

The City of Warwick
Docket of the City Council
Regular Business / Public Hearing Meeting
For
July 18, 2016
@
Council Chambers
Warwick City Hall
3275 Post Road
Warwick, RI 02886
@ 7:00 P.M.
Donna Travis, President

Roll Call: 8/1 Steven Colantuono, Thomas Chadronet, Camille Vella-Wilkinson, Joseph Solomon (absent), Edgar Ladouceur, Donna Travis, Kathleen Usler, Joseph Gallucci, Steven Merolla

Time: 9:32 P.M.

Salute To The Flag: *Disabled American Veterans:*

James W. Burrows, Commander

Timothy Howe, Sr. Vice Commander

Jim Hickey, Chaplin

Executive Communications

Councilwoman Vella-Wilkinson presents proclamation to Disabled American Veterans

Quarterly Reports

1. **Dan O'Rourke - Water Department** – presentation given

2. **Janine Burke – WSA** – presentation given

General Communications –

1. Ward 3 – Councilwoman Vella-Wilkinson: Request moment of silence to honor the Police Officers and other victims of violence from terrorism around the world. Ward 6 – Council President Travis was going to request the same. Everyone should have received letter from Mayor regarding the problem of uneven enforcement of Ordinance 803.5 regarding temporary signs. The enforcement of ordinances is based on complaints, while the Building Department did what they had to do, as a result only one person had ordinance enforced against them. She will docket Resolution to correct this.
2. Ward 9 – Councilman Merolla – Has received phone calls regarding tax bills. Residents have been upset; people are moving out of City, we are losing population to other communities. Taxes are cheaper in Narragansett, even with property overlooking the water. This concerns him, we may be dropping too 3rd largest City in the State instead of 2nd.

A. Acceptance of minutes from council meetings held on:

1. May 16, 2016

Moved by: Colantuono

Seconded by: Vella-Wilkinson

Vote: 8/0 VV

ACCEPTED

2. May 21, 2016 Special Budget Meeting

Moved by: Colantuono

Seconded by: Vella-Wilkinson

Vote: 8/0 VV

ACCEPTED

3. May 23, 2016 Special Budget Meeting

Moved by: Colantuono

Seconded by: Vella-Wilkinson

Vote: 8/0 VV

ACCEPTED

4. May 25, 2016 Special Budget Meeting
Moved by: Colantuono
Seconded by: Vella-Wilkinson
Vote: **vote not taken, moved to 8/15/2016**

5. May 26, 2016 **vote not taken, moved to 8/15/2016**
Moved by:
Seconded by:
Vote:

6. June 6, 2016
Moved by: Colantuono
Seconded by: Vella-Wilkinson
Vote: 8/0 VV

ACCEPTED

7. June 20, 2016
Moved by: Colantuono
Seconded by: Vella-Wilkinson
Vote: 8/0 VV

ACCEPTED

Public Hearings

RULE 41. After the General Communications and prior to the Consent Calendar at each City Council Public Hearing meeting there shall be a fifteen minute period during which citizens may comment about Warwick city government issues subject to the following stipulations:

- a) The total period of time for public comment shall be 15 minutes. Comments need to be brief in order to allow as many citizens as possible to participate.
- b) The topics for comment shall be issues directly affecting City government.
- c) City Council members will not respond to questions during the public comment period.
- d) The public comment session will terminate at the expiration of 15 minutes. Waiver of this provision requires unanimous consent.

