

(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 of March 11, 2021 was continued to Thursday, March 18, 2021 via Zoom webinar.

CALL MEETING TO ORDER:

The meeting was called to order at 6:03 p.m. by the Chair.

Present: Councilman Robert J. Ferri
Councilwoman Lammis J. Vargas
Councilwoman Aniece Germain
Council Vice-President Edward J. Brady
Councilwoman Nicole Renzulli, Vice-Chair
Councilman Matthew R. Reilly, Chair

Also Present: Councilman John P. Donegan
Councilwoman Jessica M. Marino
John Verdecchia, Assistant City Solicitor
David Dimaio, City Council Budget Analyst
Leanne Zarrella, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

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

CORRESPONDENCE/COMMUNICATIONS

None.

I. COMMITTEE MATTERS CARRIED OVER:

None.

II. PUBLIC HEARINGS/NEW BUSINESS:

Chair asked that Resolution regarding Redistricting be taken first.

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

Under Discussion:

Nicholas Lima, Registrar, appeared to speak and stated that the Redistricting Commission is the formation once in a 10-year every 10-year process. The last process to took place in 2011-2012. As we get ready for our process that all thirty-nine cities and towns will be doing over the course of the upcoming year and through next Spring and he gave a timeline. He stated that we take the redistricting data that is provided by the US Census Bureau and use that to ensure that our Ward Districts remain in conformity with the principle of equal population. The Redistricting Commission will begin its work immediately and plan to have its first meeting on Monday night pending approval of this Resolution and meet in the month of April and early May and then meet through the Summer into the Fall. Our goal is to complete this process 100% by April 2022. There is some potential for delays there, but this is a process that cannot be delayed. The reason why this has to be completed in April 2022 is that in May 2022, the Canvassing Department will need to send out the largest mailer that they will ever send out. It is a mailer to every single individual registered voter in the City of Cranston, which is approximately 60,000 pieces of mail. That mailer alerts not only the residents of the City of their new polling place and voting District of the 2022 election, but also for any potential candidate for office which will be declaring for office the last consecutive Monday, Tuesday and Wednesday of June. Because of those finite dates, this process has to be done by the very latest first week in May or last week in April of 2022.

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

A. NEW MATTERS BEFORE THE COMMITTEE

1-21-05 ***Ordinance in amendment of Chapter 17.84 of the Code of the City of Cranston, 2005, Entitled "Zoning" (Conformance to District Regulations Required & Substandard Lots of Record). Sponsored by Mayor Hopkins.***

Chair stated that his understanding from Director Moretti was that the Administration is seeking a continuance on this Ordinance.

On motion by Councilwoman Renzulli, seconded by Councilwoman Vargas, it was voted to continue this Ordinance. Motion passed unanimously

2-21-02 ***Ordinance in amendment of Title 2 Chapter 72 Section 060 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel/Juvenile Hearing Board” Sponsored by Councilwoman Marino.***

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

Under Discussion:

Councilwoman Marino stated that this is a minor change. The current members on the board, from what she understands from the Chair of that Board, are pleased with their performance and the School Department is satisfied as well with their services in their department and these changes will fix the language of that Ordinance so that the current members can remain as members.

Councilwoman Germain thanked Councilwoman Marino for taking on this issue.

No one appeared to speak in favor or to oppose.

Roll call was taken on motion to recommend approval of this Ordinance 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 Vargas motioned to recommend approval of this Ordinance. Councilwoman Renzulli seconded the motion for discussion.

Under Discussion:

Councilwoman Germain stated that discussion was held with Public Works Director Mason and he sent a memo regarding this. She would like to amend this Ordinance, but her understanding is the language is not in the law. She is willing to sit with the Administration to see how we can find alternative ways to address this issue. She would like to withdraw this Ordinance and will re-introduce a new one at a later date.

Motion and second to recommend approval were withdrawn. No one objected to this withdrawal.

Councilwoman Germain withdrew this Ordinance. No one objected to this withdrawal.

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 Councilman Ferri, seconded by Councilwoman Renzulli, it was voted to recommend approval of this Ordinance.

