

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

COUNCIL PRESENT: Calouro, Sweeney, Teixeira, Parella and Ley

PLANNING BOARD PRESENT: Squatrito, Bilotti, Katz, Millard, Murgo, and Ruggiero (Auxiliary)

PLANNING BOARD ABSENT: Clark (Auxiliary)

The Council and Planning Board met in Special Session on Wednesday evening, February 26, 2020 in the Town Hall, Council Chambers, beginning at 6:05 o'clock PM, Council Chairman Calouro and Planning Board Chairman Squatrito presiding for their respective boards.

1. Joint Town Council and Planning Board Workshop - Review Draft Zoning Ordinance and Zoning Map Revisions

Sweeney/Teixeira - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Council Chairman Calouro explained that an immense amount of work has been done in order to prepare these amendments.

Director of Community Development Williamson noted that the work was completed by an administrative committee including Principal Planner Tanner, Assistant Solicitor Teitz, Director of Community Development Williamson, and Planning Board Member Anthony Murgo, Zoning Board Member Charles Burke, Council Chairman Calouro and John G. Rego, Esq.

Council Chairman Calouro thanked the committee for their efforts and acknowledged that there remains much to do but that the goal of this workshop is to find general agreement between the Council and Planning Board. He added that the zoning amendments will then be placed in ordinance form and will be subject to the usual adoption process including first and second reading, etc.

Council Chairman Calouro explained that the current zoning code contains some obsolete terms and descriptions and used "Video Rental Stores" as an example of these outmoded items.

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

Director of Community Development Williamson explained that her department is still making refinements to the document and that she looks forward to comments.

Director of Community Development Williamson explained that this was last done in 2010 and that some of the amendments are due to changes in State law. She added that the re-adopted Comprehensive Plan (2017) also provided certain amendments that are included in the document.

Director of Community Development Williamson also explained that certain amendments are included to enhance the enforcement aspects of the Zoning Code and that new definitions will address new terminology such as "solar farms" and "breweries."

Director of Community Development Williamson suggested that this meeting should be a "fly through look" at the highlights of the document since it is considerable. She added that there will be several opportunities to discuss the changes in greater detail since there will be an advertised public hearing at the Council level and also that the Planning Board will deliberate a recommendation prior to providing same to the Council.

Director of Community Development Williamson noted several of the "highlights" including broadening the definition of "family," changing the height definition to accommodate building in a flood zone, modifying the Special Use Permit regulations, and to take into account infrastructure and roadways. She added that the recommended changes also add use categories in use tables.

Councilman Sweeney asked to know if these include terms relating to legal marijuana with Assistant Solicitor Teitz responding "maybe" since the ultimate State action concerning this is still unknown.

Director of Community Development Williamson explained that provisions concerning solar energy and battery storage were added and that a "Public Institutional Zone" was added for the Town Common and Reynolds School which are currently a residential zone. She added that the Public Institutional Zone will consider uses for the decommissioned school buildings including corporate headquarters, artisans, education and theater.

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

Director of Community Development Williamson explained that there are also changes to the signage provisions to allow temporary chalkboard signs. It was noted that there are specific provisions to disallow "grandfathering" of signs and a provision to ease the installation of solar equipment on rooftops and over brownfields.

Director of Community Development Williamson outlined several others of the proposed changes.

A discussion ensued regarding a change that would remove the "fee in lieu of" provision since the State law allows the density bonus and the maximum fee is comparatively low. It was noted that if the "fee in lieu of" problem may be corrected only if it is disallowed.

Council Chairman Calouro noted that the "fee in lieu of" matter prompted a great deal of conversation within the committee and that the best way to deal with it is to eliminate it altogether.

Assistant Solicitor Teitz explained that the State law allows developers to make choices and that the best way to protect the Town's interest is to give only two choices.

Mr. Katz asked to know if the document addresses VRBO and Airbnb with Director of Community Development Williamson explaining that those items are the subject of a different draft ordinance under consideration.

