**Monday, August 1, 2016**

At a public hearing of the City Council, in the City of Woonsocket, County of Providence, State of Rhode Island in Harris Hall on Monday, August 1, 2016 at 6:30 P.M.

Six (6) members are present. Councilman Jalette arrived at 6:49 P.M.

A public hearing was held on the following matters:

16 O 77 An ordinance in amendment of Code of Ordinances, Appendix C entitled “Zoning” regarding supermarkets in certain zones.

16 O 78 An ordinance in amendment of Code of Ordinances, Appendix C entitled “Zoning” miscellaneous and technical provision changes.

16 O 94 An ordinance amending the Comprehensive Plan of the City of Woonsocket amendment 2016-2 Mendon Road and Cumberland Hill Road.

16 O 95 An ordinance in amendment of Code of Ordinances, Appendix C entitled “Zoning” changing the zoning designation of Assessor’s Plat 42 Lots 10 and 255 and Assessor’s Plat 43, Lot 5, 6 and 13 from R3 to MU2.

There was no one present wishing to address the council.

Upon motion of Councilman Gendron seconded by Councilman Brien it is voted that the public hearing be adjourned at 6:56 P.M.

The regular meeting follows at 7:00 P.M.

All members are present.

The prayer is read by the Clerk. The Pledge of Allegiance is given by the assembly.

A motion was made to dispense with the regular order of business and take up the following three ordinances:

16 O 77 An ordinance in amendment of Code of Ordinances, Appendix C entitled “Zoning” regarding supermarkets in certain zones, which was tabled at the meeting of June 20th is read by title, and

A motion is made by Councilman Mancieri seconded by Councilwoman Murray that the ordinance be passed for the first time, however, before this is voted on

Upon motion of Councilman Mancieri seconded by Councilwoman Murray it is voted that the ordinance be amended as follows: in Section 4.6.2 – Retail sales less than 5,000 square feet: **P** = MU-1, C-1, C-2, MU-2 / **NP** = R-1, R-2, R-3, R-4, I-1, I-2, PR-1, PR-2; in Section 4.6.3 – Retail sales at or more than 5,000 square feet: **P** = C-1, C-2, MU-2 / **S** = MU-1 / **NP** = R-1, R-2, R-3, R-4, I-1, I-2, PR-1, PR-2; and in Section 4.6.2 (f) delete “Supermarkets”. This amendment is voted on and passed on a 5-2 roll call vote with Councilors Brien and Jalette voting no. The ordinance, as amended, is then voted on and passed for the first time, a roll call vote on same being 5-2 with Councilmen Brien and Jalette voting no.

16 O 78 An ordinance in amendment of Code of Ordinances, Appendix C entitled “Zoning” miscellaneous and technical provision changes, which was tabled at the meeting of June 20th, is read by title, and

A motion is made by Councilman Mancieri seconded by Councilman Brien that the ordinance be passed, however before this is voted

Upon motion of Councilman Gendron seconded by Councilman Mancieri it is voted that the ordinance, as amended, be passed for the first time, a roll call vote on same being unanimous.

16 O 79 An ordinance in amendment of Code of Ordinances, Section 14-13 entitled “Abandoned, junked, discarded vehicles on public property” which was tabled at the meeting of June 20th, is read by title, and

Upon motion of Councilman Brien seconded by Councilman Mancieri it is voted that the ordinance be passed for the first time, a roll call vote on same being unanimous.

The following person addressed the council under citizens good and welfare: Charles Lemoine.

Upon motion of Councilman Jalette seconded by Councilman Gendron it is voted that the minutes of the regular meeting held July 19th be approved as submitted, a voice vote on same being unanimous.

Upon motion of Councilman Jalette seconded by Councilwoman Murray it is voted that the consent agenda be approved as submitted, a voice vote on same being unanimous and upon motion of Councilman Gendron seconded by Councilwoman Murray it is voted to remove 16 CO 38 for discussion.

The following items were listed on the consent agenda:

16 CO 31 A communication from City Planner submitting response to request for advice and recommendation to amend supermarket provisions in the Woonsocket Zoning Ordinance.

16 CO 32 A communication from Planning Board Vice Chairman submitting response to request for advice and recommendation to amend miscellaneous and technical provisions in the Woonsocket Zoning ordinance.

16 CO 33 A communication from Planning Board Chairman submitting response to request for advice and recommendation to amend the Comprehensive Plan and Zoning Ordinance regarding Assessor’s Plat 42, Lots 10 and 255 and Assessor’s Plat 43, Lots 5, 6 and 13.

16 CO 34 A communication from the Planning & Development Director regarding a request to rezone property, Woonsocket Assessor’s Plat 49, Lots 2 and 246.

16 CO 35 Opinion of City Solicitor regarding claim of Richard E. Brobisky and Melissa Wentzel.

16 CO 36 A communication from Planning & Development Director regarding annual report of the Chief Housing Inspector.

16 CO 37 A communication from Planning & Development Director submitting memorandum from the Zoning official regarding supermarkets.

16 CO 38 A communication from Director of Planning & Development requesting a work session is read by title and a work session will be held August 15th.

The Mayor read two communications regarding improved City financial stability/cash flow and dog park pop-up tents and she introduced the new City Engineer.

16 LC 22 Upon motion of Councilman Jalette seconded by Councilwoman Murray it is voted that the following licenses be granted, a voice vote on same being unanimous: 1 application for Class F1 and entertainment license, 1 application for Class F license and entertainment license, 1 application for game of chance, bingo, carnival, victualing and fireworks license, 4 applications for renewal of coin-operated machine license, 1 application for holiday license, 1 application for renewal of quarterly entertainment license and 2 applications for renewal of private detective license.

Upon motion of Councilman Jalette seconded by Councilors Beauchamp & Murray it is voted to remove the application for extension of Class BV Liquor to outdoor area side of building from Back Street Sport Bar, RI.

Upon motion of Councilman Beauchamp seconded by Councilman Jalette it is voted to approve license with the following stipulations: a month trial period including 6 tables with 4 chairs, install fenced in area with proper egress at North exit three feet from lot line; between the hours of 6-10 P.M.; display no standing signs, however, before this was voted on

Upon motion of Councilman Jalette seconded by Councilman Brien it is voted to table, a voice vote on same being 6-1 with Councilman Mancieri voting no.

16 LC 23 An application for transfer of Class A license from FAP Enterprises Inc. d/b/a Minuteman Liquors to Jay Omkara Corporation d/b/a Minuteman Liquors at 779 Park Avenue, which was advertised for hearing on this date, is read by title, and

Upon motion of Councilman Mancieri seconded by Councilman Gendron it is voted that the transfer be granted, a voice vote on same being unanimous. Doug Emanuel addressed the council at the public hearing.

16 LC 24 An application of Pre-Owned Factory Inc. d/b/a Pre-Owned Factory Auto Sales II to hold second hand dealer license at 114A Fortin Drive, which was advertised for hearing on this date, is read by title, and

Upon motion of Councilman Mancieri seconded by Councilman Gendron it is voted that the license be granted, a voice vote on same being unanimous. David Tasca addressed the council at the public hearing.

16 CP 43 A request of Evelyn Wheeler to address the City Council to address the City Council regarding tax abatement for property owners who have Historical Cemeteries on the property is read by title. Ms. Wheeler was present and addressed the council.

16 CP 44 A request of Councilman Gendron to address the following items: financial condition/budget, tax bill/grace period and wastewater bills.

A motion was made by Councilman Gendron seconded by Councilman Jalette to allow Councilman Gendron to add a fourth item: Water Treatment Plant.

16 CP 45 A request of Council Vice President Brien to address the following items: S. Menard Middle School-appropriate signs, plaques, designations, senior center maintenance and automobile tax, depreciation schedule.

The following remarks are made under good and welfare:

Councilman Gendron passed.

Councilman Jalette passed.

Councilman Mancieri spoke about Hearts with Hope event “Rock out the Cancer” on August 20th at Cercle Laurier.

President Moreau passed.

Councilwoman Murray passed.

Councilman Beauchamp passed.

Councilman Brien passed.

16 O 70 An ordinance placing on the ballot for the General Election to be held on November 8, 2016, a question amending the City of Woonsocket Home Rule Charter to establish Fiscal Stability Reserve Accounts and clarify its source of funding and use, which was tabled at the meeting of July 19th, is read by title, and

Upon motion of Councilwoman Murray seconded by Councilman Moreau it is voted that the ordinance be passed, a roll call vote on same being 4-3 with Councilors Brien, Gendron and Jalette voting no.

