

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 23, 2010, 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 2010-2011 Operating Budget**
(as amended on May 26, 2010)
 - a. Ordinance Appropriating Revenues (Second Reading, as amended May 26, 2010)
 - b. Ordinance Amending Title 3, Personnel (Second Reading)
 - c. Resolution, re: Omnibus Property Tax Relief & Replacement Act
 - d. Resolution, re: Authorizing Tax Levy
 - e. Ordinance Amending Chapter 13.12.010, Basic Charge - Sewer Rate
(Second Reading)
 - f. Ordinance Amending Chapter 13.12.015, CSO Fixed Charge
(Second Reading)
 - g. Ordinance Amending Chapter 13.10.060, Industrial Pretreatment-
Wastewater Treatment Rates (Second Reading)
 - h. Ordinance Amending Chapter 13.12.070, Delinquency—Surcharge
(Second Reading)

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.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, BASED UPON NOTIFICATION TO THE CITY MANAGER'S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING. INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST ALSO NOTIFY THE CITY MANAGER'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING.

2. **PUBLIC HEARING:** Zoning Ordinance Amendment/Historic District Zoning.
-- Ordinance Amending Sections:
17.80.020, entitled, Definitions: “Newport Historic Structures Inventory”;
“Newport Historic Structures Inventory Standards”; “Non-contributing Structure”
17.80.050, entitled, “Certificate of Appropriateness Required,” Paragraph A.
17.80.100, entitled, “Exceptions,” Paragraph 6.
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 26, 2010, and June 9, 2010, Regular Council Meetings, and June 3, 2010 Special Council Meeting (Approve)
 - b. Special Event Licenses:
 - 1) Washington Square Roots Initiative, d/b/a Newport Patriotic 4th of July Celebration; Washington Square, July 4, 2010, from 9:00 a.m. to 2:00 p.m.
 - 2) Rose Island Lighthouse Foundation, d/b/a Rose Island Lighthouse 4th of July Barbeque; Rose Island Lighthouse, July 4, 2010, from 5:30 p.m. to 10:30 p.m.
 - 3) Bowen’s Wharf Co., Inc., d/b/a Corom Watches Event; Bowen’s Wharf, July 8, 2010, from 5:00 p.m. to 10:00 p.m.
 - 4) Bowen’s Wharf Co., Inc., d/b/a Coastal Living Newport Regatta; Bowen’s Wharf, July 10, 2010, from 9:00 a.m. to 5:00 p.m.
 - 5) Robert Potter League for Animals, d/b/a “Tea for Tails” Summer Tea; 42 Ledge Road, July 11, 2010, from 4:00 p.m. to 6:00 p.m.
 - 6) George Washington Institute for Religious Freedom (Loeb Visitors Center) and Newport Historical Society, d/b/a “Michael Moses

- Day"/Procession and Public Symposium; Procession from Touro Park to Colony House for Symposium, July 11, 2010, from 2:00 p.m. to 5:00 p.m.
- 7) Redwood Library, d/b/a "A Classic Cabaret" Gala Fundraiser; Redwood Library, 50 Bellevue Ave., July 17, 2010, from 6:00 p.m. to 11:00 p.m.
- 8) RI Arts Foundation at Newport, Inc., d/b/a Newport Music Festival:
- a) 🎵 The Breakers, 44 Ochre Point; July 9 – 25, 2010, from 9:00 p.m. to 11:00 p.m.; July 11-17, 2010, from 7:00 p.m. 8:00 p.m.
 - b) 🎵 Belle Mer Salon, 2 Goat Island: July 18, 2010, from 4:00 p.m. to 8:00 p.m.; July 19, 2010, from 4:00 p.m. to 6:00 p.m. and from 7:00 p.m. to 8:00 p.m.; and July 20, 2010, from 4:00 p.m. to 6:00 p.m.
 - c) 🎵 Cross Point Church, 14 Rhode Island Ave.; July 9-17 and 22-25, 2010, from 4:00 p.m. to 6:00 p.m.; July 9 and 21-24, 2010, from 7:00 p.m. to 8:00 p.m.
 - d) 🎵 The Elms, 367 Bellevue Ave.; July 9 – 25, 2010, from 11:00 a.m. to 1:00 p.m.
 - e) 🎵 Salve Regina University, Ochre Court, 16 Ochre Point Ave.; July 11, 13, 15, 16, and 21, 2010, from 4:00 p.m. to 6:00 p.m., and July 17, 2010, from 11:45 p.m. to 1:00 a.m.
- 9) Japan American Society & Black Ships Festival of RI, d/b/a Black Ships Festival Sister City Gala; Rosecliff, Bellevue Ave., July 16, 2010, from 6:30 p.m. to 11:30 p.m.
- 10) Japan American Society, d/b/a Black Ships Festival/Sister City Event; Touro Park, July 17, 2010, from 10:00 a.m. to 4:00 p.m.

