

CITY OF NEWPORT

DOCKET OF THE COUNCIL

*The following items of business having been filed with the City Clerk under the rules of the Council will come before the Council at its regular meeting to be held on **June 8, 2005**, at 6:30 p.m.*

PLEDGE OF ALLEGIANCE TO THE FLAG

PROCLAMATIONS:

1—Honoring George Loftus and Chris Loftus

CITIZEN'S FORUM (Speakers must sign-in with the City Clerk)

The Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **PUBLIC HEARING:** Recommended FY2005-2006 Operating Budget:
 - a) Ordinance Appropriating Revenues (Second Reading)
 - b) Ordinance Amending Title Three, re: Personnel (Second Reading)
 - c) Resolution, re: Omnibus Property Tax Relief & Replacement Act
 - d) Resolution, re: Authorizing Tax Levy

2. CONSENT CALENDAR

*CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY, UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.

- a. Minutes of a Special Council Meeting held May 18, 2005. (Approve)
- b. Minutes of the May 25, 2005, Council Meeting. (Approve)
- c. Special Event Licenses:
 - 1) Newport International Film Festival Inc. and Shake-A-Leg Inc., d/b/a Filmmaker Party- Easton's Beach Rotunda, Easton's Beach, June 10, 2005 from 9:00 p.m. to 12:00 midnight.
 - 2) Designate-A-Driver, d/b/a 2nd Annual Bike/Blade Against Drunk

**It is the practice of the Council to meet at 6:15 pm. in the Conference Room to discuss docket items. The public is invited to attend.*

Council Dockets may be viewed on the City of Newport web page: www.ci.newport.ri.us – City Clerk's Office. Minutes of the meeting will be available on the web page prior to the next council meeting.

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Driving- beginning and ending at the Elk's Lodge, 141 Pelham St., June 25, 2005 from 11:00 a.m. to 3:30p.m.

- 3) Fort Adams Trust, d/b/a Revolutionary War Encampment-Fort Adams State Park, July 9 and 10, 2005 from 10:00 a.m. to 5:00 p.m.
- 4) Newport Art Museum and Art Association, d/b/a P.M. Picnic- Newport Art Museum, 76 Bellevue Ave., June 29, 2005, July 6, 13, 20, 27, 2005 and August 3, 10 and 17, 2005 from 6:00 p.m. to 8:30 p.m.
- 5) Newport Art Museum and Art Association, d/b/a "Starry Starry Night"- Newport Art Museum, 76 Bellevue Ave., July 9, 2005 from 6:30 p.m. to 12:00 a.m.
- 6) Newport Art Museum and Art Association, d/b/a "Dance the Night Away"- Newport Art Museum, 76 Bellevue Ave., July 10, 2005 from 8:00 p.m. to 12:00 a.m.
- 7) Newport Art Museum and Art Association, d/b/a "Through The Looking Glass"- Newport Art Museum, 76 Bellevue Ave., July 11, 2005 from 4:00 p.m. to 6:00 p.m.
- 8) Newport Art Museum and Art Association, d/b/a "Wet Paint"- Newport Art Museum, 76 Bellevue Ave., August 20, 2005 from 6:00 p.m. to 8:00 p.m. and August 21, 2005 from 3:00 p.m. to 6:00p.m.
- 9) Hammersmith Farm Preservation, d/b/a Fireworks- Hammersmith Farm, Harrison Ave.- June 11, 2005 from 9:45 p.m. to 9:55 p.m.

d. Sunday Selling License Renewals:

- 1) Native American Trading, LTD, d/b/a Royal Warrant, 18 Bannisters Wharf.
- 2) Mattress Giant, d/b/a Mattress Giant, 199 Connell Highway.
- 3) Riverhill Group LLC, d/b/a Riverhill Gallery, 7 Bowen's Wharf

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- e. Sunday Selling License, New, Red Boutique, Inc., d/b/a Red Boutique Inc., 480 Thames St.
- f. Sunday Selling License, New, Deckline of America LLC, d/b/a Deckline of America, 23 Memorial Blvd.
- g. Sunday Selling License, New, Tsering W. Ngamdung, d/b/a Lotus, 411 Thames St.
- h. Catering License, Renewal, Salvation Cafe Inc., d/b/a Salvation Cafe, 140 Broadway.
- i. Communication from Brian G. Bardorf, Esq., Bardorf & Bardorf, Counsellors at Law, re: Expressing concern over the current status of Colonial Street and its adjoining sidewalks. (Receive and refer to City Administration)
- j. Communication from the Town of Exeter, RI, re: Requesting the City's support of pension reform in the State of Rhode Island. (Receive)
- k. Communication from the Town of East Greenwich, RI, re: Requesting the City's support of resolutions for the following: pension reforms, real estate conveyance taxes and the requirement of utility companies who maintain infrastructure within municipal rights-of-way to pay for all costs entailed on relocation of that infrastructure by any public works project.
- l. Communication from United States Senator Jack Reed re: A response to the City's support for increased funding for Impact Aid in school districts that provide education to a high number of military children with severe disabilities. (Receive)
- m. Communication from J. Terence Houlihan, Esq., Houlihan, Managhan & Kyle, LLP, re: FOP Lodge #8 submitting their request for bargaining and arbitration for the 2005-2006 contract years. (Receive and refer to the City Solicitor)
- n. Communication from the Rhode Island State Planning Council re: Notice of Public Hearings on the Draft Transportation Improvement Program (TIP) for the State of Rhode Island Fiscal Years 2006-2007 (October 1, 2005 – September 30, 2007). (Receive and refer to the Police Department)

- o. Communication from the League of Bicyclists re: A bicycle ride in the Newport area and a rededication ceremony of the LAW monument in Touro Park to celebrate the 125th Anniversary of the founding of the League of Bicyclists on June 11, 2005.
- p. Communication from Colleen McGrath on behalf of the Friends of Ballard Park re: Requesting the City's permission to hold the 3rd Annual Ballard Park Pumpkin Tour on Saturday, October 15, 2005 from 4:30 p.m. to 8:30 p.m. and to waive section 12.32.010 of the Codified Ordinances. (Approve subject to details being worked out with the city administration)
- q. Communication from Colleen McGrath on behalf of the Friends of Ballard Park re: Requesting the City's permission to hold a concert by Paul Geremia at Ballard Park on Friday, August 19, 2005 from 7:00 p.m. to 9:00 p.m. and to waive section 12.32.010 of the Codified Ordinances. (Approve subject to details being worked out with the city administration)
- r. Communication from Colleen McGrath on behalf of the Friends of Ballard Park re: Requesting the City's permission to hold the 1st Annual Ballard Park *Unplugged* concert at Ballard Park on Thursday, June 30, 2005 from 6:30 p.m. to 8:30 p.m. and to waive section 12.32.010 of the Codified Ordinances. (Approve subject to details being worked out with the city administration)
- s. Claims (Receive and refer to City Solicitor):
 - 1). Susan L. Dorr
 - 2). John P. Kamishlian by and through his attorney, James A. Hall, Esq.

LICENSES AND PERMITS

- 3. Victualing License, New, Abdel Mawla M. Kaka, d/b/a Istanbul Coffee House, 2 Broadway.
- 4. Horse & Carriage License, Daily, New Deal Farm of Exeter, Inc., 249 Purgatory Rd., Exeter, R.I.- July 2, 2005 from 3:00 p.m. to 8:00 p.m. (from the Marriott Hotel on America's Cup Ave. to Trinity Church, from Trinity Church to King's Park and back to the Marriott Hotel)

5. Food Concession License, New-Seasonal, Lee P. Richardson, d/b/a Richardson's Ice Cream, Kings Park.
6. Annual Entertainment License Renewal, IDC Clambakes, Inc., d/b/a The Newport Regatta Club:
 - a) Communication from Daniel K. Kinder, President of the Capella South Condominium Association, Goat Island, objecting to the issuance of the entertainment license.
 - b) Communication from Peter Brent Regan, Esq. on behalf of the America Condominium Association, Inc., the Capella South Condominium Association and the Harbor Houses Condominium Association, requesting the City Council to deny the entertainment license.