16 O 86 An ordinance in amendment of Chapter 15 entitled “Parks and Recreation” of the Code of Ordinances, City of Woonsocket, which was passed for the first time on July 19th, is read by title, and

Upon motion of Councilman Gendron seconded by Councilors Beauchamp & Murray it is voted that the ordinance be passed, however, before this is voted upon,

Upon motion of Councilman Beauchamp seconded by Councilman Gendron it is voted to eliminate all prior amendments, a roll call vote on same being 4-3 with Councilors Brien, Jalette & Mancieri voting no. The Ordinance, as amended, is then voted on and passed for the first time, a roll call vote on same being 4-3 with Councilors Brien, Jalette & Mancieri voting no.

16 O 92 An ordinance transferring funds from Public Works to City Capital Fund, which was tabled at the meeting of July 5th, is read by title, and remains tabled.

16 O 94 An ordinance amending Comprehensive Plan of the City of Woonsocket amendment #2016-2 Mendon Road and Cumberland Hill Road, which was tabled at the meeting of June 20th, is read by title, and

Upon motion of Councilman Mancieri seconded by Councilmen Brien & Gendron it is voted that the ordinance be passed for the first time, a roll call vote on same being unanimous.

16 O 95 An ordinance in amendment of Code of Ordinances, Appendix C entitled “Zoning” changing the zoning designation of Assessor’s Plat 42, Lots 10 and 255 and Assessor’s Plat 43, Lots 5, 6 and 13 from RI to MU2, which was tabled at the meeting of June 20th, is read by title, and

Upon motion of Councilman Mancieri seconded by Councilman Jalette it is voted that the ordinance be passed for the first time, a roll call vote on same being 6-1 with Councilman Beauchamp voting no.

Upon motion of Councilman Mancieri seconded by Councilwoman Murray it is voted to dispense with the regular order of business and take up the following resolution:

16 R 110 A resolution appointing Lisa K. Jacques as a member of the Woonsocket Harris Public Library Board of Trustees is read by title, and

Upon motion of Councilman Mancieri seconded by Councilman Gendron it is voted that the resolution be passed, a voice vote on same being unanimous.

Upon motion of Councilman Moreau seconded by Councilman Mancieri it is voted to further dispense with the regular order of business and take up the following resolution:

16 R 119 A resolution awarding a three-year contract for IT-IS Telecom Services Bid #5738 to Apex Technology Group is read by title, and

Upon motion of Councilman Gendron seconded by Councilman Beauchamp it is voted that the resolution be passed, however before this is voted upon,

Upon motion of Councilman Brien seconded by Councilman Gendron it is voted that the Resolution be tabled, a roll call vote on same being 4-3 with Councilors Mancieri, Murray and Moreau voting no.

16 O 99 An ordinance transferring funds from Planning Division to City Capital Fund) is read by title, and

Upon motion of Councilman Beauchamp seconded by Councilwoman Murray it is voted that the ordinance be passed, a roll call vote on same being unanimous.

16 O 100 An ordinance adopting a Capital Improvement Program for the City of Woonsocket for fiscal years 2017-2021 is read by title, and

A motion is made by Councilman Beauchamp seconded by Councilwoman Murray that the ordinance be passed for the first time, however before this is voted on

Upon motion of Councilman Gendron seconded by Councilman Beauchamp it is voted that the ordinance be amended by deleting the third “Whereas”. This amendment is voted on and passed unanimously on a roll call vote. The ordinance, as amended, is then voted on and passed for the first time on a unanimous roll call vote.

Upon motion of Councilman Gendron seconded by Councilman Mancieri it is voted that the following two ordinances be tabled, referred to the Planning Board for advice and recommendation and advertised for hearing on September 6th, a roll call vote on same being unanimous:

16 O 101 An ordinance amending the Comprehensive Plan of the City of Woonsocket #2016-3 Cass Avenue and Ricard Street.

16 O 102 An ordinance in amendment of Code of Ordinances, Appendix C entitled “Zoning” changing the zoning designation of Assessor’s Plat 49, Lots 2 and 246 from I-1 to MU-2.

16 O 103 An ordinance in amendment of Chapter 2 entitled “Administration” of the Code of Ordinances, is read by title, and

Upon motion of Councilman Gendron and seconded by Councilman Mancieri it is voted that the ordinance be passed for the first time, however before this is voted upon,

Upon motion of Councilman Mancieri seconded by Councilman Gendron it is voted that the ordinance be amended as follows: in Section 1 (b) add “or lease” twice after the word “sale” in the second sentence. Also in Section 1 (c) delete the word “sale” and add “property” after the word “subject” in the second sentence, however, before this is voted upon

A motion is made by Councilman Brien seconded by Councilman Beauchamp that the ordinance be tabled, a roll call vote on same being 4-3 with Councilors Gendron, Jalette & Mancieri voting no.

