

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

ORDINANCE COMMITTEE

Regular meeting of the Ordinance Committee was held on Thursday, February 11, 2021 via Zoom webinar.

CALL MEETING TO ORDER:

The meeting was called to order at 8:45 p.m. by the Chair.

Present: Councilman Robert J. Ferri
Councilwoman Lammis J. Vargas (appeared at 8:47 p.m.)
Councilwoman Aniece Germain
Council Vice-President Edward J. Brady
Councilwoman Nicole Renzulli, Vice-Chair
Councilman Matthew R. Reilly, Chair
Council President Christopher G. Paplauskas

Also Present: Councilman John P. Donegan
Councilwoman Jessica M. Marino
Anthony Moretti, Director of Administration
John Verdecchia, Assistant City Solicitor
Kenneth Mason, Director of Public Works
Steven Angell, City Council Legal Counsel
Leanne Zarrella, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Council President Paplauskas, seconded by Councilwoman Germain, it was voted to dispense with the reading of the last meeting and they stand approved as recorded. Motion passed unanimously.

CORRESPONDENCE/COMMUNICATIONS

None.

OLD BUSINESS:

None.

PUBLIC HEARINGS/NEW BUSINESS:

On motion by Council President Paplauskas, seconded by Councilwoman Renzulli, it was voted to suspend the order of the agenda and take items out of order to hear the Resolution regarding Redistricting. Motion passed unanimously.

Resolution of the City Council Authorizing a Redistricting Commission to Develop a Redistricting Plan for the Six Wards of the City of Cranston. Sponsored by Council President Paplauskas.

On motion by Council Vice-President Brady, seconded by Councilwoman Germain, it was voted to recommend approval of this Resolution.

Under Discussion:

Council President Paplauskas stated that he submitted this Resolution at the request of the Registrar's Office and deferred to Mr. Lima.

Mr. Lima appeared to speak and stated that the Redistricting process happens once every decade. The last time this was done was in 2011 when the Redistricting Committee was formed. In 2011-2012, the City Council created a Redistricting Commission, which consisted of the three members of the Cranston Board of Canvassers. That Commission met and reviewed a number of factors that involved the creation of Ward/District lines in the City and using census data at the time and with that data the City was able to draw the Ward and Precinct lines as close as they could to match the State General Assembly Representative lines to basically create the voting Districts the City has been using in the last ten years. The challenge of that process is the General Assembly will draw their lines how they want to draw them and it is incumbent upon the City to draw the Ward lines to closely match those lines without creating little pockets in small Precincts. The operational challenge of Redistricting is to ensure that there are no little pocket Precincts and also to make sure that the Precincts comply with State Law, which is to have a maximum of 3,000 voters in a Precinct. What this Resolution does is establishes that Commission. The goal of this Commission is to hold public meetings and establish perimeters of how the 2022 Redistricting process will play out and then report back to the City Council with various scenarios to be approved.

Public Speakers:

Lynette Labinger, Esq., 128 Dorrance St., Providence, co-operating Attorney for ACLU of Rhode Island, appeared to speak and urged the Committee not to include the people incarcerated at the ACI as if they were residents of the City of Cranston in developing its Redistricting Plan. Right now, because the population of the ACI is included in Ward 6, that population represents approximately 25% of the people of Ward 6, Ward 6 has significantly fewer actual residents than every other Ward. That is unfair and inequitable.

Michael Milito, 93 Moorland Ave., appeared to speak and stated that he supports the arguments made by Ms. Labinger. He stated that State Law 17-1-3.1 provides that a person can only have one domicile in the State. We should not permit an over-representation in Ward 6 to the detriments of the other Wards.

Council President Paplauskas thanked Mr. Lima for being present this evening and speaking regarding this Resolution and for everything he does.

Councilman Donegan echoed Council President Paplauskas's comments.

Council Vice-President Brady echoed Council President Paplauskas's statements and stated that he appreciates Mr. Lima's testimony and he is very well articulated.