COMMUNICATIONS & PETITIONS

7. Communication from John J. Egan, Jr., re: the scope of job changes to the Winans-Ocean Ave. Storm Drainage Project #05-033.
8. Communication dated May 17, 2005 from Lefkowitz, Garfinkel, Champi & DeRienzo P.C., re: requesting an increase in audit fees for the fiscal years ending June 30, 2003 and 2004, and an increase for the June 30, 2005, audit engagement.
 - Amended Memorandum from the Director of Finance, re: Audit Fees for FY 2004.

APPOINTMENTS TO BOARDS AND COMMISSIONS

RESOLUTIONS

*RESOLUTIONS REQUIRE ONE READING FOR ADOPTION.

9. Requesting the City Manager to report on the progress of a remediation plan and the preparations made to avoid beach closures in the 2005 summer season.
 - S. Waluk (Continued from May 25, 2005)
 - Communication from Susan Cooper, Director of Parks, Recreation &

Tourism, re: Update on the Status of Easton's Beach Closures

10. Supporting House Bill 6496 to require utility companies and contractors to provide performance bonds or cash deposits to ensure that roadways are restored following underground work.—S. Waluk (Continued from May 25, 2005)

ORDINANCES

*ORDINANCES REQUIRE TWO READINGS FOR ADOPTION.

11. Amending Chapter 1.14 of the Codified Ordinances, entitled, "Specific Penalties for Certain Violations," to increase to twenty-five (\$25.00) dollars the fine for Overtime Parking, and to a minimum of twenty-five (\$25.00) dollars the fines for all other parking ordinance violations. (Second Reading)
12. Amending 10.32.110 of the Codified Ordinances, entitled, "Designated Residential Parking Streets," Paragraph A (6:00 p.m. to 6:00 a.m.), Wellington Ave. on city property between the Fifth Ward Little League Field and the CSO facility - resident sticker parking between the hours of 8:00 p.m. to 6:00 a.m. (First Reading) – C. McGrath

COMMUNICATIONS FROM THE CITY ADMINISTRATION

13. Communication No. 3921, re: Modification to Mary Street Parking Lot Ordinance (with accompanying ordinance)
14. Communication No. 3922, re: Bid Award for Gateway Garage-Fire Code and Electrical Upgrades (with accompanying resolution)
15. Communication No. 3923, re: Scenic Roadways Application (Bellevue and Ocean Drive; Scenic Roadways Designation Committee (with accompanying resolution)
16. Communication No. 3924, re: Purchase of Mobile Data Computers (with accompanying resolution)
17. Communication No. 3925, re: Parking Restriction-Mill Street (with accompanying ordinance)
18. Communication No. 3926, re: Parking-Sherman St. (with accompanying ordinance- **Second Reading**)

19. Communication No. 3927, re: Bid Award for Decorative Streetlights Maintenance and Repair (with accompanying resolution)
20. Communication No. 3928, re: Atlantic-Winans Drainage Improvements (Bid #05-033)-Change Order (with accompanying resolution)
21. Communication No. 3929, re: Ocean Ave. Water Main Project-Phase 1-Water Fund (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

1. CONSENT CALENDAR

- a. Application for Class F-1 Daily Liquor License, Newport Art Museum and Art Association, d/b/a Art Auction, "Wet Paint"- Newport Art Museum, 76 Bellevue Ave., August 20, 2005 from 6:00 p.m. to 8:00 p.m. and August 21, 2005 from 3:00 p.m. to 6:00 p.m.

LICENSES & PERMITS

2. Communication from John A. Murphy, Esq., Morneau & Murphy, Attorneys At Law, re: requesting the City grant permission to Conanicut Marine Services, Inc., to serve alcoholic beverages to their patrons aboard their ferry, *The Jamestown*, while at dockside at several stops in Newport Harbor for the 2005 season.

Laura C. Swistak
Deputy City Clerk

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