

SPECIAL ORDINANCE COMMITTEE

A Special meeting of the Ordinance Committee was held on Thursday, July 26, 2007 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 6:05 P.M. by the Chair.

Present: Council Vice-President Paula McFarland, Chair
Councilman John E. Lanni, Jr., Vice-Chair
Councilman Richard D. Santamaria, Jr.
Councilman Jeffrey P. Barone
Council President Aram G. Garabedian

Absent: Council Member Maria A. Bucci

Also Present: Councilman Emilio L. Navarro
Councilman Anthony J. Lupino
Frank Migliorelli, Deputy Director of Administration
Vito Sciolto, City Solicitor
Aubrey L. Lombardo, Assistant City Solicitor
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Meredith Mahoney, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Councilman Barone, seconded by Councilman Santamaria, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

CORRESPONDENCE:

Chair indicated that there is a positive endorsement on Ordinance 5-07-9 from the Solicitor.

OLD BUSINESS:

PUBLIC HEARINGS:

5-07-9 Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled "Vehicles and Traffic" (Residential Permit Parking). (Cont. 7/12/2007).

Public Speakers:

Raymond Durfee, 29 Glenmere Dr., President of Durfee Hardware, appeared to speak and stated that he agrees that there is a parking problem in the City, however, this Ordinance does not solve the problem, it does not widen the street, not even an eighth of an inch. There would be problems with this Ordinance in regards to Churches, students at Cranston High School East and the Park Theatre.

U/Rosalba/Ordinance/2007Minutes/July26,2007Special(Ord. 5-07-9)

Attorney Christopher DelSesto, 44 Seaview Ave., former Councilman and City Solicitor, appeared to speak and stated that this Ordinance would have City-wide impact. If this is enacted, prior to its enactment, it should be considered as a giant Zoning Ordinance. Enacting this Ordinance would penalize the residents in the City. An Ordinance of this magnitude should be referred to the Planning Office and the Traffic Department for their opinion and he asked if there is a study that has been done on this Ordinance.

Antoin Karwasahan of Miracle Car Wash, 580 Reservoir Ave., appeared to represent this business and stated that this Ordinance will effect all businesses.

Walter McLaughlin, resident of Coventry, owner of Auto Parts Store, 140 Narragansett Ave. and President of McLaughlin Auto, appeared to speak and stated that small businesses are struggling today and anything the Council does will affect the economic of the small businesses in the City. If this Ordinance is approved, it would be a great disservice to the residents of the City.

Jamie Lind, 35 Greylock Ave., resident of Cranston and employee of Domestic Bank, appeared to speak and stated that this Ordinance would be a major deterrent of a business planning to or contemplating moving into the City of Cranston. She presented a petition signed by her co-workers, who are all opposed to the passing of this Ordinance.

Joseph Schleif, 93 Waldron Ave., appeared to speak and stated that with the parking situation we have in the City, there is a need this type of Ordinance.

Thomas Sweeney, Real Estate Broker and Appraiser and representing Rodman Real Estate, appeared to speak and stated that this Ordinance will have an impact on the small businesses. He submitted a copy of his resume for the record.

Lori Adamo, representing Cranston Chamber of Commerce, and owner of a business in Cranston and resident of 21 Buxton Dr., appeared to speak in opposition to this Ordinance. She stated that this Ordinance directly affects small businesses. This Ordinance will keep businesses from locating in the City and businesses will move out of the City. She indicated to the Committee that our small businesses need the Council's support and asked the Council not to put a roadblock up hindering businesses in the City.

Timothy Dodd, Esq., 215 Broadway, Providence, appeared to represent Domestic Bank and also a resident of 73 East Hill Dr., appeared to speak and stated that the purpose of this Ordinance was originally for Domestic Bank and due to work done at the site, this is no longer needed. As to him being a resident of the City, this Ordinance, as drafted, would not survive a constitutional challenge. What this Ordinance does is attempts to give certain residents the right to certain streets. You cannot give certain residents superior rights to certain streets. We all pay taxes to maintain the streets. This is clearly an anti-business statute. For these reasons, he asked the Committee not to approve this Ordinance.