Public Comments

1. Dean Johnson – Ward 2 – He is the person signaled out by Sign Ordinance. It has been deemed unconstitutional. This could have happened to anyone. He respects the Council and that the City acted quickly. Remove this ordinance; don't limit our freedom of speech.
2. Timothy Howe – On behalf of DAV and Chapter 9 thanks the Mayor and Council for their support. Updates that since 2013 when Warwick Veterans Services opened, they have enrolled 36 veterans in services. Providence has great veteran services. He will be keeping the public informed of this. They will be having another Boot Camp Breakfast. The Military Lounge at TFG has had over 9000 traveling military service members, it is one of Warwick's best veterans service.
3. Jeremy Rix – Ward 2 – On Behalf of Anthony Sinapi, amendment to Juvenile Hearing Board Ordinance language should be changed. Sign Ordinance is unconstitutional; difference between Public and Private property posting of signs. Keep things even and fair by Building Department's enforcement of the sign ordinance.
4. Sean Rainey – City should get rid of sign ordinance. Warwick North Little League has 2 teams going to the regionals, boys baseball and girls softball. Council should consider line item for Warwick teams playing in the regionals to help parents and players.
5. Roger Durand – Thanks WPD for their services, commends them for their daily work. Community Police Officer Daniel Maggiasco does a fabulous job. Warwick Sewer operation – 10 years still no pumping station in Governor Francis and have not acquired the land. We need a project manager for Warwick Sewer. Bill passed at State House should be how we are assessed why are they trying to change that.

Referred Business

1. **PCO-11-16 An Ordinance relative to a Zone Change Petition, Veracruz Shabo, LLC, Petitioner** (Council President Travis)

Public Hearing, First Passage

Committee Report: Land Use: Open Public Hearing, Colantuono

Action: Motion to open Public Hearing
Moved by: Colantuono
Seconded by: Vella-Wilkinson, Usler, Gallucci, Chadronet
Vote: 8/0 VV

Speaking for: Attorney K. Joseph Shekarchi for Petitioner

Speaking against: Wendy Weiss, concerns of cars in and out, she will be stuck in traffic. He is going to have more business and employees. Where will trash go?

Motion to close the P.H.: Colantuono
Seconded by: Chadronet, Vella-Wilkinson, Ladouceur, Usler
Vote: 8/0 VV

Action: Favorable
Moved by: Colantuono
Seconded by: Chadronet, Ladouceur
Action: Move to Amend
Moved by: Colantuono
Seconded by: Chadronet, Ladouceur
Vote: 8/0
Action: Move as Amended
Moved by: Colantuono
Seconded by: Ladouceur, Chadronet
Vote: 8/0

TO SECOND PASSAGE 8/15/2016

2. **PCO-17-16 An Ordinance relative to a Zone Change Petition, Warwick Hotel Associates, Warwick Hotel Associates, IV, LLC and State of Rhode Island, Petitioners** (Councilman Gallucci)

Public Hearing, First Passage

Committee Report: Land Use: Continue Public Hearing to 9/19/2016

Action: Motion to Open Public Hearing
Moved by: Gallucci
Seconded by: Usler, Colantuono
Vote: 8/0 VV

Speaking for: Attorney K. Joseph Shekarchi, for Petitioner

Speaking against:

Motion to close the P.H.:
Seconded by:
Vote:

Action: **Continue Public Hearing to 9/19/2016**
Moved by: Gallucci
Seconded by: Colantuono
Vote: 8/0 VV

3. **PCO-18-16 An Ordinance relative to the Abandonment of a portion of Colorado Avenue, JB, LLC, Petitioner** (Councilwoman Vella-Wilkinson)

Public Hearing, First Passage

Committee Report: Land Use: Open Public Hearing, Colantuono

Action: Motion to Open Public Hearing
Moved by: Colantuono
Seconded by: Vella-Wilkinson, Chadronet
Vote: 8/0 VV

Speaking for: Attorney Daniel Flaherty, for Petitioner

Speaking against: None

Motion to close the P.H.: Colantuono
Seconded by: Vella-Wilkinson, Usler
Vote: 8/0 VV

Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Chadronet, Colantuono, Merolla
Vote: 8/0

TO SECOND PASSAGE 8/15/2016

UNFINISHED BUSINESS - 2 ITEMS MOVED TO TOP OF DOCKET

1. **PCO-1-16 Sub A An Ordinance Relative to Illicit Discharges to Municipal Separate Storm Sewer** (Councilman Colantuono on behalf of Mayor Avedisian)