- 11) Japan American Society & Black Ships Festival of RI, d/b/a Black Ships Festival; Brick Market Place, July 17 and 18, 2010, from 11:00 a.m. to 4:00 pm.
 - 12) Japan American Society, d/b/a Black Ships Festival Taiko Drumming; Cardines Field, July 18, 2010, from 11:00 a.m. to 12:30 p.m.
 - 13) Looking Upwards, Inc., d/b/a Newport Arts Festival; Newport Yachting Center, August 28, 2010, from 10:00 a.m. to 8:00 p.m., and August 29, 2010, from 10:00 a.m. to 5:00 p.m.
 - 14) Fraternal Order of Police, Lodge No. 8, d/b/a Fraternal Order of Police Charity Softball Game; Cardines Field, September 10, 2010, from 7:00 P.M. to 9:00 P.M.
- c. Drain Layer License, Renewals:
- 1) Aquidneck Construction, Inc., 45 Lehigh Terr., Portsmouth, RI
 - 2) Camara Excavating, LLC, 48 Common Fence Blvd., Portsmouth, RI
 - 3) D'Libro Excavating, Inc., 5 Daisy St., West Warwick, RI
 - 4) East Coast Construction & Landscaping, Inc., 44 Gooseberry Lane, Tiverton, RI
 - 5) J.A.M. Construction Co., Inc., 990 Aquidneck Ave, Middletown, RI
 - 6) Narragansett Improvement Co., 223 Allens Ave., Providence, RI
 - 7) R.J. Cawley Contracting, Inc., 110 Connell Highway, Newport, RI
- d. Holiday Selling License, New, Sleepy's The Mattress Professionals, LLC, d/b/a Sleepy's, 199 Connell Highway.
- e. Holiday Selling License, Renewal, ANB International, Inc., d/b/a Claire Murray Store, 306 Thames St.
- f. Pedicab Operator Licenses:
- 1) Derek N. Luke, 10 White St., Newport, RI
 - 2) Owen Emerson, 380 Daleville Rd., Willington, CT

- g. Solid Waste Hauler License, New, Waste Recyclers, LLC, d/b/a American Rubbish & Recycling, 80 Jackson Flat Road, Hope, RI (Continued from June 9, 2010)
- h. Solid Waste Hauler License, Renewal (continued from June 9, 2010):
 - 1) Island Rubbish Service, Inc., d/b/a Island Rubbish Service, 8 Swinburne St., Jamestown, RI
 - 2) Patriot Disposal Co., Inc., d/b/a Patriot Disposal Co., 2208 Plain Field Pike, Johnston, RI
- i. Solid Waste Hauler License, New:
 - 1) Cleanway Disposal & Recycling, Inc., 190 State Rd., Westport, MA
 - 2) Coastal Recycling, Inc., 32 Thurbers Ave., Providence, RI
 - 3) CWPM, LLC, 25 Norton Place, Plainville, CT
- j. Solid Waste Hauler License, Renewal:
 - 1) Allied Waste Services, 1080 Airport Rd., Fall River, MA
 - 2) Decco, Inc., 142 Shun Pike, Johnston, RI
 - 3) M&M Disposal, 46 Shun Pike, Johnston, RI
 - 4) MTG Disposal, 19 Industrial Way, Seekonk, MA
 - 5) Pasquazzi Bros., Inc./Heather Construction Corp., 464 Dyer Ave., Cranston, RI
 - 6) Cranston, RI
 - 7) Roll-A-Way Disposal, 86 Knight St., Warwick, RI
 - 8) Ronnie's Landscaping & Excavation Services, LLC, 18 Crest Dr., North Kingstown, RI
 - 9) RPKK, Inc., Woodriver Junction, RI
 - 10) TLA-Providence, LLC (Pond View), 1 Dexter Rd., E. Providence, RI
 - 11) Waste Haulers, LLC, 1 Sterline Way, Cranston, RI
- k. Communication from Stephen Regine, Ida Lewis Yacht Club, requesting permission to use the King Park launch area during a youth sailing regatta (Narragansett Bay Yachting Assoc.'s Opti Regatta #1) on July 8, from 7:30 a.m. to 9:30 a.m. and from approx. 3:30 p.m. to approx. 5:30 p.m., and to allow participants to park their trailers (approx. 10) in the grassed area by the launch ramp. (Approve subject to details being worked out with the city administration.)

-- Memorandum from Susan Cooper, Recreation Director, in support of the request.

