

**CITY OF NEWPORT
DOCKET OF THE COUNCIL
JANUARY 23, 2008**

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 January 23, 2008, at 6:30 p.m.

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. Public Hearing: Recommended 2009-2013 Capital Improvement Program

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 the December 12, 2007, Council Meeting (Approve)
 - b. Minutes of the January 9, 2008, Council Meeting

 - c. Special Event License:
 - 1) Friends of Ballard Park, Ballard Park Quarry Meadow, d/b/a:
 - a) 3rd Annual Illuminated Garden, February 22 and 23, 2008, from 6:00 p.m. to 9:00p.m.
 - b) Music in the Park, June 26 and July 10, from 6:00 to 8:30 p.m.; and July 24, from 9 a.m. to 10 a.m. and 6:00 p.m. to 8:30 p.m. (Rain dates the following day)
 - c) 2nd Annual Molly Finn Battle of the Bands, July 19, 2008 (rain date 7/20), from 2:00 p.m. to 8:00 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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- d) Movies on the Rocks, August 7, 21 and Sept. 5, 2008, from dusk to 9:30/10:00 p.m.
 - Communication from Susan Cooper, Director, Recreation Department, in support of the events, and asking for a waiver of Section 12.32.010 of the City Code (Closure of parks between sunset and sunrise). (Approve)
 - 2) Newport Public Education Foundation, d/b/a Mother's Day 5K Fun Run/Walk; May 11, 2008, from 7:00 a.m. to 12 Noon (Ocean Drive/Bellevue area; beginning and ending at Rogers High School)
 - 3) Parallax Group, LLC, d/b/a Source Newport (exhibition and trade show); Newport Yachting Center, October 24-26, 2008, from 8:00 a.m. to 5:00 p.m.
- d. Daily Entertainment Licenses:
- 1) Mach, LLC, d/b/a Sambar, 515 Thames St.; February 6, 2008, from 7:00 p.m. to 12 Midnight
 - 2) Mach, LLC, d/b/a Sambar, 515 Thames St.; March 5, 2008, from 7:00 p.m. to 12 Midnight
 - 3) Mach, LLC, d/b/a Sambar, 515 Thames St.; April 9, 2008, from 7:00 p.m. to 12 Midnight
- e. Tattooing License, Renewal, Captain Bret's Tattoo Shop, Inc., Bret A. Lohnes, owner and individual operator, 2 Collins Street.
- f. Communication from Dennis P. Sullivan, Chairman, St. Patrick's Day Parade Committee, asking permission to issue vendor permits, as in past years, for the St. Patrick's Day Parade, March 15, 2008. (Approve subject to details being worked out with the city administration.)
- g. Communication from the President and Vice President of the Golden Hill Neighborhood Assoc., re: 106-108 and 110-112 William Street. (Receive and refer to the city administration.)
- h. Communication from the Waterfront Commission, re: Brown & Howard Wharf—Recommendations regarding modification to planned right-of-way easement design. (Receive)

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- i. Resignation of Jeffrey H. Sammis from the Waterfront Commission (Receive with regret)
- j. Communication from L. Neill Gray requesting reappointment to the Waterfront Commission. (Receive)
- k. Annual Reports: (Receive)
 - 1) Juvenile Hearing Board
 - 2) Climate Control (a/k/a Newport Goes Green) Task Force
 - 3) Waterfront Commission
- l. Claim of Rosemarie Regine, by attorney.

COMMUNICATIONS & PERMITS

- 3. Communication from Stephen J. Gauthier, Director, Technical Services Center, Government Finance Officers Association announcing the City of Newport's receipt of the Distinguished Budget Presentation Award for the current fiscal year and recognizing Laura Sitrin, Director of Finance, and Elizabeth J. Sceppa, Budget & Finance Analyst.
- 4. Communication from Terence Fracassa, re: Assignment and Assumption Agreement – Harbour Realty and City of Newport: Assigning dinghy docks and riparian rights in the West Extension St. channel to the City of Newport, with the City in return to support Harbour Realty's petition to CRMC that these dinghy docks satisfy its obligation under the Paul Sullivan Assent to have dinghy docks in the J-Pier Marina.

5. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Planning Board: Reappointment of Naomi Neville and Deborah Melino-Wender (first full terms: 2006-2009)

Hospitality Commission: Reappointment of Linda Manning

Newport-Shimoda 50th Anniversary Committee: Applicant - Sr. Catherine Coyne

Note: Vacancies currently or soon will exist on the following boards and commissions: Building Code Board of Appeals, Cultural Commission, Historic Cemetery Advisory Commission, Hospitality Commission, Personnel Appeals Board, Planning Board, Sports Advisory Commission,

and the Technology Advisory Commission. 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 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

6. Opposing any increase in tolls on the Pell Bridge – M. Connolly
7. Authorizing the Tree Commission to review and recommend amendments to the Tree Ordinance that would expand the Commission's purview to matters of open space protection – S. Waluk
8. In support of legislation that would define an extension of gambling hours as an expansion of gambling in order to prevent any expansion of gambling in Newport – S. Waluk, J. McLaughlin
9. Designating Lot 305 on Tax Assessor's Plat 41 as No. 17 Beacon Hill Road.
10. Expressing Appreciation to the Screening Committee for the Selection of the Director of Economic Development.
11. Expressing Appreciation to the Screening Committee for the Selection of the Director of Public Services.
12. Expressing Appreciation to the Screening Committee for the Selection of the Fire Chief.

ORDINANCES

13. Amending Chapter 12.28.130 of the Codified Ordinances, entitled, "Harbor Rules and Regulations, Paragraph D, to increase the mooring fees to: Resident/private, \$.50/lb; Non-resident, \$1.00/lb.; and Commercial, \$1.50/lb. (Second Reading)

-- Communication from the Waterfront Commission, re: Proposed Increase in Mooring Fees (Continued from November 14, 2007)

COMMUNICATIONS FROM THE CITY MANAGER

14. Communication #4306/07, re: Revision to Harbor Ordinances—Mooring Fees (Continued from October 24, 2007, until after a workshop is held with the Waterfront Commission)
15. Communication #4332/07, re: Personnel Ordinance Change – Employee Classification Study, Local 911, Council 94, AFSCME , with accompanying ordinance. (TABLE until refinement of ordinance is completed)
16. Communication #4337/08, re: CRMC File No. 2007-11-043, Application of 802 Partners, LLC, 315 Thames St., for Floating Docks and Marina Perimeter Limit
17. Communication #4338/08, re: Personnel Ordinance Amendment – Youth Recreation Workers (with accompanying ordinance)
18. Communication #4339/08, re: Bid Award for Miantonomi Park Fence Replacement (with accompanying resolution)
19. Communication #4340/08, re: Bid Award for Road Materials (with accompanying resolution)
20. Communication No. 4341/08, re: Bid Award for Replacement of the Seven-Passenger Mini Van in the Recreation Department (with accompanying resolution)
21. Communication #4342/08, re: RI Department of Health Consent Agreement (with accompanying resolution)
22. Communication #4343/08, re: Award of Bid for King Park Mobile Food Concession (with accompanying resolution)
23. Communication #4344/08, re: Bid Award for Re-powering of the Boston Whaler (with accompanying resolution)

ADJOURN

Kathleen M. Silvia
City Clerk

January 16, 2008