First Passage

Committee Report: Ordinance: Favorable as Amended, Gallucci
Action: Favorable as Amended
Moved by: Colantuono
Seconded by: Ladouceur, Vella-Wilkinson, Gallucci
Vote: 8/0

TO SECOND PASSAGE 8/15/2016

2. **PCO-2-16 An Ordinance Relative to Soil Erosion, Sediment Control, and Post-Construction Storm Water Control** (Councilman Colantuono on behalf of Mayor Avedisian)

First Passage

Committee Report: Ordinance: Favorable, Gallucci
Action: Favorable
Moved by: Colantuono
Seconded by: Vella-Wilkinson, Gallucci
Vote: 8/0

TO SECOND PASSAGE 8/15/2016

1. **Announcement of Appointments – none**
2. **Appointments Requiring Confirmation –**

Juvenile Hearing Board

1. Karin L Kavanagh
2171 Warwick Avenue
Warwick, RI 02889
Vice: Paul Evans
Ward 3
Expires May 31, 2019

Committee Report: Appointments: Favorable, Usler
Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Colantuono, Ladouceur, Usler, Gallucci
Vote: 8/0

ACCEPTED

2. Linda Dale
29 Harding Avenue
Warwick, RI 02888
Re-appointment
Ward 1
Expires May 31, 2019

Committee Report: Appointments: **HOLD TO 8/15/2016**

Deputy City Clerk

1. Lyn Pagliarini
230 Cumberland Road
Warwick, RI 02886
New appointment
Ward 7
Expires: None

Committee Report: Appointments: **HOLD TO 8/15/2016**

Sewer Authority

1. John Justo
396 Love Lane
Warwick, RI 02818
Vice: Aaron Guckian
Ward 9
Expires: January 31, 2020

Committee Report: Appointments: Favorable, Colantuono
Action: Favorable
Moved by: Ladouceur
Seconded by: Colantuono, Usler, Merolla
Vote: 8/0

ACCEPTED

3. Consent Calendar –

1. PCR-93-16 Resolution Relative to Bids
(Councilwoman Vella-Wilkinson)

Committee Report: Finance: Favorable, Vella-Wilkinson
Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Colantuono

ADOPTED R-16-72

2. PCR-94-16 Resolution Relative to Claims
(Councilman Gallucci)

Committee Report: Public Safety: Favorable, Gallucci
Action: Favorable for Richard Smith, Hold Leone to 8/15/2016
Moved by: Gallucci
Seconded by: Colantuono, Usler

ADOPTED R-16-73

3. PCR-95-16 Resolution Relative to Abatements
(Councilwoman Vella-Wilkinson)

Committee Report: Finance: Favorable, Vella-Wilkinson
Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Colantuono, Gallucci

ADOPTED R-16-74

Consent calendar vote: 8/0

REMOVED FROM CONSENT CALENDAR:

PCR-97-16 Bid# 2017-19 Brass Fittings and Valves

Committee Report: Finance: Favorable, Vella-Wilkinson
Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Colantuono
Vote: 7/0/1 (Merolla abstains)

ADOPTED R-16-75

PCR-98-16 Bid# 2017-45 Rescue Service Billing Administrator

Committee Report: Finance: Move to floor for discussion, Vella-Wilkinson
Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Colantuono
Action: Move to Amend
Moved by: Vella-Wilkinson
Seconded by: Ladouceur
Vote: 8/0
Action: Move as Amended
Moved by: Vella-Wilkinson
Seconded by: Ladouceur
Vote: 8/0

ADOPTED R-16-76

UNFINISHED BUSINESS

3. **PCO-16-16 Sub A - An Ordinance mirroring Senate Bill S0124 – No Smoking on Public Beaches** (Councilman Merolla, Councilwoman Usler, Councilman Ladouceur)