1. Communication from Mark Carpender, Christian Education Elder, Evangelical Friends Church, requesting permission to use Miantonomi Park on July 31, 2010, for a community outreach event. (Approve subject to details being worked out with the city administration.)
- m. Government Finance Officers Association (GFOA) recognition of Elizabeth J. Sceppa, City of Newport Budget & Finance Analyst, upon successfully completing the GFOA Certification Program, and awarding to her designation of Certified Public Finance Officer. (Receive, with congratulations offered to Ms. Sceppa)
- n. Claims: (Receive and refer to City Solicitor's Office)
 - 1) Eileen Chekal
 - 2) Edward Williams

LICENSES AND PERMITS

4. Application for an Entertainment License, Class A & B, Renewal, @ The Deck, LLC, d/b/a @ The Deck, 1 Waites Wharf. (Continued from June 9, 2010)
5. Application of the Sailor's Sweet Tooth, d/b/a Kilwin's Chocolates – Ice Cream, to expand the premises of its Victualing License to an outdoor patio on the north side of the building. (Continued from June 9, 2010)
6. Application for an Annual Entertainment License (Class A), Vanderbilt Hall, LLC, d/b/a Vanderbilt Hall, 41 Mary Street.
7. Application for a Victualing License, Kelle O'Connor, d/b/a A Little Café Two Go, 23 America's Cup Ave.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Appointment of Councilors Stephen Coyne and Justin McLaughlin to the Newport Regional School District Planning Committee (RSDPC)

RESOLUTIONS

9. Opposing the Hess Weaver's Cove LNG "Offshore" Proposal – J. Napolitano, K. Leonard, J. McLaughlin
10. Opposing House Bill 7338, Sub A, that would authorize state-operated casino gaming at Twin Rivers and/or Newport Grand subject to statewide and local voter approval – S. Coyne, S. Waluk

ORDINANCES

10. Amending Chapter 10.20.140, entitled, "Parking Boat Trailers," Paragraph B, to reduce seasonal resident parking stickers at the King Park Parking Lot to \$25.00 (First Reading)
11. Amending Chapter 17.04 of the Codified Ordinances, entitled, "General Provisions," and Chapter 17.104, entitled, "Parking and Loading Standards (Second Reading)
12. Amending Chapter 17.80 of the Codified Ordinances, entitled, "Historic District Zoning (Second Reading)

COMMUNICATIONS FROM THE CITY MANAGER

13. Communication #4649/10, re: National Grid Easement – Harrison Avenue Substation (Continued from May 26 2010; continue to July 28, 2010)
14. Communication #4721/10, re: Department of Justice, Office of Economic Adjustment (OEA), Grant Award - Navy BRAC Properties (with accompanying resolution)
15. Communication #4722/10, re: Award of Contract for Educational Benefits Study (with accompanying resolution)

16. Communication #4723/10, re: Newport Police Department Byrne Grant (with accompanying resolution)
17. Communication #4724/10, re: Bid Award for Police Motorcycles (with accompanying resolution)
18. Communication #4725/10, re: Bid Award for Voice- Data Maintenance and Support (with accompanying resolution)
19. Communication #4726/10, re: Contract Award for Comprehensive Plan Update (with accompanying resolution)
20. Communication #4727/10, re: Contract Award for Life Insurance (with accompanying resolution)
21. Communication #4728/10, re: Contract Award for Van Zandt Bridge Oversight (with accompanying resolution)

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.)

a. Class F-1 Daily Liquor Licenses:

- 1) 🎵 The Breakers, 44 Ochre Point; July 9 – 25, 2010, from 9:00 p.m. to 11:00 p.m.; July 10, from 7:30 to 11:00 p.m.; and July 11-17, 2010, from 7:00 p.m. 8:00 p.m.
- 2) 🎵 Belle Mer Salon, 2 Goat Island: July 18, 2010, from 4:00 p.m. to 8:00 p.m.; July 19, 2010, from 4:00 p.m. to 6:00 p.m. and from 7:00 p.m. to 8:00 p.m.; and July 20, 2010, from 4:00 p.m. to 6:00 p.m.
- 3) 🎵 Cross Point Church, 14 Rhode Island Ave.; July 9-13, July 17, and July 21-25, 2010, from 4:00 p.m. to 6:00 p.m.; July 9 and 21-24, 2010, from 7:00 p.m. to 8:00 p.m.
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- 5) 🎵 Salve Regina University, Ochre Court, 16 Ochre Point Ave.; July 11, 13, 15, 16, and 21, 2010, from 4:00 p.m. to 6:00 p.m., and July 17, 2010, from 11:45 p.m. to 1:00 a.m.

- b. Class F Daily Liquor License, Rose Island Lighthouse Foundation, d/b/a 4th of July Barbeque, Rose Island, July 4, 2010, from 5:30 to 10:30 p.m.

LICENSES AND PERMITS

2. Application for a Class BH Alcoholic Beverage License, LaSalle Hotel Lessee, Inc., d/b/a Hotel Viking, One Bellevue Ave. (Hearing)

ADJOURN

Kathleen M. Silvia
City Clerk

June 16, 2010