A discussion ensued regarding Airbnb, etc., with Assistant Solicitor Teitz explaining that the Town's goal is to develop a registry of these rentals and that it will not be part of the zoning code, but rather a regulatory ordinance.

Council Chairman Calouro suggested that the matter might be discussed after the budget season.

Director of Community Development Williamson referred to the proposed zoning map and explained that some Town open space was not previously zoned as open space and that changes were made only to those open space properties that are owned or controlled by the Town.

Councilman Ley asked to know if there is an effort to compare our ordinance to those used elsewhere in Rhode Island with Director of Community Development Williamson responding that

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

she does consult with her colleagues in other cities and towns.

Assistant Solicitor Teitz suggested that those who have questions might send these to Director of Community Development Williamson so that they may be addressed within the next draft.

Councilman Sweeney asked about formula businesses in the Historic District with Director of Community Development Williamson responding that formula businesses are allowed in the Historic District subject to the obtaining of a Special Use Permit and approval of the Historic District Commission.

Director of Community Development Williamson noted that there have been no appeals filed in conjunction with the formula business requirements and that the purpose of the ordinance is to preserve the "uniqueness" of the Historic District and that this uniqueness makes the District "special" for residents and visitors.

Mr. Burke noted that there are no dimensional changes - lot size, set back, etc. recommended in the amendment.

Council Chairman Calouro asked to know the next steps with Director of Community Development Williamson responding that she does not believe that another workshop will be necessary with Mr. Squatrito commenting that the document is more than 125 pages and may need closer scrutiny.

Assistant Solicitor Teitz suggested that the Planning Board should deliberate the changes and provide the Council with a recommendation.

Councilwoman Parella suggested that the Planning Department should provide the Council with a copy of the next draft at the same time that it provides this draft to the Planning Board.

Assistant Solicitor Teitz agreed that this would be a suitable process and stated that the Council may then decide if it need a second workshop.

Director of Community Development Williamson reminded the Council that the draft will have to be advertised for three weeks and have a public hearing prior to the time that the Council may vote on adoption.

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

Mr. Ruggiero asked to know if the Zoning Board should be attending the workshops on this ordinance amendment with Assistant Solicitor Teitz explaining that since the Zoning Board is quasi-judicial in zoning matters it probably should not. He added that Mr. Burke was named to the committee to represent the Zoning Board. He added that the Planning Board, alone, has statutory responsibility to recommend amendments to the Zoning Code.

Mr. Rego noted that the amendment prohibits the keeping of chickens on small lots.

At this point in the meeting, Council Chairman Calouro declared a brief recess and the Planning Board reconvened its meeting in the Town Hall Conference Room to consider its other agenda items.

Council Meeting Recess from 7:00 o'clock PM until 7:07 o'clock PM.

2. Public Service Interviews/Appointments

a. Recreation Board (term expires February 2021)

1. Michael Cabral, 10 Alves Street -
Interest/Appointment

Mr. Cabral appeared before the Council and explained that he is a lifelong resident and a 1997 graduate of Mt. Hope High School. He also explained that he attended the University of Rhode Island and was captain of the Prudence ferry for five (5) years.

Mr. Cabral explained that he is an EMT (Cardiac Level) and would like to give back to the Town through volunteer work.

Mr. Cabral noted that he purchased his residence in 2009 and that this residence abuts Coelho Park. He added that he enjoys caring for the park in his spare time. He also added that he believes that Parks and Recreation Director Sarah Klein and Assistant Director Shaw do a great job and that one of his primary interests concerns park maintenance.

Mr. Cabral explained that he believes that the Town of Bristol is well-run and that he would like to be a participant in its operation.

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

Mr. Cabral informed the Council that he was familiar with the operation of the Recreation Board since his mother served as a Recreation Board member in the past. He added that the board had a different dynamic at that time and the he believes that the appointment of a professional full-time Recreation Director and staff was a good idea.

Asked to explain anything that he would like to see changed, Mr. Cabral indicated that the Recreation Department "is not broken" but that he has some ideas and things that he would like to see addressed, including the department's possible management of the High School fields.

Mr. Cabral explained that the Town of Warren manages the fields at the Kickemuit Middle School and that a similar arrangement might be appropriate for Bristol. He suggested that this might create an untapped revenue stream.

Mr. Cabral also shared that he believes it would be important to advertise community programs in the local school system to encourage and increase participation. He suggested that the Town's recreation programs could be more inclusive.

Councilwoman Parella stated that she likes Mr. Cabral's enthusiasm.

Councilman Ley agreed with Councilwoman Parella and added that he appreciates Mr. Cabral's fresh ideas.

Council Chairman Calouro noted that the Council will consider Mr. Cabral's application at its March 11, 2020 regular meeting.

b. Charter Review Commission (9 members)

Prior to commencing with the Charter Review Commission interviews, Council Chairman Calouro thanked all of the applicants for their interest. He stated his belief that the Town is in great shape and suggested that there is always room for improvement.

Council Chairman Calouro suggested that since there are a comparatively large number of applicants that the interview for each will be limited to five minutes, controlled by a timer.

Council Chairman Calouro also suggested that the members might individually rank their top six choices. He further suggested that these should be sent to the Town Clerk for tabulation and

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

that this may be helpful in narrowing down the group to be selected for the three at-large positions.

Council Chairman Calouro suggested that the goal of these appointments is to have a representative cross-section of the community.

Council members offered some suggestions for charter change topics including having bid values parallel State values; changing the timing of the appointment of Town Council appointees for Solicitor (s), Town Sergeant, and Judges, four year terms for Town Council (staggered) and Town Administrator, Mayor vs. Town Administrator, Appointment of Chief of Police.

Councilman Teixeira noted that the charter review of 2009-2010 had many items that were not considered by the voters.

Councilman Ley suggested that there may be "low hanging fruit" that may be comparatively easy to address in a charter review.

Council Chairman Calouro also informed those present that it would also be acceptable if the Charter Review Commission recommends no changes whatsoever. He added that the Charter Review Commission is advisory only to the Council and that the Council will ultimately decide the questions that will be put before the electorate.

Council Chairman Calouro also stated that he believes that there should be no more than five (5) local questions.

1. Diana Campbell, 22 Fesser Avenue -
Interest/Appointment

Ms. Campbell appeared before the Council and reviewed some of the qualifications appearing in her resume. She added that she is a good writer and that she has no specific focus for addressing the charter but rather believes her approach will be to look at, update and pick priorities.

2. Sandra Darling, 7 Fort Hill Road -
Interest/Appointment

Ms. Darling appeared before the Council and explained her various experience serving on the Jacksonville (Florida) City Council focusing on Historic Preservation and Zoning. She informed the Council that she is Principal Planner Tanner's neighbor on Fort Hill Road and has lived there since 2010.

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

Ms. Darling, a professional nurse, reported that she plans to retire at the end of July and that she is a problem solver and considers it to be her civic duty to contribute. She also reported that she has not yet read the Town Charter but will do so if appointed.

Councilwoman Parella asked to know if Ms. Darling may have interest in other long term appointments. With Ms. Darling responding that she will have more time available to her after her retirement.

3. Stephen DeLeo, 2 High Street -
Interest/Appointment

Mr. DeLeo appeared before the Council and explained that he is a lifelong Bristolian and that he never participated directly previous to this application. He cited his 30 years as an attorney practicing in Town and explained that he works here.

Mr. DeLeo explained that he has been involved in many projects in the Town and that he has experience working with local non-profit entities. He added that he has appeared before the Zoning and Planning Boards and that it will be a different experience for him to be "on the other side."

Mr. DeLeo stated that he has no preconceptions and that he would like to encourage collaboration with other communities. He agreed with Council Chairman Calouro that it would likely be acceptable to find no need to change the charter should this be the Commission finding. He added that he is aware that the Commission's role is advisory.

4. Sheila Ellsworth, 9 Fairview Drive -
Interest/Appointment

Ms. Ellsworth, a member of the School Committee, could not be present this evening due to a concurrently held School Committee meeting.