Second Passage as amended

Committee Report: Ordinance: Favorable, Gallucci
Action: Favorable
Moved by: Merolla
Seconded by: Ladouceur, Usler, Gallucci, Colantuono
Vote: 8/0

ADOPTED O-16-15

4. **PCO-18-15 Neighborhood Improvement Program- An Ordinance that will make Landlords responsible for the costs to pick up debris left on the street by tenants.** (Councilman Ladouceur)

First Passage- Not Drafted

Committee Report: Ordinance: **HOLD TO 8/15/2016**

5. **PCO-4-16 Dishonorable Service Ordinance**
(Councilman Solomon, Councilman Ladouceur, Councilman Merolla, Councilman Gallucci, Councilwoman Usler)

First Passage – Not Drafted

Committee Report: Ordinance: **HOLD TO 8/15/2016**

6. **PCO-6-16 Amendment to Purchasing for submission of bids to include Corporate Certificate of Good Standing** (Councilman Solomon)

First Passage

Committee Report: Finance: Favorable, Vella-Wilkinson
Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Colantuono, Ladouceur, Usler, Gallucci
Vote: 8/0

TO SECOND PASSAGE 8/15/2016

7. PCO-10-16 School Consolidation proceeds
(Councilman Ladouceur)

First Passage – Not Drafted

Committee Report: Finance: **HOLD TO 8/15/2016**

8. PCO-15-16 An Ordinance in regards to amending Article VII, Juvenile Hearing Board (Council President Travis)

First Passage

Committee Report: Ordinance: Favorable, Gallucci

Action: Favorable

Moved by: Colantuono

Seconded by: Ladouceur, Chadronet

Action: Move to Amend

Moved by: Colantuono

Seconded by: Ladouceur

Vote: 8/0

Action: Move as Amended

Moved by: Colantuono

Seconded by: Vella-Wilkinson, Ladouceur, Usler, Gallucci

Vote: 8/0

TO SECOND PASSAGE 8/15/2016

9. PCR-9-16 Sub A A Resolution Requesting a Comprehensive Audit be Conducted in Preparation for the FY2017 Budget Hearings
(Councilwoman Vella-Wilkinson)

Committee Report: Finance: Move to Floor: **HOLD TO 8/15/2016**

10. PCR-10-16 A Forensic Audit
(Councilwoman Usler)

Not Drafted

Committee Report: Finance: **HOLD TO 8/15/2016**

11. PCR-57-16 Abatements 5/2/2016
(Councilwoman Vella-Wilkinson)

Committee Report: Finance: Favorable to Amend, Vella-Wilkinson

Action: Move to Amend

Moved by: Vella-Wilkinson

Seconded by: Colantuono

Vote: 8//0

Action: Move as Amended

Moved by: Vella-Wilkinson

Seconded by: Colantuono

Vote: 8/0

ADOPTED R-16-77

12. PCR-73-16 A Resolution requesting that the WSA immediately hire an independent Project Manager for any and all sewer projects in progress or that will be commencing in the future (Councilman Ladouceur, Councilman Merolla)

Committee Report: Intergovernmental: **HOLD TO 8/15/2016**

- 13. PCR-74-16 A Resolution to require any department head that makes any transfer in any line item in their budget to notify the City Council in writing at the next City Council meeting after making said transfer**
(Councilman Ladouceur, Councilwoman Usler)

Committee Report: Finance: Favorable, Vella-Wilkinson
Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Ladouceur, Usler, Chadronet
Vote: 5/3 (Travis, Colantuono, Vella-Wilkinson)

ADOPTED R-16-78

NEW BUSINESS

- 1. PCO-19-16 An Ordinance establishing a timeline for the expedient turnover of Warwick School Department excess equipment, vehicles and buildings**
(Councilwoman Vella-Wilkinson)

First Passage – Not Drafted

Committee Report: Ordinance: **HOLD TO 8/15/2016** at request of Sponsor

- 2. PCO-20-16 An Ordinance for an amendment regarding special use permits for businesses** (Councilwoman Vella-Wilkinson)

First Passage – Not Drafted

Committee Report: Ordinance: **HOLD TO 8/15/2016** at request of Sponsor

- 3. PCO-21-16 An Ordinance for an amendment to the City of Warwick bereavement policy for its employees** (Councilwoman Vella-Wilkinson)

First Passage – Not Drafted

Committee Report: Ordinance: Move to Withdraw, Vella-Wilkinson
Action: Move to Withdraw
Moved by: Vella-Wilkinson
Seconded by: Colantuono
Vote: 8/0

WITHDRAWN

- 4. PCO-22-16 An Ordinance regarding a Veteran's Discount Card**
(Councilman Ladouceur)

First Passage – Not Drafted

Committee Report: Ordinance: **HOLD TO 9/7/2016**

- 5. PCO-23-16 An Ordinance regarding travel and parking restrictions placed upon Warwick public streets** (Councilwoman Vella-Wilkinson)

First Passage – Not Drafted

Committee Report: Public Safety: **HOLD TO 8/15/2016**

6. **PCO-24-16 An Ordinance in regards to erecting no parking signs for the first 200 feet on the northerly side of Pell Ave from Post Road**
(Councilwoman Vella-Wilkinson)

First Passage

Committee Report: Public Safety: Favorable, Gallucci
Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Colantuono, Gallucci
Vote: 8/0

TO SECOND PASSAGE 8/15/2016

7. **PCR-79-16 A Resolution in Support of the Study of “Complete Streets” concepts within the City of Warwick** (Councilman Colantuono on behalf of Mayor Avedisian)

Committee Report: Intergovernmental: Favorable, Colantuono
Action: Favorable
Moved by: Colantuono
Seconded by: Chadronet, Vella-Wilkinson, Gallucci
Vote: 8/0

ADOPTED R-16-79

8. **PCR-80-16 A Resolution relative to authorizing the Mayor to execute net metering payment in lieu of taxes agreements with Southern Sky Renewable Energy RI, LLC** (Councilwoman Vella-Wilkinson)

Committee Report: Intergovernmental: Favorable, Colantuono
Action: Favorable
Moved by: Vella-Wilkinson
Seconded by: Colantuono, Chadronet, Ladouceur, Usler
Vote: 8/0

ADOPTED R-16-80

9. **PCR-81-16 A Resolution regarding the Warwick Sewer Authority and the Levee Upgrade** (Councilman Ladouceur)

Not Drafted

Committee Report: Intergovernmental: **HOLD TO 8/15/2016**

10. **PCR-87-16 A Resolution relative to authorize the Mayor of the City of Warwick to accept the donation of certain lands** (Councilman Colantuono and Councilman Ladouceur on behalf of Mayor Avedisian)

Committee Report: Land Use: Favorable, Colantuono
Action: Favorable
Moved by: Colantuono
Seconded by: Ladouceur, Chadronet, Vella-Wilkinson, Merolla
Action: Move to Amend
Moved by: Colantuono
Seconded by: Ladouceur, Merolla
Vote: 8/0
Action: Move as Amended
Moved by: Colantuono
Seconded by: Ladouceur, Usler
Vote: 8/0

ADOPTED R-16-81

11. PCR-88-16 A Resolution requesting that training on the MUNIS System be provided to City Employees who use the MUNIS System

(Councilwoman Vella-Wilkinson, Councilman Ladouceur)

Committee Report: Intergovernmental: Favorable, Colantuono

Action: Favorable

Moved by: Vella-Wilkinson

Seconded by: Ladouceur, Chadronet

Vote: 8/0

ADOPTED R-16-82

12. PCR-89-16 A Resolution regarding a referendum to be placed on the November ballot for voters in the City of Warwick

(Councilwoman Vella-Wilkinson)

Not Drafted

Committee Report: Intergovernmental: **HOLD TO 8/15/2016**

13. PCR-90-16 A Resolution relative to the City Council Meeting Calendar for 2017

(Council President Travis)

Committee Report: Intergovernmental: Favorable, Colantuono

Action: Favorable

Moved by: Colantuono

Seconded by: Vella-Wilkinson, Ladouceur

Action: Move to Amend

Moved by: Merolla

Seconded by: Colantuono

Vote: 8/0

Action: Move as Amended

Moved by: Colantuono

Seconded by: Vella-Wilkinson

Vote: 8/0

ADOPTED R-16-83

14. PCR-91-16 A Resolution requesting relocation of Mailboxes for Morgan Avenue (Councilman Ladouceur)

Committee Report: Intergovernmental: Favorable, Colantuono

Action: Favorable

Moved by: Ladouceur

Seconded by: Usler, Vella-Wilkinson, Chadronet, Colantuono

Vote: 8/0

ADOPTED R-16-84

15. PCR-92-16 Resolution relative to Dorothy Mayor Park (Councilwoman Usler on behalf of Mayor Avedisian)

Committee Report: Public Properties: Favorable, Colantuono

Action: Favorable

Moved by: Usler

Seconded by: Chadronet

Vote: 8/0

ADOPTED R-16-85

16. PCR-96-16 Resolution requesting the City's Senior Transportation Busses provide rides to Walmart at no additional charge (Councilman Merolla, Council President Travis, Councilman Colantuono, Councilman Chadronet, Councilwoman Vella-Wilkinson, Councilman Solomon, Councilman Ladouceur, Councilwoman Usler, Councilman Gallucci)

(Councilman Merolla, Council President Travis, Councilman Colantuono, Councilman Chadronet, Councilwoman Vella-Wilkinson, Councilman Solomon, Councilman Ladouceur, Councilwoman Usler, Councilman Gallucci)

Committee Report: Intergovernmental: Favorable, Colantuono

Action: Favorable

Moved by: Merolla

Seconded by: Ladouceur, Chadronet

Vote: 8/0

ADOPTED R-16-86

FOR REFERRAL AND ADVERTISING

1. **PCO-25-16** An Ordinance relative to the Abandonment of a portion of Soule Street, TMC CF New England, LLC, Petitioner (Councilman Gallucci)

2. **PCO-26-16** An Ordinance relative to a Zone Change Petition, TMC CF New England, LLC, Petitioners requesting Zoning Law be amended by changing the Zoning Classification from Residential A-7 to General Business for Plat 273, Lots 382 and 383 (Councilman Gallucci)

Unanimous Consent for July 18, 2016

Councilman Colantuono – Resolution to the Re-Installation of Stop Signs on Spring Green Rotary to be docketed on 8/15/2016 – NO OBJECTIONS **PCR-99-16**

Motion to Adjourn: Gallucci

Vote: 8/0 VV

Time: 12:00 AM

Next available numbers: **PCR-97-16**
PCO-27-16

DOCKET SESSION

Ward 1 – Councilman Colantuono at the request of Mayor Avedisian, Council President Travis, and Councilwoman Vella-Wilkinson
Ordinance to amend the Code regarding Minimum Housing Fees & Fines
Ordinance Committee **PCO-27-16**

Ward 3 – Councilwoman Vella-Wilkinson

1. Ordinance – An Amendment to Warwick Zoning Ordinance 803.5 Temporary Signs – Land Use Committee **PCO-28-16**

2. Resolution to amend the City of Warwick bereavement policy for its Employees – Intergovernmental Committee **PCR-100-16**

3. Resolution regarding funds emanating from the sale of surplus school buildings – Intergovernmental Committee **PCR-101-16**

Ward 6 – Councilman Ladouceur – Ordinance regarding no parking on the east side of Marlow Road – Public Safety Committee **PCO-29-16**