

## **ORDINANCE COMMITTEE**

Regular meeting of the Ordinance Committee was held on Thursday, September 16, 2010 in the Council Chambers, City Hall, Cranston, Rhode Island.

### **CALL MEETING TO ORDER:**

The meeting was called to order at 8:00 P.M. by the Chair.

Present: Councilman Anthony J. Lupino, Chair  
Councilman Robert J. Pelletier, Vice-Chair  
Councilwoman Michelle Bergin-Andrews  
Councilman Mario Aceto  
Councilman Emilio L. Navarro  
Council President John E. Lanni, Jr.

Also Present: Councilman Richard D. Santamaria, Jr.  
Robin Muksian-Schutt, Director of Administration  
Gerald Cordy, Deputy Director of Administration  
Chris Rawlson, Assistant City Solicitor  
Robert Strom, Director of Finance  
Peter LaPolla, City Planner  
Maria Medeiros Wall, City Clerk  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Heather Finger, Stenographer

### **MINUTES OF THE LAST MEETING:**

On motion by Councilman Pelletier, seconded by Council President Lanni, 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:**

### **OLD BUSINESS:**

**6-10-2** Ordinance in amendment of Title 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Nightclubs). (Cont'd 7/15/2010)

On motion by Council President Lanni, seconded by Councilman Pelletier, it was voted to recommend approval of the above Ordinance.

#### Under Discussion:

**Chair** read correspondence from Solicitor Kirshenbaum addressing a concern from the community as to whether this Ordinance would grandfather current establishments.

**Councilman Pelletier** stated that a concern he has is the Ordinance does not specify a fee schedule for the license and questioned how the fee structure is going to be set up and it should be held at a higher fee.

**Chair** stated that the Ordinance already puts the burden on the establishments to adhere to quite a few restrictions.

**Councilman Santamaria** stated that this Ordinance mirrors State Statute, it deletes dance hall requirements and puts it in the nightclub designation prohibiting this in an Educational Zone. The reason for this Ordinance was back a few years ago, there was an issue with an establishment that fits into a nightclub designation, but the Zoning Department had problems since there was no nightclub designation in the City Code. This would help the Zoning Department and also the Planning Department for the future.

**Councilman Santamaria** addressed the issue of fee scheduled indicated by Councilman Pelletier. He stated that this Ordinance is just amending the Zoning Code to add the nightclub definition. There would be a follow-up Ordinance creating this license and that is where the fee schedule would be listed.

**Councilman Pelletier** stated that as for the fees, he is suggesting that the fee for nightclub should be held at a higher standard than other fees.

No one appeared to oppose.

Motion to recommend approval of this Ordinance passed unanimously.

## **PUBLIC HEARINGS/NEW BUSINESS:**

### **8-10-3 Ordinance amending Cranston Hazard Mitigation Plan.**

**Mr. LaPolla** appeared to speak.

On motion by Councilman Navarro, seconded by Council President Lanni, it was voted to recommend approval of this Ordinance.

#### Under Discussion:

**Mr. LaPolla** stated that this Plan is being updated. FEMA approved this and the City adopted it five years ago. Various safety departments participated in this update. FEMA has told him to hold off on approving this until they give conditional approval and then move it to final approval.

**Councilman Pelletier** asked if the Mitigation Plan addresses or if it was discussed during the drafting of the Plan, the gas pipeline at Natick Ave. bridge. Mr. LaPolla stated that there is a section in the Mitigation Plan that talks about what the damage would be and the associated value of that damaged property.

**Chair** asked that for the Council meeting, he would like to know what the ramifications are, what is FEMA's responsibility if Cranston takes on the responsibility and we follow the Plan.

**Mr. Cordy** asked that this Ordinance be referred to the full Council for approval and at that time tabled until we get FEMA approval and then once FEMA approves it, we pass the Ordinance.

Motion to recommend approval of this Ordinance passed unanimously.

The meeting adjourned at 8:40 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees