

**CITY OF NEWPORT
DOCKET OF THE COUNCIL MEETING
SEPTEMBER 12, 2007**

The following items of business, filed with the City Clerk under the rules of the Council, will come before the Council at its regular meeting to be held on September 12, 2007.

PLEDGE OF ALLEGIANCE TO THE FLAG

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.

COUNCIL

1. **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 the August 8, 2007, Council Meeting (Approve)
 - b. Minutes of the August 22, 2007, Council Meeting (Approve)
 - c. Special Event Licenses:
 - 1) Salve Regina University, d/b/a Salve Regina 5K Mansion Run; September 22, 2007, from 7:00 a.m. to 9:30 a.m. (Beginning at Rodgers Rec Center, Ochre Pt. Ave., to Webster St., to south on Spring St., Coggeshall Ave., east on Lakeview to Bellevue Ave, returning to Ochre Pt. via Ruggles Ave.)
 - 2) Island Moving Co., d/b/a "Newport Stories," Great Friends Meeting House, Marlborough St.; September 22, 2007, from 4:00 p.m. to 7:30 p.m.; September 23, 2007, from 2:00 p.m. to 4:30 p.m.

It is the practice of the Council to meet at 6:20 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.cityofnewport.com – City Clerk's Office.

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- 3) Newport Yacht Club, d/b/a SCI Reception; Seamen's Church Institute, Market Square; September 30, 2007, from 2:00 p.m. to 5:00 p.m.
 - 4) Newport Festa Italiana, d/b/a Italian Marketplace, Touro Park; October 6, 2007, from 11:00 a.m. to 4:00 p.m. (tent set-up, Oct. 5)
 - 5) Newport Community Garden, by Nicole Vazquez, d/b/a Newport Community Garden Arts Fair, Waites Wharf; October 6 and 7, 2007, from 10:00 a.m. to 5:00 p.m.
 - 6) Bowen's Wharf Co., d/b/a Bowen's Wharf Seafood Festival, Bowen's Wharf; October 13 and 14, 2007, from 11:00 a.m. to 5:00 p.m.
 - 7) Brigid E. Kelly Memorial Fund, Inc., d/b/a Brigid E. Kelly Memorial Walk/Run; October 13, 2007, from 8:00 a.m. to 4:00 p.m. (Beginning at Gooseberry Beach, west along Ocean Ave. to Brenton Rd., onto Wickham Rd. to Carroll Ave. and back to Gooseberry Beach)
- d. Holiday Selling License, Renewal, Amanda J. Gallagher, d/b/a Closet Revival, 51 Marlborough St.
- e. Second-hand License, Renewal, Amanda J. Gallagher, d/b/a Closet Revival, 51 Marlborough St.
- f. Communications from the Friends of Ballard Park requesting the following (Approve subject to details being worked out with city administration):
- 1) Date change for third outdoor movie, from Sept. 20, 2007, to Sept. 21 (rain date, Sept. 22), 2007, beginning at dusk, and waiver of Section 12.32.010 of City Code that requires park to close at dusk.
 - 2) Concert featuring Bloody Knuckles on Saturday, Sept. 15, 2007, from 6:30 to 8:30 p.m., and waiver of Section 12.32.010 of City Code that requires park to close at dusk.

-- Memorandum from the Director of Parks, Recreation & Tourism in support of the requests.

- g. Communication from Newport Brokerage Boat Show requesting sign locations promoting the International Boat Show (Approve subject to details being worked out with the city administration)
- h. Communication from Salve Regina University requesting permission to hang banners from light poles on the west side of Ochre Point Ave., from September 2007 through October 2008, banners commemorating SRU's 60th anniversary. (Approve subject to National Grid approval and details being worked out with city administration)
- i. Communication from Newport Festa Italiana requesting permission to place banners in Touro Park promoting the Italian Marketplace in Touro Park, scheduled for October 6, 2007, and for the Annual Columbus Day Parade, October 8, 2007, at 12 Noon. (Approve subject to details being worked out with city administration)
- j. Communication from Robert A. Beaver, Chairman, Planning Board, re: comprehensive revision of "Nonconforming Development" section of the Zoning Ordinance. (Receive and refer to a workshop)
- k. Resignation of Peter Barry from the Hospitality Commission (Receive with regret)
- l. Resignation of Marion Robertson from the Hospitality Commission (Receive with regret)
- m. Communication from Federico Santi, 152 Spring St., re: Newport Historic District Issues. (Receive)
- n. Resolution of the Town of Gloucester requesting support of their opposition to Senate Bill 461 and House Bill 5661, adopted in the 2007 session of the General Assembly, that authorize school committees to retain the services of independent legal counsel as they deem necessary and convenient. (Receive)
- o. Notice of the Coastal Resources Management Council of intent to change management plans, policies, procedures and regulations regarding

CRMC's planning and management of coastal resources of the State.
(Receive)

- p. RIDEM, Office of Water Resources, Notice of Proposed Permit Actions under the RI Pollutant Discharge Elimination System Regulating Discharges into the Waters of the State – Newport Water Pollution Control Plant (Receive)
- q. Claim of Rosemary M. Lord (Receive and refer to City Solicitor)

COMMUNICATIONS & PETITIONS

- 3. Communication from Jennifer McCann, US Team Leader, URI Coastal Resources Center/RI Sea Grant, asking to make a five-minute PowerPoint presentation on the Aquidneck Island Special Area Management Plan (SAMP)

--Memorandum from the Director of Planning, Zoning, Development & Inspections and Draft Resolution in support of pursuing the West Side Special Area Management Plan.
- 4. Communication from the Historic District Commission asking to address the ordinance on Demolition Through Owner Neglect and petitioning the Council to take immediate action on three specific properties.
- 5. Communication from Frank A. Lombardi, Esq., asking to address the Council on municipal trash pick up for condominium unit owners.

6. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Henderson Home Commission: Applicant – Barbara A. Mureddu

Newport-Shimoda 50th Anniversary Committee: Applicant – Mary Ann Sullivan

Newport Tree Commission: Applicant – William S. Steeves, Jr.

Note: Vacancies currently or soon will exist on the following boards and commissions: Building Code Board of Appeals, Cultural Commission, Historic Cemetery Advisory Commission, Historic District Commission, Hospitality Commission, Personnel Appeals Board, Planning Board, Sports Advisory Commission, Technology Advisory Commission, and the City Climate Control Task Force. Interested residents can obtain applications on the City's web page or by contacting the Mayor's Office. A committee is being formed of past

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and present City officials and delegates to the Shimoda City Black Ships Festivals, members of the Japan-America Society, tourism officials, and interested businesses, taxpayers and residents of Newport, to plan a schedule of celebratory events, educational programs and exhibitions, from May through July, 2008, of the Newport-Shimoda 50th Sister City Anniversary. Persons interested in participating can obtain applications on the City's web page or by contacting the Mayor's Office.

RESOLUTIONS

7. Recognizing the recipients of the First Annual Doris Duke Historic Preservation Awards – K. Leonard

ORDINANCES

8. Amending Chapter 8.08.100, "Fire Lanes," to reconfigure the fire lanes at the Hyatt Regency on Goat Island. (First Reading)
9. Amending Chapter 2.120.010, "Fees for permits and licenses,," to increase the annual fee for outside fire alarm services from \$300 to \$400, and implementing certain other fees for Fire Dept. permits and/or inspections. (First Reading)
 - Memorandum from Fire Chief Edward W. McCarthy proposing the revised fee schedule.
10. Amending Chapter 10.24.030, "Special Parking Limits During Certain Hours on Certain Streets," designating 30-minute parking on Broadway, east side, beginning approx. 47' north of Bull St. and proceeding north a distance of sixty feet. (Second Reading)
11. Amending Chapter 10.52.010, "No Through Streets Listed," to add Webster St., from Bellevue Ave. to Ochre Point Ave. (Second Reading)

COMMUNICATIONS FROM THE CITY MANAGER

12. Communication #4214/07, re: Show Cause Hearing – Sig's Market & Catering, Violation of Fire Code (Continued from June 13, 2007; DISMISS)
13. Communication #4216/07, re: Show Cause Hearing – Cumberland Farm, Inc. Violation of Fire Code (Continued from June 13, 2007; DISMISS)

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14. Communication #4219/07, re: Show Cause Hearing – Newport Chocolates, Inc. – Violation of Fire Code (Continued from June 13, 2007; DISMISS)
15. Communication #4220/07, re: Show Cause Hearing – Pereira Pizza, Inc., d/b/a Ronzio Pizza – Violation of Fire Code (Cont'd from June 13, 2007; DISMISS)
16. Communication #4289/07, re: Restoration of Gooseneck Cove Salt Marsh and Repair of Hazard Road (with accompanying resolution)
17. Communication #4290/07, re: Conservation Easements – Gooseneck Cove and Morton Park (with accompanying resolution)
18. Communication #4291/07, re: Bid Award for VAX Hardware/ Software/ Peripheral Support (with accompanying resolution)
19. Communication #4292/07, re: Prohibition of Horses on Sports Fields and Easton's Beach (with accompanying ordinance)
20. Communication #4293/07, re: Bid Award for Water Trench and Sidewalk Restoration (with accompanying resolution)
21. Communication #4294/07, re: Re-award of Bid for Laboratory Testing Services—Cryptosporidium (with accompanying resolution)
22. Communication #4295/07, re: Bid Award for Recycling Containers (with accompanying resolution)
23. Communication #4296/07, re: Establishing Penalties for Late Issuance of Liquor and Victualing Licenses (with accompanying ordinance)
24. Communication #4297/07, re: Amendments to the Historic District Zoning Ordinance (with accompanying ordinance)
25. Communication #4298/07, re: Middletown Wastewater Treatment Agreement (with accompanying resolution)

ADJOURN

Kathleen M. Silvia
City Clerk

September 5, 2007