16 O 104 An ordinance in amendment of Chapter 7288 of the Ordinances of the City of Woonsocket entitled “Personnel Ordinance” as amended pertaining to non-union classified municipal employees is read by title, and

Upon motion of Councilman Mancieri seconded by Councilwoman Murray it is voted that the ordinance be passed for the first time, a roll call vote on same being unanimous.

16 O 105 An ordinance authorizing the Finance Director to create a restricted account for energy conservation improvements is read by title, and

Upon motion of Councilman Mancieri seconded by Councilwoman Murray it is voted that the ordinance be passed for the first time, a roll call vote on same being unanimous.

16 R 100 A resolution authorizing the Mayor to enter into certain agreements for the development of the former Woonsocket Middle School complex at Park Place and 150 Hamlet Avenue, which was tabled at the meeting of July 5th, is read by title, and

Upon motion of Councilwoman Murray seconded by Councilman Beauchamp it is voted that the resolution be passed, however this motion is defeated on a 4-3 roll call vote with Councilors Beauchamp, Murray and Moreau voting yes.

16 R 104 A resolution authorizing the cancellation of certain taxes, which was tabled at the meeting of July 5th, is read by title, and

Upon motion of Councilman Beauchamp seconded by Councilman Brien it is voted that the resolution be passed, a voice vote on same being unanimous.

16 R 111 A resolution granting permission to use city property is read by title, and

Upon motion of Councilman Gendron seconded by Councilwoman Murray it is voted that the resolution be passed, a voice vote on same being unanimous.

16 R 112 A resolution authorizing the cancellation of certain taxes is read by title, and

Upon motion of Councilman Gendron seconded by Councilwoman Murray it is voted that the resolution be passed, a voice vote on same being unanimous.

16 R 113 A resolution authorizing the cancellation of certain taxes is read by title, and

Upon motion of Councilman Jalette seconded by Councilman Mancieri it is voted that the resolution be passed, a voice vote on same being unanimous.

16 R 114 A resolution authorizing the cancellation of certain taxes is read by title, and

Upon motion of Councilman Gendron seconded by Councilors Beauchamp & Murray it is voted that the resolution be passed, a voice vote on same being unanimous.

16 R 115 A resolution authorizing the cancellation of certain taxes is read by title, and

Upon motion of Councilman Jalette seconded by Councilman Gendron it is voted that the resolution be passed, a voice vote on same being unanimous.

16 R 116 A resolution authorizing the Director of Planning to relocate the Phyllis Thomas Park and commemorative marker is read by title, and

Upon motion of Councilman Gendron seconded by Councilwoman Murray it is voted that the resolution be passed, a roll call vote on same being unanimous.

16 R 117 A resolution authorizing the issuance of a request for proposal for property located at Map G2, Lot 5-79, more commonly known as Ayotte Field, located at the corner of Providence Street and Smithfield Road is read by title, and

Upon motion of Councilwoman Murray seconded by Councilman Brien it is voted that the resolution be passed, a voice vote on same being 6-1 with Councilman Mancieri voting no.

16 R 118 A resolution authorizing the Mayor to enter into a one-year lease renewal for the storage of equipment and vehicles for the Woonsocket Water Division is read by title, and

Upon motion of Councilman Beauchamp seconded by Councilman Gendron it is voted that the resolution be passed, a voice vote on same being unanimous.

16 R 120 A resolution awarding a contract to Hague, Sahady & Company, CPA’s P.C. for auditing services is read by title, and

Upon motion of Councilwoman Murray seconded by Councilman Mancieri it is voted that the resolution be passed, a voice vote on same being unanimous.

16 R 121 A resolution granting permission to use city property is read by title, and

Upon motion of Councilman Gendron seconded by Councilman Beauchamp it is voted that the resolution be passed, a voice vote on same being unanimous.

16 R 122 A resolution appointing Diane Lebrun as a member of the Woonsocket Harris Library Board of Trustees was withdrawn.

Upon motion of Councilman Jalette seconded by Councilman Gendron it is voted to approve two permissions to use City property, a voice vote on same being unanimous.

Upon motion of Councilman Gendron seconded by Councilors Beauchamp and Mancieri it is voted that the meeting be and it is hereby adjourned at 11:14 P.M.

Attest: Christina Harmon-Duarte City Clerk