

# 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 **October 28, 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. Minutes of the September 23, 2009, council meeting. (Approve)
  - b. Minutes of the October 14, 2009, council meeting. (Approve)
  - c. Special Event Licenses:
    - 1) Sail Newport, d/b/a Volvo Ocean Race Recap/Fundraiser; Jane Pickens Theater, Touro St., November 10, 2009, from 6:00 p.m. to 9:00 p.m.
    - 2) Emmanuel Church, d/b/a Holiday Fair; Emmanuel Church, 40 Dearborn St., November 20, 2009, from 4:00 p.m. to 8:00 p.m. and November 21, 2009, from 9:00 a.m. to 3:00 p.m.
    - 3) The Junior League of RI, Inc., d/b/a Gems of Newport: Holiday Hospitality Soiree; Newport Art Museum, 76 Bellevue Ave., December 5, 2009, from 8:00 p.m. to 10:00 p.m.
  - d. Holiday Selling Licenses, New:
    - 1) Susan Forfa, d/b/a On the Dog Walk, 435 Thames St.

*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) Jam Fashion Boutique, LLC, d/b/a Jam Fashion Boutique, 53 Marlborough St.
- e. Communication from Joseph Herson, Chief Financial Officer, Towerstream, re: Notice of Application of Towerstream to the US Department of Commerce to provide broadband service in underserved areas of Newport, and requesting a letter of recommendation from the City to the Governor in support of the project. (Receive)
- f. Communication from David F. Roderick, Jr., Coordinator, Newport Substance Abuse Task Force, re: Annual Report (Receive)
- g. Newport Strategic Prevention Framework Grant – Accomplishments as of October 14, 2009. (Receive)
- h. Annual Report 2009 of The Housing Authority of the City of Newport, RI. (Receive)
- i. Clean Ocean Access 2009 Water Quality Monitoring Program – Interim Update 2 (Receive)

### **LICENSES AND PERMITS**

2. Second-hand License, New, The Newport Lampshade Co., Inc., d/b/a The Newport Lampshade Company, 36 Franklin St. (Hearing)
3. Holiday Selling License, New, The Newport Lampshade Co., Inc., d/b/a The Newport Lampshade Company, 36 Franklin St.
4. Annual Victualing License Renewals:
  - 1) FitzSimoes, LLC, d/b/a The Corner Café, 110 Broadway
  - 2) Longade, LLC, d/b/a Lemon Corner II, 337 Thames St., Unit 6
5. Annual Victualing License Renewal, The Chanler, Inc., d/b/a The Chanler at Cliff Walk (continued from October 14, 2009)  
-- Communication from Guy Weston, Zoning Officer, re: The Chanler parking requirements.

6. **APPOINTMENTS TO BOARDS & COMMISSIONS**

Hospitality Commission (3 vacancies): Peter Barry, Lorrie Fedyszyn, Joyce Marie Zimmerman

**ORDINANCES**

7. Amending Chapter 5.12, entitled, "Alcoholic Beverage Licenses, Section 5.12.040, "Number of Licenses Permitted" – to reduce the number of Class D alcoholic beverages from 18 to 17. (First Reading)

**COMMUNICATIONS FROM THE CITY MANAGER**

8. Communication #4593/09, re: Mooring Waiting List Applications (with accompanying ordinance; continued from October 14, 2009)
9. Communication #4594/09, re: Award of Contract for Bond Counsel (with accompanying resolution)
10. Communication #4595/09, re: United Water Contract Administrative Memorandum (CAM #10-001) Water Pollution Control – Energy Conservation Program (with accompanying resolution)
11. Communication #4596/09, re: Amendment #2 to the Contract #07-043 Railroad Interceptor Sewer Improvements (with accompanying resolution)
12. Communication #4597/09, re: Bid Award for Railroad Interceptor Sanitary Sewer Line Improvement Project (with accompanying resolution)
13. Communication #4598/09, re: Supplemental Agreement – Bid #09-004 – Roadway Improvement Program (with accompanying resolution)
14. Communication #4599/09, re: City of Newport Applications to CRMC:  
(1) File No. 2009-08-051 – Maintenance Dredging at Perrotti Park (Joint application with RIDEM);  
(2) File No. 2009-08-088 – Ultraviolet Stormwater Treatment System at Easton Pond Moat.

**DOCKET OF THE COUNCIL**

**October 28, 2009**

**Page 4**

15. Communication #4600/09, re: Fiber Optic Project (with accompanying resolution)
16. Communication #4601/09, re: Status of 119 Spring Street -- Demolition by Neglect
17. Communication #4602/09, re: Newport Armory

**RECESS 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 Daily Liquor Licenses:

- a) Sail Newport, d/b/a Volvo Ocean Recap/Fundraiser; Jane Pickens Theater, Touro St., November 10, 2009.
- b) Junior League of Rhode Island, Inc., d/b/a Gems of Newport: Holiday Hospitality Soiree; Newport Art Museum, 76 Bellevue Ave., December 5, 2009.

**LICENSES & PERMITS**

2. Annual Liquor License Renewal, The Chanler, Inc., d/b/a The Chanler at Cliff Walk (continued from October 14, 2009)

**ADJOURN AS BOARD OF LICENSE COMMISSIONERS AND RECONVENE AS COUNCIL, AND, BASED UPON AN AFFIRMATIVE VOTE OF A MAJORITY OF THE COUNCIL MEMBERS PRESENT, THE COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DISCUSS MATTERS RELATING TO PENDING LITIGATION: (1) RI Core Investments, Inc., v. the City of Newport; and (2) Environment RI, et al, v. the City of Newport, et al.**

Kathleen M. Silvia  
City Clerk

October 21, 2009