

(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 15, 2024 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER

The meeting was called to order at 6:50 p.m. by the Chair.

II. ROLL CALL

Present: Councilman Daniel R. Wall
Councilman Robert J. Ferri
Councilman John P. Donegan
Councilman Richard D. Campopiano
Council Vice-President Lammis J. Vargas, Chair

Absent: Councilwoman Nicole Renzulli
Councilwoman Aniece Germain, Vice-Chair

Also Present: Anthony Moretti, Chief of Staff
Justin Mateus, Acting Public Works Director
John Verdecchia, Assistant City Solicitor
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

III. MINUTES OF THE LAST MEETING:

- **Approval of minutes of the January 11, 2024 regular meeting**

On motion by Councilman Ferri, seconded by Councilman Wall, it was voted to dispense with the reading of the minutes of the January 11, 2024 regular meeting and they stand approved as recorded. Motion passed unanimously.

IV. COMMITTEE BUSINESS MATTERS CARRIED OVER

8-23-03 *Ordinance in Amendment of Title 12, Chapter 08, Section 050 of the City of Cranston Code of Ordinances, 2005, Entitled "Repair of Defective Sidewalks - Generally".* Sponsored by Councilwoman Germain. (Cont. 9/14/2023, 10/12/2023, 11/16/2023 & 12/7/2023).

Chair stated that since Councilwoman Germain is not present this evening, this Ordinance will be continued to next month's meeting.

8-23-04 *Ordinance in Amendment of Title 10, Chapter 12, Section 250 of the City of Cranston Code of Ordinances, 2005, Entitled "Crosswalks Enumerated".* Sponsored by Councilwoman Germain. (Cont. 9/14/2023, 10/12/2023, 11/16/2023 & 12/7/2023).

Chair stated that since Councilwoman Germain is not present this evening, this Ordinance will be continued to next month's meeting.

9-23-05 *Ordinance in Amendment of Title 17 Zoning, Chapter 17.36.010 of the City of Cranston, 2005, Entitled 'Industrial Uses.* Sponsored by Council President Marino. (Cont. 11/16/2023, 12/7/2023 & 1/11/2024 As Amended).

Chair indicated that Council President Marino is at an open house at Cranston High School West and might attend this meeting later.

On motion by Councilman Ferri, seconded by Councilman Wall, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilman Donegan stated that his review of this is it is a common sense. It brings Commercial into the same frame as Industrial that we have been already operating under. It has received unanimous approval from the Planning Commission and fiscal note is attached and shows there is no fiscal impact and he thinks we should pass this on to the full City Council.

Chair stated that she appreciates Council President Marino bringing this forward and the time that she took to put this forward and making sure that we clarify some housekeeping items in addition to some amendments where they are certainly needed in our Industrial areas in usage of Commercial maps.

Councilman Campopiano stated that he is concerned whether this will affect businesses such as nightclubs where there is noise and vibration.

Solicitor stated that he worked on this Ordinance with Council President Marino and one of her concerns was that even though we have added a Commercial component to the Ordinance, she was very careful to tailor this to those businesses which were more characteristic of an Industrial type operation, so, not every C Class will be included in requirements of this Ordinance. She really tried to tailor this to, term would be, 'heavy commercial type uses'. As to the nightclub example, we already have

Noise Ordinances and other Ordinances that apply to those establishments as a condition of their licenses anyway. This is not going to impose any stricter standard than is already contained in the Ordinances that we have now. Councilman Campopiano questioned who would enforce this. Solicitor stated that if there is a noise issue, the Police have the noise meter. In terms of vibration, he does not know if there is any type of equipment that even exists.

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

I. PUBLIC HEARINGS AND PUBLIC COMMENT

Nick Lima, Registrar/Director of Elections, appeared to speak and stated that he is present to answer any questions regarding the two Resolutions regarding Charter amendments and he also provided amendments to both of the Resolutions.

II. NEW MATTERS BEFORE THE COMMITTEE

RESOLUTION Proposing Amendment to Section 4.02 of the Cranston Home Rule Charter and Directing the Secretary of State to Place on the Ballot the following as a Referendum Question (Chapter 4, Department of Records, Section 4.02 Judge of Probate). Sponsored by Council President Marino.

On motion by Councilman Ferri, seconded by Councilman Wall, it was voted to recommend approval of this resolution.

Under Discussion:

Councilman Donegan stated that he believes that the amendments to this Resolution and the following one is adding a new Section as presented by Director Lima.

Chair asked Director Lima how quick these Resolutions need to be approved. Director Lima stated that there is no rush. The actual deadline to be placed on the Ballot is not until this Summer if they are to go on the November Ballot.