Chair thanked Mr. Lima for appearing this evening and speaking regarding this Resolution.

Councilwoman Germain thanked Mr. Lima for educating her on this and looks forward to learning more.

Councilwoman Vargas echoed her fellow Council Members' statements.

Roll call was taken on motion to recommend approval of this Resolution and motion passed unanimously.

1-21-01 *Ordinance in amendment of Chapter 10 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic - Traffic control signal lights authorized at certain intersections - Pedestrian actuated." (Park Avenue and Grace Street). Sponsored by Councilwoman Germain*

Councilwoman Germain stated that she has received many complaints regarding the speeding in this area and after speaking with Public Works Director Mason, she will be withdrawing this Ordinance.

Council President Paplauskas stated that he believes there is substantial cost for this device and he would like more information from the Public Works Director regarding this.

Director Mason stated that he understands everyone's concern regarding traffic, speeding and safety throughout the City, which he believes we have developed a Traffic Calming Policy that is in the hands of the Administration at this time. It has to do with traffic control devices, which would include driver feedback signs, rapid back crosswalk beacons, which he thinks this would be a good device for this particular intersection and we also have limited areas in the City where we would consider speed humps. In preparing the Capital Budget, he will be asking a sum of money to install some of the traffic control devices he is speaking about.

Director Moretti stated that the Policy is in the final stages of approval. It will probably be signed within the coming days.

Councilwoman Germain asked how much the engineering study Mr. Mulcahy mentions would cost. Director Mason stated that the last engineering study we have for one of these types of devices he was told it would cost \$10,000. The device installed at the Dave's Market was \$55,000 and that did not include new power wiring and new foundation. Our estimate for one of these devices is \$90,000 - \$100,000.

On motion by Councilwoman Germain, seconded by Council Vice-President Brady, it was voted to continue this Ordinance. Motion passed unanimously.

1-21-02 *Ordinance in amendment of Title 2 Chapter 40 Section 020 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel/Municipal Court” (Appointment, Term and Qualifications of Judge of the Municipal Court) and Section 130 (Acting Judge/Acting Clerk/Auxiliary Judge). Sponsored by Council President Paplauskas, Councilman Reilly.*

On motion by Council Vice-President Brady, seconded by Councilwoman Germain, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilwoman Vargas asked how much of a backlog there is. Municipal Court Chief Judge Matthew Smith appeared to speak and thanked the City Council for the outstanding people that they appointed to the Municipal Court Judges’ positions. From the Municipal Court side, it is not so much for backlog, it is more for him having flexibility in scheduling. An extra robe at no extra cost to the City would be a big help. Backlog for him would be tickets that are not making the calendar within 2-3 weeks of issuance. The backlog is more geared to Probate Court.

Attorney Angell stated that Council President Paplauskas had asked him to reach out to Judge Cappello, which is why his letter is addressed to him. In speaking to Judge Cappello, the problem is severalfold in addition to COVID situation. Cranston has grown expedientially over the years and the capacity of the Court has not grown with it. There is one Clerk that is allocated for Probate and Judge Cappello is presently training the other Auxiliary Judge to come online.

Councilwoman Marino stated that while she is sympathetic to the Probate Court and the backlog there and agrees that some solution needs to come into place there, the concern she has is no other City or Town in the State would have as many Judges as we would have should we pass this Ordinance. That is something that gives her concern and great pause. Providence has a much larger population and they are able to get by with fewer Municipal Court Judges. Maybe we should table this and take further examination of what the remedy might be to assist the Probate Court before wrapping our arms around this Ordinance.

Councilwoman Vargas asked how this nomination would work. Chair stated that there is nothing in the Ordinance stating that the practice would change.

