

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 May 26, 2010, at 6:30 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

PROCLAMATION RECOGNIZING MARGARET O'CONNOR AS A 2010 iHOOPS SKILLS CHALLENGE NATIONAL CHAMPION

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 2010-2011 Operating Budget**
(Revised)
 - a. Ordinance Appropriating Revenues (First Reading)
 - b. Ordinance Amending Title 3, Personnel (First Reading)
 - c. Ordinance Amending Chapter 13.12.010, Basic Charge - Sewer Rate
(First Reading)
 - d. Ordinance Amending Chapter 13.12.015, CSO Fixed Charge (First
Reading)
 - e. Ordinance Amending Chapter 13.10.060, Industrial Pretreatment-
Wastewater Treatment Rates (First Reading)
 - f. Ordinance Amending Chapter 13.12.070, Delinquency—Surcharge
(First Reading)

2. **PUBLIC HEARING: Zoning Ordinance Amendment/Parking and
Loading Standards**
 - a. Recommendation of the Planning Board

- b. Ordinance Amending Chapter 17.04 of the Codified Ordinances, entitled, “General Provisions,” and Chapter 17.104, entitled, “Parking and Loading Standards (First Reading)
3. **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 May 12, 2010, Council Meeting (Approve)
 - b. Special Event Licenses:
 - 1) International Yacht Restoration School, d/b/a Launch Day/Graduation; 449 Thames St., June 5, 2010, from 9:00 a.m. to 2:00 p.m.
 - 2) Women’s Resource Center and S.A.D.A., d/b/a “Beyond the Bounce” Basketball Tournament; Edward St. Basketball Courts, June 5, 2010 (rain date June 12, 2010), from 9:00 a.m. to 7:00 p.m.
 - 3) Parents of the Class of 2010—PHS, d/b/a Portsmouth High School Post Prom Party; Elks Lodge, 141 Pelham St., June 16-17, 2010, from 10:00 p.m. to 4:00 a.m.
 - 4) The Ally Foundation, d/b/a “Think Pink for a Change... A Beacon Rock Gala”; 147 Harrison Ave., June 26, 2010, from 7:00 p.m. to 11:00 p.m.
 - 5) International Yacht Restoration School, d/b/a IYRS Summer Gala; 499 Thames St., July 10, 2010, from 6:00 p.m. to Midnight.
 - 6) Newport Art Museum, d/b/a Summer Dinner Dance; 76 Bellevue Ave., July 10, 2010, from 6:30 p.m. to Midnight.
 - 7) International Tennis Hall of Fame, d/b/a B.B. King Live In Newport; Newport Yachting Center, 4 Commercial Way, July 11, 2010, from 7:00 p.m. to 9:30 p.m.

- 8) American Civilization Foundation, d/b/a National Museum of American Illustration 10th Anniversary Dinner Dance; 492 Bellevue Ave., July 29, 2010, from 6:00 p.m. to Midnight.
- c. Daily Entertainment License, Gladding School of Dance, LLC, d/b/a Gladding School of Dance; Rogers High School, Wickham Rd., May 28, 2010, from 6:00 p.m. to 10:00 p.m. and May 29, 2010, from 1:00 p.m. to 4:00 p.m.
- d. Daily Entertainment License, Class B (Outdoors), IDC, Inc., d/b/a Ocean Cliff Hotel, 65 Ridge Road; June 4, 2010, from 7:00 p.m. to 10:00 p.m. (in upper deck tent for wedding ceremony and reception).
- e. Farmer's Market License, Renewal, Lisa Lewis, d/b/a Aquidneck Growers Market, Inc.; Memorial Blvd., between Chapel Terr. and Edgar Ct., June 9, 2010, to October 27, 2010, from 2:00 p.m. to 6:00 p.m.
- f. Holiday Selling License, New:
 - 1) George Mangalo, d/b/a Aurum, 10 Christie's Landing
 - 2) David O'Keefe Studios, Inc., d/b/a David O'Keefe Studios, 3 Bannister's Wharf
 - 3) Bunnies Unlimited, LLC, d/b/a Sequin, 474 Thames St.
 - 4) Bunnies Unlimited, LLC, d/b/a Sequin, 117 Bellevue Ave.
 - 5) Five Below, Inc., d/b/a Five Below, 199 Connell Highway
 - 6) Style Newport, LLC, d/b/a Style Newport, 2 Christie's Landing
 - 7) Wicker Designs, Ltd., d/b/a P.S. Gear Division, 113 Swinburne Row
- g. Holiday Selling License, Renewals:
 - 1) Robert Marshall, d/b/a Newport Jewelry, 8 Fair St.
 - 2) Newport Outfitters, Inc., d/b/a Ten Speed Spokes, 18 Elm St.
 - 3) Wicker Designs, Ltd., d/b/a PS Too, 219 Goddard Row (new location)
 - 4) Wag Nation, Inc., d/b/a Wag Nation, 92 William St.
 - 5) Zara Trading, Inc., d/b/a Rib & Rhein, 86 William St.
- h. Horse-drawn Carriage License, New Deal Farm of Exeter:

- 1) June 18, 2010, from 5:00 p.m. to 7:00 p.m., from the Marriott Hotel to Belle Mer (via America's Cup Ave., Bridge St., Second St, Sycamore St., Washington St., Bolhouse Rd. to Goat Island).
 - 2) July 14, 2010, from 3:00 p.m. to 5:00 p.m., from the Hotel Viking to the Chanler (two trips) (via Bellevue Ave. to Memorial Blvd.).
- i. Pedicab Operator License:
- 1) Peter Albano, 12 Fillmore St., Newport, RI
 - 2) Colin Campbell, 5 Spectacle Hill Rd., Bolton, MA
 - 3) David Cass, 19 Stenton Ave., Westerly, RI
 - 4) Sean Patrick Galvin, 36 Red Cross Ave., Newport, RI
 - 5) Peter Golfman, 12 Fillmore St., Newport, RI
 - 6) Perry J. Markell, 35 Eastover Rd., Portsmouth, RI
 - 7) Peter Milano, 9 Stockholm St., Newport, RI
 - 8) Aaron Roy, 12 Fillmore St., Newport, RI
- j. Tattoo License, Renewal (business/operator), Captain Bret's Tattoo Shop, Inc., d/b/a Captain Bret's Tattoo shop, 4 Collins Street
- k. Communication from Felicidad Zeballos on behalf of St. Joseph's Church requesting permission to use Braga Park for a church picnic on July 11, 2010, from 12 Noon to 6:00 p.m. (Approve subject to details being worked out with the city administration.)
- l. Communication from Gregory F. Fater, Newport Gulls, Ltd., requesting permission from temporary signs on game days on the rotary at Connell Highway, the Memorial Blvd. median, and America's Cup Ave. (Approve subject to details being worked out with the city administration.)
- m. Communication from Miles Chandler, 100 Third St., d/b/a Aquidneck Island Neighborhood Team of Organizing For America, requesting permission to set up a table in Perrotti Park for voter registration on June 5, 2010, from 11:00 a.m. to 2:00 p.m. (Approve subject to details being worked out with the city administration.)

- n. Resignation of Daniel J. McGregor from the Cliff Walk Commission
(Receive with regret)

LICENSES AND PERMITS

- 4. Application for a Class B (outdoor) Entertainment License, New, Barking Crab Newport LLC, d/b/a the Barking Crab Newport, 151 Swinburne Row, from 11:30 a.m. to 10:00 p.m. (Hearing; continued from May 12, 2010)
 - Letter of Walter P. Kalisz, Brick Market Place, suggesting outdoor entertainment be limited to unamplified music until 9:00 p.m. from mid-May to mid-October.
 - Letters Objecting to Class B License:
 - a) Charles D'Augelli and Marcia Smith, 306 Swan's Wharf Row
 - b) John M. Moran, Jr., 316 Swan's Wharf Row
 - c) James N. Champagne, 317 Swan's Wharf Row
 - d) John and Dorothy Floros, 318 Swan's Wharf Row
 - e) Steven and Jane Koenig, 226 Goddard Row
- 5. Annual Entertainment License, Class A, indoors), New, Five Guys Burgers, 199 Connell Highway
- 6. Annual Entertainment License, Class A (indoors), Renewals:
 - a) Billy Goode Company, Inc., d/b/a Billy Goode's, 29 Marlborough St.
 - b) Rudder, Inc., d/b/a Café Zelda, 528-530 Thames St.
 - c) Thames St. International Yacht & Athletic Club, 536 Thames St.
 - d) The Wharf Pub & Restaurant, 37 Bowen's Wharf
- 7. Annual Entertainment License, Class A and B (indoors/outdoors) Renewals:
 - a) Kelkery Food & Spirits, Inc., d/b/a Perro Salado, 19 Charles St.
 - b) Rhode Island Quahog Company Restaurant, LLC, d/b/a Rhode Island Quahog Company, 250 Thames St.
- 8. Applications of David Nabozny, d/b/a Antiques, 221-225 Spring St.:
 - a) Second-hand License, New
 - b) Holiday Selling License, New

