

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 September 9, 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. **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) Diego's Newport, Ltd., d/b/a "Movie Night"; 11 Bowen's Wharf, September 14, 15, 21, 22, 28 and 29, 2009, from 8:00 p.m. to 12:00 Midnight.
 - 2) Sail Newport, d/b/a "6 Metre World Cup"; Fort Adams State Park, September 12, 2009, from 4:00 p.m. to 11:00 p.m.
 - 3) Newport Historical Society, d/b/a "Annual Meeting"; Great Friends Meeting House, September 17, 2009, from 5:00 p.m. to 7:00 p.m.
 - 4) Emmanuel Day School, d/b/a "Partylite"; Emmanuel Church, 40 Dearborn St., September 18, 2009, from 6:00 p.m. to 11:00 p.m.
 - 5) Newport Shipyard, d/b/a "30' Boat Launching/Christening"; Newport Shipyard, 1 Washington St., September 26, 2009, from 4:00 p.m. to 10:00 p.m.

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 – "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.

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- 6) Sisters of St. Joseph of Cluny, d/b/a “Cluny Country Fair”; 75 Brenton Road, September 27, 2009, from 10:00 a.m. to 4:00 p.m.
 - 7) Alzheimer’s Assoc. – RI Chapter, d/b/a “Newport Memory Walk”; October 4, 2009, from 3:00 p.m. to 6:00 p.m.
(beginning/ending at Salve Regina University, route attached)
 - 8) Boys Town New England, Inc., d/b/a “Sail into the Future of the Spirit of Youth”; Easton’s Beach Rotunda, October 8, 2009, from 6:00 p.m. to 9:00 p.m.
 - 9) BPO elks #104, d/b/a “Island Arts & Crafts Extravaganza”; Elks Lodge, 141 Pelham St., November 14, 2009, from 10:00 a.m. to 2:00 p.m.
 - 10) Vasco da Gama Society, d/b/a “Portuguese Cultural Festival”; Touro Park, July 11, 2010, from 11:00 a.m. to 5:00 p.m.
- b. Food Concession License, Sisters of St. Joseph of Cluny; September 27, 2009, from 10:00 a.m. to 4:00 p.m.
 - c. Private Detective License, Renewal, Gordon McCleary, 270 Bellevue Ave.
 - d. Communication from Christopher B. Perrotti, asking permission to hold a rededication ceremony at Perrotti Park on October 12, 2009, and install a plaque honoring Gene Perrotti. (Approve subject to details being worked out with the city administration.)
 - e. Communication from Rev. Dr. Vincent L. Thompson, Jr., Community Baptist Church, requesting permission to close Burnside Ave. from Dr. Marcus F. Wheatland Blvd. to Bosworth Ct. on September 12, 2009, from 12 Noon to 4:00 p.m., for a neighborhood barbeque (postponed from Aug. 29, 2009, because of rain). (Approve subject to details being worked out with the city administration)
 - f. Communication from Sarah Good, Senior Planning, Solomon & Associates Event Management, asking permission to place directional

signs along Bellevue Avenue, from the Hotel Viking to the Tennis Hall of Fame on October 6, 2009. (Approve subject to details being worked out with the city administration)

- g. Communication from Naomi Neville, Chair, Planning Board, re: Large Buildings in the R-3 Zone (Receive)
- h. Historic District Zoning Ordinance Review Task Force Final Report, November 4, 2008 – Proposed Ordinance Amendments (Receive and order advertised for hearing on October 14, 2009)
- i. Communication from Stephen J. Gauthier, Director, Technical Services Center, Government Finance Officers Assoc., re: Award of the “Certificate of Achievement for Excellence in Financial Reporting” to the City of Newport Finance Department. (Receive)
- j. Clean Ocean Access 2009 Water Quality Monitoring Program – Interim Update 1. (Receive)
- k. RI Ethics Commission, re: Requests for Comments (Receive):
 - 1) Advisory 2009-2, Public Officials’ Actions Involving Their Own Stipends, Salaries, Compensation Benefits.
 - 2) Role of Complainant in Ethics Commission Proceedings.
- l. Claims (Receive and refer to City Solicitor):
 - 1) Robert G. Anctil and Helena Godley, by attorney
 - 2) Roy Provost
 - 3) Allstate Insurance

LICENSES & PERMITS

- 2. Application for a Victualing License, Vanderbilt Group, LLC, d/b/a Vanderbilt Hall, 41 Mary St., in conjunction with the transfer of the Class BT alcoholic beverage license of VH Holdings, Inc. (Continued from Aug. 26, 2009)
-- Communication from Alexander G. Walsh, Esq., withdrawing the application.