5. Halsey C. Herreshoff, 125 Hope Street -
Interest/Appointment

Mr. Herreshoff did not attend the interview.

6. Peter A. Hewett, 11 Wendy Drive -
Interest/Appointment

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

Mr. Hewett appeared before the Council provided the Council with a biographical summary. He reported that he sat in on the Charter Review Commission meetings in 2010 and that he will endeavor to keep politics out of the process.

Mr. Hewett explained that he is not a fan of change for the sake of change and agreed that it would not be prudent to "flood" the ballot with questions.

Mr. Hewett stated that he was unsure about the "mayor" issue and that he has been active locally writing letters to the editor, etc.

Mr. Hewett stated that he was pleased to see many applicants.

Councilwoman Parella noted that Mr. Hewett is one of the few who regularly attend budget workshops and public hearings.

Councilman Ley note that the Council is free to recommend charter changes to the voters without these first coming from a Charter Review Commission should the need for a change become apparent when there is no commission in place.

7. Caroline Jacobus, 35 Church Street -
Interest/Appointment

Ms. Jacobus informed the Council that she moved to Bristol three years ago from New Jersey and that her family has lived in New Jersey since 1666. She reviewed some points of her resume and informed the Council that she would like to become involved in a charter review and supports interrelationship between Town functions and that Town functions should not be considered as silos.

Ms. Jacobus informed the Council that she enjoyed reading the charter and compared it to other city and town charters. She noted that the mayor vs. administrator matter was worthy of discussion as is the matter of term limits. She noted that the Council appoints scads of position and that this is also worthy of discussion.

Ms. Jacobus also noted that 80% of Rhode Island City and Town CEOs are appointed and 85% of town clerks are also appointed and that there are pros and cons to each method of selection.

8. Stephen P. Katz, 42 River Street -
Interest/Appointment

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

It is hereby noted for the record that since Mr. Katz is a member of the Planning Board, he is ineligible to serve on a Charter Review Commission.

9. Jane Lavender, 50 Thames Street -
Interest/Appointment

Ms. Lavender appeared before the Council and explained that she has been a resident of Bristol for 12 years and was a regular visitor beforehand.

Ms. Lavender reported that she served on the Melrose, Massachusetts Charter Commission and realizes that charter work takes a lot of discussion. She also reported that later served on the Melrose City Council for eight (8) years, and worked for the cities of Stoneham and Lynnfield as a social worker.

Ms. Lavender explained that volunteerism was expected of her by her family and that she currently serves as Chair of the Bristol Art Museum and also helps Linden Place and Explore Bristol.

Ms. Lavender noted that she has business experience as a former book store and candy shop owner and realizes that the Town Charter is the most important document for the Town.

10. Charles MacDonough, 3 Polk Court -
Interest/Appointment

It was noted that Mr. MacDonough was unavailable for this interview due to another commitment.

11. Douglas Popovich, 64 High Street -
Interest/Appointment

Mr. Popovich appeared before the Council and noted his detailed letter of application. He explained that he is an advisor to start-up businesses and works on organizational change. He also reported that he has lived in Bristol for 5-6 years.

12. Marianne Bergenholtz, 366 Hope Street
- Interest/Appointment

Ms. Bergenholtz informed the Council that she has a passion for local government and a broad range of experience. She added that her experience represents the points of view of a business owner and that she has worked as a community volunteer for

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

multiple entities and that she has a broad perspective on governing and being governed.

Ms. Bergenholtz informed the Council that she believes herself to be very qualified because she is a good listener and that her background is suitable for technical and legal information.

Ms. Bergenholtz stated that she would like to consider the manager to mayor concept and that she has no specific charter changes in mind.

Ms. Bergenholtz stated that she is concerned about appointments and that she would like to see appointees have a "one term off" term limit system. She noted that appointees are mostly male and that she would like to see a more diverse perspective.

13. Mario Teixeira, 12 Belcourt Avenue -
Interest/Appointment

Mr. Teixeira informed the Council that he never before sought a public service appointment and that he has been a Bristol resident for 55 years.