Phillip Conti, 55 Crawford St., appeared to speak and stated that this Ordinance would be showing favoritism to certain residents to use the street. There are many small businesses who would be hurt if this Ordinance is adopted. You are opening a can of worms that is not necessary. He asked if the Police Department and the Traffic Engineer have given their opinion on this Ordinance. This is not for the good of the City. Chair stated that the Traffic Engineer has not reviewed the Ordinance, however, the Council can still move forward with the Ordinance without his recommendation.

Edward Angilly, 28 Richland Rd., appeared to speak in favor of this Ordinance. He stated that this is the residents' only way to get their streets back.

Thomas Cloonan, 24 Richland Rd., appeared to speak in favor of this Ordinance and presented documents from Domestic Bank's homepage regarding how many employees the Bank has. He also presented a page from today's Cranston Herald and pictures of the Bank. He stated that adopting this Ordinance would be anti-residents and not anti-business.

Mark Lucas, 28 Riverfarm Rd., appeared to speak and urged passage of this Ordinance.

Richard Brown, 171 Hilltop Dr., of the Oakhill Terrace area, appeared to speak and stated that the Council needs to protect our citizens and to hear our citizens. We need responsible businesses to do the right thing and we need the Council to do the right thing.

Deb Greifer, 48 Richland Rd., appeared to speak and stated that this Ordinance grants residents the right to petition the Council the right for relief. This Ordinance is not anti-business.

Andrew Araujo, 20 Stevens Rd., appeared to speak and stated that after all the years this area has lived with the parking problems, this is the solution and will end the problem. This is not an anti-business law, it is a business responsibility law. Domestic Bank is a business abuser of the neighbors since it has been at this location and it has gotten worse.

Sue Paganzoni of Cranston Chamber of Commerce, appeared to speak and stated that this is not a Domestic Bank issue. It is a City-wide issue. The majority of the members of the Chamber would like to see this Ordinance not passed. We need to find other ways to create relationships between the businesses and the residents.

Mark Pellier, employee of Domestic Bank, appeared to speak and stated that the Bank has gotten to 80% of where the neighbors want it to be. Chair stated that this Council has created stack parking in the City, which was a pro-active creative process for businesses to continue to grow. We should just as equally take pro-active approach with the residential permit parking.

Councilman Navarro stated that this Ordinance is not creating residential parking throughout the City. There is a process of petition and hearing that the residents would have to petition their area for permitted parking and a public hearing to be held. Councilman Barone stated that what we are forgetting is the high traffic volume throughout the City.

Councilman Lupino indicated that he had requested a plan from Attorney Dodd, and as of today, he has not received it. This Ordinance does not have any more repercussions throughout the City than the noise Ordinance, that is on the books, does. This Ordinance is not for all businesses.

Councilman Lanni stated that this Ordinance was designed for one location, now it is a City-wide Ordinance with the proposed amendments. He will not succumb to political pressure. He will not do anything to hurt the business community or the residents of the City.

Councilman Santamaria stated that 100% of his constituents that he spoke to, spoke out against this Ordinance. This Ordinance, although he agrees with the concepts, drags one neighborhood issue to other neighborhoods in the City.

Council President Garabedian stated that there is no Fiscal Note attached to this Ordinance. We are providing a tool that we do not need. He is committed to finish the project at Domestic Bank and he is committed to finding a way to make sure it is the good for the benefit of the Bank and for the residents.

Councilman Barone stated that a Fiscal Note is not needed because we are not determining how many permits are going to be issued. This is just a vehicle.

Councilman Barone motioned to recommend approval of the amendments submitted by Councilman Navarro. Council Vice-President McFarland seconded the motion. Motion failed on a vote of 2-3. The following being recorded as voting “aye”: Council Vice-President McFarland and Councilman Barone -2. The following being recorded as voting “nay”: Councilmen Lanni, Santamaria and Council President Garabedian -3.

Chair asked if there are any other motions. No other motions were made.

Chair asked Solicitor what happens to an Ordinance if there is no motion whatsoever. Solicitor stated that the Ordinance dies.

Meeting adjourned at 7:50 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees