

# CITY OF NEWPORT DOCKET OF THE COUNCIL

*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 June 10, 2009, 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.

1. PUBLIC HEARING: Recommended 2009-2010 Operating Budget (second of three public hearings)
  - a. Ordinance Appropriating Revenues (Second Reading)
  - b. Ordinance Amending Title 3, Personnel (Second Reading)
  - c. Ordinance Amending Chapter 13.12.010, Basic Charge - Sewer Rate, increasing the rate by 14%, from \$6.18 to \$7.05 per 1,000 gallons of metered water consumption (Second Reading)
  - d. Ordinance Amending Chapter 13.12.015, CSO Fixed Charge, increasing fees by 22.3% (Second Reading)
  - e. Ordinance Amending Chapter 13.10.060, Industrial Pretreatment-Wastewater Treatment Rates, increasing IPP fees by 3% (Second Reading)

-- Memoranda from the City Manager, re:

- 1) Historic Planner
- 2) Building Permit Revenues
- 3) Civic Support Funding

*It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all applications and communications, can be viewed on the City of Newport website: [www.cityofnewport.com](http://www.cityofnewport.com) – "Current Newport City News & Announcements" – Click on "MORE NEWS." Council Meeting can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting is also available at the Newport Public Library within 48 hrs. of the meeting.*

2. **CONSENT CALENDAR.** THE 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. Special Event Licenses:
- 1) Branchwater Productions, Inc., d/b/a Cole Brother Circus; Newport Grand Parking Lot (license previously approved for June 19-21, 2009) – Requesting amendment to license to allow circus performances on Thursday, June 18, 2009.
    - Food Concession License – request for amendment to include Thursday, June 18, 2009.
  - 2) The Ally Foundation, d/b/a “Beacon Rocks for a Change”; Beacon Rock, 147 Harrison Ave., June 20, 2009, from 7:00 p.m. to 11:00 p.m.
  - 3) Rose Island Lighthouse Foundation, d/b/a 4<sup>th</sup> of July Barbeque; Rose Island, July 4, 2009, from 5:30 p.m. to 10:30 p.m.
  - 4) Sail Newport, d/b/a “The Coastal Living Newport Regatta”; Fort Adams State Park, July 10 and 12, 2009, from 4:00 p.m. to 8:00 p.m.; July 11, 2009, from 4:00 p.m. to 11:00 p.m.
  - 5) International Yacht Restoration School, d/b/a “Summer Gala”; IYRS, 449 Thames St., July 11, 2009, from 6:00 p.m. to Midnight.
  - 6) Bucket Regattas, LLC, d/b/a Newport Bucket Regatta; Newport Shipyard, July 17, 2009, from 5:00 p.m. to 10:00 p.m. and July 18, 2009, from 5:00 p.m. to Midnight.
  - 7) Seamen’s Church Institute, d/b/a “3<sup>rd</sup> Annual Rock the Docks”; Seamen’s Church Institute, 18 Market Square, July 19, 2009, from 7:00 p.m. to 10:00 p.m.
  - 8) Aquidneck Land Trust, d/b/a “Fiesta Verde” Summer Fundraising Party; 459 Bellevue Ave., July 25, 2009, from 6:00 p.m. to 11:00 p.m.

- 9) Rec Reunion Association, d/b/a "Rec Reunion"; July 31; August 3 and 5, 2009 (Locations and times attached to application)
  - 10) Rose Island Lighthouse Foundation, d/b/a Clambake; Rose Island, August 15, 2009, from 11:00 a.m. to 3:00 p.m.
  - 11) Zabriskie Memorial Church of St. John the Evangelist, d/b/a Annual Parish Fair; Church grounds at Poplar, Washington & Willow Sts., August 1, 2009, from 10:00 a.m. to 2:00 p.m.
  - 12) Museum of Yachting & International Yacht Restoration School, d/b/a "Classic Yacht Regatta"; Fort Adams State Park, Sept. 4 - 6, 2009, from 9:00 a.m. to 11:00 p.m.
  - 13) Museum of Yachting & International Yacht Restoration School, d/b/a "Six Meter Worlds"; Fort Adams State park, Sept. 7 - 12, 2009, from 9:00 a.m. to 11:00 p.m.
- b. Drain Layer License (Renewals):
- 1) All Island Landscape, Inc., 2829 East Main Rd., Portsmouth, RI
  - 2) C.B. Utility Co., Inc., 99 Tupelo St., Bristol, RI
  - 3) Camara Excavating, LLC, 48 Common Fence Blvd., Portsmouth, RI
  - 4) Fleet Construction Co., Inc., 24 Martin St., Cumberland, RI
  - 5) Green Acres Landscape, 21 Malbone St., Lakeville, MA
  - 6) H. Lacerda Jr. Landscaping & Construction, LLC, 465 Oliphant Lane, Middletown, RI
  - 7) Landscaping Services, Inc., 700 Wood St., Bristol, RI
  - 8) Joseph C. Lopes, II, 345 Mitchell's Lane, Middletown, RI
  - 9) Mello Construction Co., Inc., 87 Beacon St., Middletown, RI
  - 10) Narragansett Improvement Co., 223 Allens Ave., Providence, RI
- c. Holiday Selling License, New:
- 1) Muhammad Tariq Rashid, d/b/a 7-Eleven #23880, 29 Memorial Blvd. (new owner)
  - 2) Original Water Bros., LLC, d/b/a Water Brothers, 23 Memorial Blvd.
  - 3) Prodyers, LLC, d/b/a Verde, 476 Thames St.

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- d. Holiday Selling License, Renewals:
  - 1) Mattiace, Inc., d/b/a Smoky Topaz, 125 Swinburne Row
  - 2) Only in Rhode Island, LLC, d/b/a Only in Rhode Island, 43 Long Wharf Mall
  - 3) Primavera, Inc., d/b/a Primavera, Bowens Wharf
  
- e. Pedicab Operator License:
  - 1) Marco Aveledo, 108 Bayview Drive, Jamestown, RI
  - 2) Vladimir E. Evtimov, 43 Plymouth Road, Jamestown, RI
  - 3) Robert Forster, 100 Ochre Point Avenue, Newport, RI
  - 4) Ian Omari Holder, 18 McCann Place, Providence, RI
  - 5) Robert Kile, 31 Bliss Road, Newport, RI
  - 6) Alex Kofer, 87 Hargraves Drive, Portsmouth, RI
  - 7) Mark Marine, 957 Cranston Street, Cranston, RI
  - 8) Aaron M. Roy, 10 Hall Avenue, Newport, RI
  - 9) Colin Salko, 10 Hal Avenue, Newport, RI
  - 10) Michael Viola, 51 Glen Drive, East Greenwich, RI
  
- f. Solid Waste Hauler License (Renewals):
  - 1) Steven Tiexiera, d/b/a Island Rubbish Service, 8 Swinburne St., Jamestown, RI
  - 2) Frank Macera, d/b/a M&M Disposal, 46 Shein Pike, Johnston, RI
  - 3) Rambone Disposal Services, Inc., 2153 Plainfield Pike, Johnston, RI
  - 4) Waste Haulers, LLC, 1 Sterline Way, Cranston, RI
  - 5) Waste Management of RI, Inc., 65 Halsey St., Newport, RI
  
- g. Victualing License, Muhammad Tariq Rashid (new owner), 7-Eleven #23880-C, 29 Memorial Blvd.
  
- h. Communication from Calvary United Methodist Church asking permission to hold worship services in King Park at 8:00 a.m. on Sunday mornings in July and August, and suspension of Resident Parking restrictions during the services (Approve subject to details being worked out with the city administration)
  
- i. Agreement between The Town of Middletown and Cote & D'Ambrosio of Wickford, RI, re: Middletown/Newport SPF Media (Underage Drinking Media Campaign) (Receive)

- j. Claims: (Receive and refer to City Solicitor)
  - 1) Tricia L. Milburn
  - 2) Michele MULLOWNEY

### **LICENSES AND PERMITS**

- 3. Entertainment License, Renewal, The Mainstay Inn, Ltd., d/b/a The Mainstay Inn, 151 Admiral Kalbfus Road, Renewal
- 4. Victualing License, The Mainstay Inn, Ltd., d/b/a The Mainstay Inn, 151 Admiral Kalbfus Road (in conjunction with liquor license transfer)
- 5. Victualing License, New, The Sailor's Sweet Tooth, Inc., d/b/a Kilwin's Chocolates & Ice Cream, 450 Thames St.