It was noted that Mr. Teixeira is not a relative of Councilman Teixeira.

Mr. Teixeira explained that he served on manufacturing committees in his employment and that he spoke to others about his interest in the Charter Review Commission and was encouraged by them to apply.

Mr. Teixeira stated that he would like to consider the pros and cons of charter amendment proposals and that he would listen to others' opinions concerning these.

Mr. Teixeira noted that not too many applicants for the Commission are from the Portuguese community.

Mr. Teixeira stated that he is familiar with the position of Town Clerk and that he recalls that there were Town Clerks long before there were Town Administrators. He stated that he believes this to be a very important position and that he supports the idea that the Town Clerk should be elected to directly answer to the constituency and not report to a Town Council or Administrator.

14. Owen E. Trainor, III, 198 High Street -

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

Interest/Appointment

Mr. Trainor appeared before the Council and thanked the Council members for their participation in Town government. He read from a prepared statement and stated that he would like the opportunity to make a contribution to the Town Charter and that he served on a prior Charter Review Commission but did not recall anything specific about what he may have been able to contribute in the past.

Mr. Trainor stated that he was interested in combined inter-departmental purchasing or perhaps tri-town purchasing for economy of scale and that he believes it may be advantageous to expedite the planning and zoning process.

15. William L. Grapentine, II, 112 Mulberry
Road - Interest/Appointment

Mr. Grapentine appeared before the Council and stated that he was pleased to have the opportunity to be interviewed.

Mr. Grapentine stated that he was no stranger to civic involvement and has worked on the Christmas Festival Committee for several years, participating in the Festivals many events.

Mr. Grapentine stated that he is interested in data analysis and coordination between departments. He added that he believes that charter changes may need "wordsmithing" and that he would like to participate in that aspect of the amendment process.

Mr. Grapentine suggested that it may be valuable to obtain the opinions of young people and that the ideas of young people might be included in a charter change.

16. Mary Ann Allen, 95 Burton Street -
Interest/Appointment

Ms. Allen reported that she was unavailable for this evening's interview due to a prior commitment.

17. Pamela E. Romano, 37 Kingswood Road -
Interest/Appointment

Ms. Romano did not attend the interview.

18. Charles L. Kellner, 10 Hope Street
(Appointed by Councilman Sweeney)

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

19. Christopher Vitale, 10 Acacia Road -
Interest/Appointment

Mr. Vitale explained that he has been a resident of Bristol for 20 years and has three daughters and is an attorney in private practice doing public sector finance work. He added that he is legal counsel to two State boards and has experience in procurement and negotiation.

Mr. Vitale informed the Council that he is familiar with the provisions of many local charters and has never served on a public board before. He added that he has served on private volunteer boards including the board of St. Luke's School.

Mr. Vitale stated that he would like to provide some service to the community and is open minded with no preconceived ideas. He also stated that he appreciates the Council consideration of his application.

After Mr. Vitale's testimony, Council Chairman Calouro thanked all of the applicants for their time this evening. He added that the Council's choice will not be easy.

Council Chairman Calouro noted that the next step will be to appoint the position as previously agreed and that this will likely be completed at the next Council meeting (March 11, 2020).

Mr. Teixeira asked to know if the matter might be put off due to the fact that Councilman Sweeney cannot attend the meeting of March 11. Council Chairman Calouro noted that the Council's goal is to move on.

Councilwoman Parella stated that the public will have several opportunities to consider the matter of the charter review since they may testify before the Commission once it is appointed and there will also be public hearing and Council review of proposals before questions are placed on the ballot.

2. Adjournment

There being no further business, upon a motion by Councilman Teixeira, seconded by Councilman Sweeney and voted unanimously, the Chairman declared this meeting to be adjourned at 9:00 o'clock PM.

**TOWN COUNCIL SPECIAL MEETING - TUESDAY EVENING
FEBRUARY 26, 2020**

Louis P. Cirillo, CMC
Council Clerk