Under Discussion:

Chair stated that when this was discussed previously, Chief Judge Smith sent a letter to him, as Chair, Council President stating the need for an additional Judge on Municipal Court and also received correspondence from the Probate Judge George Cappello asking for one on their side as well and this Ordinance was introduced at their requests.

No one appeared to speak in favor or to oppose.

Roll call was taken on motion to recommend approval of this Ordinance and motion passed on a vote of 5-1. The following being recorded as voting “aye”: Councilman Ferri, Councilwoman Vargas, Council Vice-President Brady, Councilwoman Renzulli and Councilman Reilly -5. The following being recorded as voting ”nay”: Councilwoman Germain -1.

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. Co-sponsored by Councilmen Ferri, Reilly, Councilwomen Germain and Vargas.***

No one appeared to speak in favor or to oppose.

On motion by Councilman Ferri, seconded by Councilwoman Vargas, it was voted to recommend approval of this Ordinance. 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 Councilwoman Renzulli, seconded by Councilwoman Germain, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

No one appeared to speak in favor or to oppose.

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. Councilman Ferri seconded the motion for discussion.

Under Discussion:

Councilwoman Germain stated that this Ordinance was drafted due to something that happened in Ward 2 and that happens a lot and she thinks we need to have someone to be held accountable. The incident happened after Thanksgiving in the middle of the pandemic and a home across the street, which is a two household and have four trash bins. A Waste Management employee came to pick up their trash and for some reason one of the bins was overfull and the employee took the trash bin and starting throwing the trash on the lawn and one of the owners of the home kept asking him not to touch it and telling him it was not hers and it was two homes over and he was so rude to the person and kept throwing the trash on the lawn. The homeowner came to her asking what she could do and what number she could call to complain. This is when she decided that we need to do something to make the employees accountable.

Councilman Ferri stated that he does not think it is the City of Cranston's responsibility to discipline another company's employee directly, but he does feel that we should be able to go to Waste Management and tell them what happened and have them assure us that that employee is being disciplined for his actions in that incident. He did call Public Works Director Mason and asked him about this particular incident and he stated that they assured him that this employee was disciplined for his actions in that incident and that in the future we need to let them know of the incident, when it happened, what date it was and where it occurred and they will enforce discipline to their employees, but he does not think we have the right to discipline their employees.

Councilwoman Renzulli stated that she agrees with Councilman Ferri that it is not within our jurisdiction to discipline private company's employees, but it could be in the contract that we have with Waste Management that there needs to be a certain amount of discipline for employees for whatever that they do as it relates to our constituents.

Councilwoman Vargas asked Administration what the contract between the City of Cranston and Waste Management states and if there is a fine at all that the City would be able to impose on Waste Management if such action or violation occurs. She understands Councilwoman Germain's concern, but she would like first to get a sense from the Administration as to the clause or what information is in the contract.

Solicitor stated that he does not believe there is anyone from the Administration on the call, but as Councilman Ferri noted, the second sentence of the Ordinance regarding the ability of the City to essentially take the place of the Human Resources Department of a private company would probably be struck down in any Court. The government simply cannot micromanage private industry. There might be a better way to go about it to address this issue. What we can do is if there is a report of conduct such as this taking place by an employee, the better route would be Show Cause the company. The company comes in and the Safety Services and Licenses Committee at that point can present the evidence as to what took place. In this way, not only are they put on notice, but at that point the Committee would have a lot of options available to it, including fining them or even in an extreme case if it is repetitious, ultimately suspend their license. He thinks that that carries a lot more teeth to it rather than doing it through an Ordinance such as this.

Councilwoman Vargas stated that if there is a Show Cause, she asked if it has to go before Safety Services or can it go to Ordinance Committee or Public Works Committee and can we fine them. Solicitor stated that all licensing Show Cause proceedings have to go to Safety Services and Licenses Committee. As to fines, the Committee would be authorized to impose a fine.

Councilman Donegan stated that he would like to hold an Executive Session with the City Council with any major contracts.

Councilwoman Vargas withdrew her motion to recommend approval and Councilman Ferri withdrew his second. No one objected to this withdrawal.

Councilwoman Germain stated that she will withdraw this Ordinance and will resubmit another draft. No one objected to this withdrawal.

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.

This Resolution was discussed and voted on at the beginning of the meeting.

- **Adjournment:**

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

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