Chair stated that these Resolutions are sponsored by Council President Marino and she asked if she is aware of these amendments. Director Lima stated that he did submit them to Council President Marino and the Clerk's Office last week and he has not heard what her intention was on them. Chair stated that she will not be voting in favor of these Resolutions this evening because, particularly, they have Council President Marino's name on them and there are some amendments. Council President Marino may be aware of the amendments, but she may say she is not sure. She was to be respectful of that and she would like them both continued to next month's meeting.

Motion and second to recommend approval of this Resolution were withdrawn.

On motion by Councilman Ferri, seconded by Councilman Wall, it was voted to continue this Resolution to next month's meeting.

Under Discussion:

Councilman Donegan stated that the language that Director Lima provided does match with notes that were distributed to him earlier today from the sponsor. If the Committee would like to continue these Resolutions, that is their prerogative, but it is his understanding that the Council President, the sponsor, is aware of these proposed amendments.

Motion and second to continue this Resolution were withdrawn.

Solicitor addressed Director Lima and stated that it seems that the proposed amendments are more procedural than they are substantive. He asked if it is necessary, from a legal standpoint, that the language needs to come from the legislative body because it seems to him that that language, these amendments, are entirely procedural. Director Lima stated that the Board of Canvassers typically is not in the position where they frame the question that goes on the Ballot. In 2020, we had a Charter Review Commission and those questions were provided by the Charter Review Commission to be placed on the Ballot in the form a question.

Solicitor suggested that if amendments are to be voted on, the motion should be ‘motion to amend in the form presented by Director Lima and incorporated herein as the amendment’ rather than reading the entire amendments.

On motion by Councilman Wall, seconded by Councilman Ferri, it was voted to amend this Resolution in the form presented by Director Lima and incorporated herein as the amendment. Motion passed unanimously.

On motion by Councilman Donegan, seconded by Councilman Wall, it was voted to amend Section 2 to Section 3 and Section 3 to Section 4. Motion passed unanimously.

On motion b Councilman Wall, seconded by Councilman Ferri, it was voted to recommend approval of this Resolution as amended. Motion passed unanimously.

RESOLUTION Proposing Amendment to Section 8.01 of the Cranston Home Rule Charter and Directing the Secretary of State to Place on the Ballot the Following as a Referendum Question (Department of Law). Sponsored by Council President Marino.

On motion by Councilman Wall, seconded by Councilman Ferri, it was voted to amend this Resolution in the form presented by Director Lima and incorporated herein as the amendment. Motion passed unanimously.

On motion by Councilman Donegan, seconded by Councilman Wall, it was voted to amend Section 2 to Section 3 and Section 3 to Section 4. Motion passed unanimously.

On motion b Councilman Wall, seconded by Councilman Ferri, it was voted to recommend approval of this Resolution as amended. Motion passed unanimously.

1-24-01 ***ORDINANCE In Amendment of Title 10 (Vehicles and Traffic), Chapter 32 of the Code of the City of Cranston, 2005, Entitled “Stopping, Standing, and Parking on Specific Streets”. Sponsored by Mayor Kenneth Hopkins and Councilwoman Renzulli.***

Director Moretti stated that this intersection is near Garden City School. The neighbors have expressed concerns to the Mayor with volume of traffic at that intersection, which is a two-way stop sign. There is a concern for student safety. The Mayor is proposing at this time a four-way stop sign. This may be an imperfect solution and he may be the first one to point that out. If you speak to the Traffic Engineer, he would not recommend this four-way stop permanently. The Traffic Engineer is looking at a permanent solution to have a mini-roundabout at that intersection as a more permanent solution. The Mayor feels this is temporary until a more permanent solution is proposed to the City Council.

Councilman Wall stated that he and Councilman Ferri canvassed the neighborhood around the School sometime in mid December and spoke to 20-25 people and they did not get a strong response either way. Many many people did not have an opinion either way. There were some people that stated that they would like to see speed bumps. This is definitely an imperfect solution and he would be curious to see the roundabout. He is open to see that. This evening, he will be in favor of this due to the safety, but also acknowledging, as the Mayor, that this is not a perfect solution to this problem.

Councilman Ferri stated that when canvassing the neighborhood, they had 5 who were in favor of stop sign, 8 against the stop sign and 8 who did not care what was done and 3 in favor of speed bumps. This is how many people they spoke to. He will vote in favor of this this evening, but this is going to upset some people. He would caution that if it is going to be a temporary solution, it needs to be studied more.

Councilman Donegan asked if there is a Traffic Engineer’s report. Director Moretti stated that there is supposed to be one, but he can state that it would probably be not recommended.

Director Mateus stated that a Traffic Report can be provided, it is going to be a negative with the suggestion that we go with the roundabout instead.

On motion by Councilman Donegan, seconded by Councilman Wall, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

VII. ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