### **COMMUNICATION AND PETITIONS**

- 6. Communication from David Addison, re: Fishing at fresh-water ponds.

### **7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

Waterfront Commission (1 vacancy) – Applicants: Ray Lynch, Ryan Miller, Gerald Schryver, Paul Watters

### **RESOLUTIONS**

- 8. Requesting Legislation amending Chapter 45-59 of the RI General Laws, entitled, "District Management Authorities" – K. Leonard
- 9. Asking the Planning Board to review the uses of buildings located in the R3 and R3A Zones that are over 10,000 square feet – K. Leonard
- 10. Requesting an amendment to Section 45-24.1-3 of the RI General Laws that would decrease permanent membership on the Newport Historic District Commission from nine to seven, and allow for the appointment of two auxiliary members – S. Coyne, J. Napolitano, M. Connolly, C. Duncan, K. Leonard

### **ORDINANCES**

- 11. Amending Chapter 17.76, "Signs," to incorporate various changes to the City's Sign Ordinance (Second Reading)

- Communcation from the Director of Planning, Zoning, Development & Inspections, re: Sign Ordinance Amendment – City Council Suggestions
12. Amending Chapter 10.24.010, “Parking Prohibited at All Times in Designated Places,” to add the following streets running westerly from Washington St. to the water: Battery St., Cherry St., Chestnut St., Elm St., Pine St., Poplar St., Walnut St., Willow St. (First Reading)

**COMMUNICATIONS FROM THE CITY MANAGER**

13. Communication #4536/09, re: Bid Award for Rental and Cleaning of Portable Restrooms (with accompanying resolution; continued from May 27, 2009)
14. Communication #4539/09, re: Bid Award for Water Works Supplies (with accompanying resolution)
15. Communication #4540/09, re: Police Detail Expenses for Pond Avenue and Hillside Avenue Sidewalk Projects (with accompanying resolution)
16. Communication #4541/09, re: Directional Destination Signs (with accompanying resolution)
17. Communication #4542/09, re: Bid Award for July 4<sup>th</sup> Fireworks Display (with accompanying resolution)
18. Communication #4543/09, re: National Grid Petitions – New Stub Pole & Anchor on Broadway; New Riser Pole & Anchor on Leroy Avenue
19. Communication #4544/09, re: Agreement between the City of Newport and Lodge No. 8, Fraternal Order of Police for the Period July 1, 2009, through June 30, 2013 (with accompanying resolution and ordinance)
20. Communication #4545/09, re: Implementation of 24-Hour Residential Sticker Parking on School Street (with accompanying ordinance)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE  
COMMISSIONERS

## **BOARD OF LICENSE COMMISSIONERS**

1. **CONSENT CALENDAR.** THE 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.

### Class F-1 Daily Liquor License:

- 1) Sail Newport, Inc., Fort Adams State Park, July 10 – 12, 2009
- 2) International Tennis Hall of Fame, Inc., 194 Bellevue Ave., August 7, 2009.
- 3) Rose Island Foundation, Rose Island, July 4, 2009.
- 4) Rose Island Foundation, Rose Island, August 15, 2009.
- 5) Zabriskie Memorial Church of Saint John the Evangelist, Church Grounds, August 1, 2009.

### **LICENSES & PERMITS**

2. Application of PCDS, LLC, d/b/a The Mainstay Inn, 151 Admiral Kalbfus Road, to transfer its Class BT alcoholic beverage license to The Mainstay Inn, Ltd., d/b/a The Mainstay Inn, for the same premises. (Hearing)

ADJOURN

Kathleen M. Silvia  
City Clerk

June 3, 2009