 - term 1/18/2023-01/17/26

- f. Izilda Fernandes - reappointment to Carousel park Commission - Mayor's Representative - term 01/05/2022-01/04/2025
- g. Stephen Costa - reappointment to Carousel Park Commission- At-Large - term 11/02/2022-11/01/2025
- h. Robert Nawrocki - reappointment as Tree Warden of the City of East Providence – Term 01/01/2023-01/01/2024
- i. Robert Nawrocki – reappointment to Tree Commission – term 01/01/2023-12/31/2026

3. Items for announcement/discussion

- a. update on monthly (November) capital and general expenses and finances – Finance Director Malcolm Moore

B. REPORTS OF OTHER CITY OFFICIALS

1. Report of the City Solicitor

- a. Claims Committee Report

- *Solicitor Michael Marcello announces claim of Andrew Campopiano Jr in the amount of \$218.58 was approved.*

C. RESOLUTIONS - For discussion and possible vote

- 1. Statement of support in principle for the design guidelines proposed by Keep Metacomet Green for the Metacomet Sub-district of the East Providence Waterfront Special Development District
Sponsor: Councilwoman Sousa

- *Councilwoman Sousa explains this resolution states guidelines for Metacomet development. Expresses concerns about the height of the buildings, traffic, preservation of the green space, has the expectation that the waterfront commission will follow the current comprehensive plan in place*
- *Council Vice President Rego asks about the height requirement of buildings, concerned about Ferris Avenue business. Solicitor Marcello explains that height restrictions were lifted in that particular instance due to that building being in a commercial zone. Solicitor Marcello explains Metacomet is not in an industrial zone, it is a mixed use zone and there are height restrictions on the property.*
- *Councilwoman Sousa expresses to fellow Council members that zoning changes will come before the Council and the Council can vote to modify them as they see fit.*

- *Councilman Lawson states that the Council must be cognizant that zoning dictates what can be built not guidelines. The guidelines are meant to guide the developer in what the public would like to see. He states he does not agree with many of the guidelines. He also does not want to see for lease signs on developments similar to Kettle Point*
- *Council President Rodericks states this is a positive step*
- *Councilwoman Sousa requests the resolution be submitted to the Waterfront Commission for their meeting.*

- *Motion to approve made by Councilwoman Sousa. Motion seconded by Councilman Lawson. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

D. INTRODUCTION OF ORDINANCES - For discussion and possible vote – None

XVII. ADJOURNMENT

- *Motion to adjourn made by Councilwoman Sousa. Seconded by Council Vice President Rego, Councilman Fogarty and Councilman Lawson. Motion passed 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

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

Approved by Council: February 7, 2023

Attest: *Leah Stoddard Deputy City Clerk*

City Clerk