Roll call was taken on motion to recommend approve of this Ordinance and motion passed on a vote of 6-0 with 1 abstention. The following being recorded as voting “aye”: Councilmen Reilly, Ferri, Councilwomen Renzulli, Vargas, Council Vice-President Brady and Council President Paplauskas -6. Councilwoman Germain abstained.

Chair asked Attorney Angell if he has to ask Councilwoman Germain for reason for abstention. Attorney Angell stated, yes. Councilwoman Germain stated that she understands the need for more, but there is language about salary for Judges and she does not see the fairness on that and this is a bad precedent to set. Chair asked if that is proper or does Councilwoman Germain have to vote “yes” or “no”? Attorney Angell stated, that she can stand by her decision to abstain to the reason she gave.

1-21-03 ***Ordinance in amendment of Title 2 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel - Small Business Advisory Committee”. Sponsored by Council President Paplauskas, Council Vice-President Brady and Councilwoman Renzulli.***

Council Vice-President Brady stated that the essence of this is taking different people from throughout the community and letting them be our voice. It would be great to have different people from each Ward making sure that they come back to us with recommendations that we can bring back to the Mayor’s Office and then collectively unify behind a message and he encouraged passage of this Ordinance.

No one appeared to speak in favor or to oppose.

On motion by Councilwoman Germain, seconded by Councilwoman Renzulli, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilmen Ferri, Reilly, Councilwomen Germain and Vargas all asked to be added as co-sponsors.

Roll call was taken on motion to recommend approve of this Ordinance and motion passed unanimously.

1-21-04 ***Ordinance in amendment of Title 2 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel - Pandemic Advisory Task Force”. Sponsored by Council President Paplauskas, Council Vice-President Brady and Councilwoman Marino.***

On motion by Council President Paplauskas, seconded by Councilwoman Germain, it was voted to recommend approval of this Ordinance.

Under Discussion:

Council President Paplauskas stated that this Ordinance basically sets framework for the Pandemic Task Force.

On motion by Council President Paplauskas, seconded by Councilwoman Vargas, it was voted to amend this Ordinance as follows: line #53, add “one member of the Cranston Fire Department, the EMS Director or his or her designee”. Motion passed unanimously.

Councilwoman Vargas stated that she did not see a member of the Cranston Senior Center as a member, whether it is a Director or his or her designee.

On motion by Councilwoman Vargas, seconded by Councilman Ferri, it was voted to amend this Ordinance as follows: line #53, add “one member of the Cranston Senior Enrichment Center or Director or his or her designee”. Motion passed unanimously.

Councilwoman Vargas if there is any way we can have as a member from one of the communities, such as NAACP? Councilman Donegan stated that he was going to suggest adding one member of the One Health Equity Zone.

On motion by Councilwoman Vargas, seconded by Councilwoman Renzulli, it was voted to amend this Ordinance as follows: add “one member of the One Cranston Health Equity Zone”. Motion passed unanimously.

Roll call was taken on motion to recommend approval of this Ordinance as amended and motion passed unanimously.

1-21-06 Ordinance in amendment of Chapter 8.32 of the Code of the City of Cranston, 2005, entitled “Recycling”. Sponsored by Councilwoman Germain.

Councilwoman Vargas motioned to recommend approval of this Ordinance. Council President Paplauskas seconded the motion for discussion.

Under Discussion:

Councilwoman Germain asked that this Ordinance be continued to next month’s meeting.

On motion by Councilwoman Germain, seconded by Council Vice-President Brady, it was voted to continue this Ordinance to next month’s meeting. Motion passed unanimously.

Resolution of the City Council Authorizing a Redistricting Commission to Develop a Redistricting Plan for the Six Wards of the City of Cranston. Sponsored by Council President Paplauskas.

Discussed and voted on at the beginning of the meeting.

The meeting adjourned at 10:30 p.m.

Respectfully submitted,

/s/ Rosalba Zanni
Assistant City Clerk/Clerk of Committees

****Votes for this meeting were nullified at the February 22, 2021 City Council meeting.***