9. Application for a Sidewalk Café License, New, FitzSimoes, LLC, d/b/a Corner Café, 110 Broadway.
10. Application for a Victualing License, New, Bamboo Restaurant, Inc., d/b/a Bamboo, 163 Connell Highway.
11. Application for a Victualing License, New, Vivienne O'Dwyer, d/b/a Welcome In Café, 282 Thames St., ground floor.
12. Application of A&O, Inc, d/b/a Asterisk, to expand its Victualing License to a 136 sq. ft. patio area on the east side of the building.

COMMUNICATIONS AND PETITIONS

13. Communication from Teresa Crean, AICP, Coastal Community Planner, re: Newport Harbor Walk Process Update (copy of presentation on file in the City Manager's and City Clerk's Office for review)

14. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Canvassing Authority – Reappointment of David F. Roderick, Jr.

ORDINANCES

15. Amending Chapter 17.80 of the Codified Ordinances, entitled, "Historic District Zoning." (Second Reading)
 - Recommendations of the Planning Board, dated May 18, 2010.
16. Amending Chapter 6.08 of the codified Ordinances, entitled, "Animal Control Regulations," to add Section 6.08.100, entitled, "Spaying and Neutering of Cats." (First Reading)

COMMUNICATIONS FROM THE CITY MANAGER

17. Communication #4649/10, re: National Grid Easement – Harrison Avenue Substation (with accompanying resolution; continued from February 10, 2010; continue to June 23, 2010)

18. Communication #4680/10, re: Agreement – Use of North Commercial Wharf (with accompanying resolution; continued from April 28, 2010)
19. Communication #4700/10, re: Bid Award for Light Emitting Diodes (LED) Traffic Signal Upgrade (with accompanying resolution; continued from May 12, 2010)
20. Communication #4710/10, re: Hayden Court Fire Lane (with accompanying ordinance)
21. Communication #4711/10, re: Coastal Extreme Brewing – Landlord’s Consent Agreement for Refinancing (with accompanying resolution)
22. Communication #4712/10, re: Bid Award for Water Chemicals (with accompanying resolution)
23. Communication #4713/10, re: Bid #10-007: Change Order No. 1 – Railroad Interceptor Sanitary Sewer Line Improvements Project (with accompanying resolution)
24. Communication #4714/10, re: CRMC File No. 2010-04-014 – Application of One Goat Island, LLC, to Construct/Maintain a Series of Floating Docks, Pile Anchors and Gangway ramp as “Commercial Floats” – Transportation/Water Shuttle for Patrons.
25. Communication #4715/10, re: CRMC File No. 2010-04-032 – Application of the City of Newport for an Assent to Construct and Maintain a “Touch and Go” Boating Facility at Long Wharf/Perrotti Park.

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:

- a. International Tennis Hall of Fame, d/b/a Folk Festival Opening Night; 194 Bellevue Ave., July 30, 2010, from 7:00 p.m. to 11:00 p.m.
 - b. International Tennis Hall of Fame, d/b/a Jazz Festival Opening Night; 194 Bellevue Ave., August 6, 2010, from 7:00 p.m. to 11:00 p.m.
2. Application for a Class BH Alcoholic Beverage License, Forty 1° North, LLC, d/b/a 42° North, 351 Thames St. and 14-16-20 Perry Mill Wharf. (Hearing)
3. Application for a Class BH Alcoholic Beverage License, LHO Viking Hotel, LLC, d/b/a Hotel Viking, One Bellevue Ave. (Hearing)
4. Application of A & O, Inc., d/b/a Asterisk, 599 Thames St., to expand the license premises of its Class BV alcoholic beverage license by approximately 136 square feet to an outside area on the east side of the building. (Hearing)

ADJOURN

Kathleen M. Silvia
City Clerk

May 19, 2010