3. Application for a Class A (indoor) Entertainment License, Vanderbilt Group, LLC, d/b/a Vanderbilt Hall, 41 Mary St., in conjunction with transfer of the Class BT alcoholic beverage license of VH Holdings, Inc. (Continued from Aug. 26, 2009)
-- Communication from Alexander G. Walsh, Esq., withdrawing the application.
4. Application for a Victualing License, New, Le Petit Gourmet, LLC, d/b/a Le Petit Gourmet, 26 Bellevue Ave.
5. Application for a Sidewalk Café License, New, Le Petit Gourmet, LLC, d/b/a Le Petit Gourmet, 26 Bellevue Ave.

6. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Newport County Convention & Visitors Bureau: Stephen R. Coyne, Brian Arnold and Karen Oakley.

Juvenile Hearing Board – Applicants: Patrick Shea, Gwen George

RESOLUTIONS

7. Memorandum of Agreement/East Bay Energy Consortium and appointment of representatives – J. Napolitano, M. Connolly, S. Coyne, C. Duncan, K. Leonard, J. McLaughlin, S. Waluk
8. Recognizing the Doris Duke Historic Preservation Award Recipients – Newport City Council
9. Opposing binding arbitration legislation for teachers – J. Napolitano, S. Coyne, J. McLaughlin, S. Waluk

ORDINANCES

10. Amending Chapter 13.12 of the Codified Ordinances, entitled, “Sewer Service Charges,” to increase the basic charge for use of the City’s sewage system from \$6.55 to \$6.80 per 1,000 gallons of metered water consumption. (Second Reading)

COMMUNICATIONS FROM THE CITY MANAGER

11. Communication #4576/09, re: Ordinance Amendment – Parking Restriction on Memorial Boulevard (with accompanying ordinance)
12. Communication #4577/09, re: Ocean Avenue Seawall Repairs – City of Newport/RI Department of Transportation Agreement (with accompanying resolution)
13. Communication #4578/09, re: Washington Square Phase 2 Project – Utility Agreement (with accompanying resolution)
14. Communication #4579/09, re: 2009 Sidewalk Restoration – Contract Amendment (with accompanying resolution)
15. Communication #4580/09, re: Bid Award for Thames Street & Wellington Ave. Sanitary Sewer Interceptor Improvements (with accompanying resolution)
16. Communication #4581/09, re: Financial Consulting Services for Water Division (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE
COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

1. **CONSENT CALENDAR**

Application for Class F-1 Daily Liquor License:

- a. Sail Newport, d/b/a “6 Metre World Cup Award Dinner”; Fort Adams State Park, September 12, 2009.
 - b. Boys Town New England, Inc., d/b/a “Sail into the future on the spirit of Youth; Easton’s Beach Rotunda, October 8, 2009.
2. Application of VH Holdings, Inc., d/b/a Vanderbilt Hall, 41 Mary St. to transfer its class BT alcoholic beverage license to Vanderbilt Group, LLC (Newport Harbor Corp, Peregrine Group, LLC, and ORB Development, LLC, 33 1/3 % membership each), d/b/a Vanderbilt Hall, for the same premises. (Hearing; continued from August 26, 2009)
-- Communication from Alexander G. Walsh, Esq., on behalf of the Transferor, re: withdrawal of the transfer application.
3. Communication #4582/09, re: Show Cause Hearing – Yesterday’s – Newport, Inc., d/b/a Yesterday’s Newport, Violation of conditions of the Class BV Alcoholic Beverage License – Failure to Submit Certificate of Payment of State Taxes.

ADJOURN

Kathleen M. Silvia
City Clerk

September 2, 2009