

# 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 July 28, 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. **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 June 23 and July 14, 2010, Council Meetings (Approve)
  - b. Special Event Licenses:
    - 1) Arts & Cultural Alliance of Newport County, d/b/a Bridge Fest (concerts); Eisenhower Park, August 2 and 4, 2010, and King Park, August 3 and 5, 2010, from 6:00 p.m. to 7:30 p.m.
    - 2) Sail Newport, Inc., d/b/a Ernst & Young USODA Optimist New England Champs/After Racing Social for Kids; Sail Newport, Fort Adams State Park, August 4, 2010, from 4:00 p.m. to 8:00 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](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.

**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.**

- 3) Neville Watson, d/b/a Jamaican Independence Day Celebration (music and volleyball); Quaker Meeting House, 53 Marlborough St., August 6, 2010, from 9:00 a.m. to 7:00 p.m.
- 4) Sara Barker, East Bay Ballroom, d/b/a Ochre Court Dance; Salve Regina University Ochre Court, August 7, 2010, from 6:00 p.m. to 11:00 p.m.
- 5) Roy Lauth/Bailey T's Resortwear, d/b/a Concert by Newport Community Band; Long Wharf Mall, August 9, 2010, from 6:30 p.m. to 7:30 p.m.
- 6) Newport Film, d/b/a Newport Film Outdoors at Ballard Park; Ballard Park, August 12, 2010, from 7:00 p.m. to 11:00 p.m.  
  
-- Communication from Colleen McGrath, Executive Director, Friends of Ballard Park, requesting waiver of Section 12.32.010 of the Codified Ordinances, "Closure of parks between sunset and sunrise." (Approve)
- 7) Fort Adams Trust, d/b/a Summer Luau/Fundraiser; Fort Adams State Park, August 14, 2010 (rain date August 15), from 4:30 p.m. to 10:00 p.m.
- 8) Fort Adams Trust, d/b/a Fort Adams Antiques Festival; Fort Adams State Park Parade Field, August 28, 2010, from 8:00 a.m. to 5:00 p.m.
- 9) Alzheimer's Association, d/b/a Memory Walk Walk-a-Thon; September 26, 2010, from 3:00 p.m. to 6:00 p.m. (beginning and ending at Salve Regina University O'Hare Academic Center)
- 10) Brigid E. Kelly Memorial Fund, Inc., d/b/a Brigid E. Kelly Memorial 3.5 Run/Walk; October 2, 2010, from 9:00 a.m. to 1:00 p.m. (beginning and ending at Gooseberry Beach)

- c. Drain Layer License, New, Foster Excavation, Inc., 3 Salisbury Road, Foster, RI.
- d. Annual Entertainment License, Class A & B, Renewal, Newport Marriott Hotel, 25 America's Cup Ave. (Subject to all existing conditions)
- e. Holiday Selling License, New:
  - 1) Susette Stewart, d/b/a Su Darius Salon, 287 Broadway
  - 2) Kevin F. Duris, Jr., d/b/a Duris Studios, 26 Franklin St.
  - 3) Shoe Dream, LLC, d/b/a Terra Zapato, 8 Bowen's Wharf (new location)
- f. Holiday Selling License, Renewal, Terrida, Ltd., d/b/a Terrida, 10 Bowen's Wharf.
- g. Catering License, New, Dockside Scoops, LLC, d/b/a Ben & Jerry's, 359 Thames St.
- h. Solid Waste Hauler License, Renewals:
  - a. Rambone Disposal Service, Inc., 2153 Rear Plainfield Pike, Johnston, RI
  - b. Waste Management of R.I., Inc., 65 Halsey St., Newport, RI
- i. Communication from Mark Carpender and Leah Caron, Evangelical Friends Church, requesting permission to use Miantonomi Park on July 31, 2010, from 1:00 p.m. to 7:00 p.m. for a community outreach program. (Approved by Miantonomi Park Commission; approve subject to details being worked out with city administration.)
- j. Communication from Despina Metakos, Highway Safety Program Manager, Mission Safety 2010 Conference Coordinator, requesting permission to close Long Wharf on September 20, 2010, from 9:00 a.m. to 12 Noon to set and strike a mock vehicle crash. (Approve subject to details being worked out with the city administration.)

- k. Communication from Laurie Z. Stroll, CMP, DMCP, President, Newport Hospitality, Inc., on behalf of the Acushnet Company, asking permission to use Eisenhower Park on August 12, 2010, from 4:00 to 5:00 p.m. as a waiting area prior to 5:30 presentation at The Jane Pickens Theater . (Approve subject to details being worked out with the city administration.)
- l. Resignation of Jon P. Heon from the Waterfront Commission (Receive with regret)
- m. Resignation of William Harrington from the Historic District Commission (Receive with regret)
- n. Clean Ocean Access 2009 Water Quality Monitoring Annual Report (Receive)
- o. Communication from Charlie Plant, The Paul W. Crowley East Bay Met School, re: Notice of July 28, 2010, public meeting on soil sampling activities associated with construction of new school building. (Receive)
- p. Claims: (Receive and refer to city solicitor)
  - 1) Anna N. Cavanaugh
  - 2) Elizabeth C. McKenney

### **LICENSES AND PERMITS**

- 2. Application for an Annual Entertainment License, Class A, New, Mermaids Newport, LLC, d/b/a Poor Richard's/Benjamins, 254 Thames Street -- Amended at first reading: Class A only, first floor only, outdoor speakers to be removed, doors and windows to be closed during entertainment (Second Hearing)
- 3. Application for an Annual Entertainment License, Class A & B, New, Marina Café, LLC, d/b/a Marina Café, 3 Marina Plaza (First Hearing)
- 4. Second-hand License, New, Deborah C. Beardsley, d/b/a Focal Points, 481 Thames St. (Hearing)

5. Holiday Selling License, New, Deborah C. Beardsley, d/b/a Focal Points, 481 Thames St.

### **COMMUNICATIONS AND PETITIONS**

6. Communication from the Rev. Mike Sullivan, Graceway Community Church, requesting permission to use Miantonomi Park on August 15 and September 5, 2010, for their "Service in the Park" summer program. (Approved by Miantonomi Park Commission; continued from July 14, 2010)

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

**Historic District Commission** (2 Vacancies) -- Appointment of Alternate Members to Full Membership:

- Myra Kirby, to term expiring 2/3/2012
- Kevin Clare, to term expiring 2/3/2011

**Historic District Commission** (2 Alternate Position Vacancies) – Applicants: Michael Conroy, Marilyn McCarthy, Dennis Orchard, Sharon Watterson

**Cliff Walk Commission** (1 Vacancy) – Applicant: John Hirschboeck

### **RESOLUTIONS**

8. Changing the Council Meetings in September to the third and fifth Wednesdays (Sept. 15 and 29, 2010) – J. Napolitano

### **ORDINANCES**

9. Amending Chapter 4.08 of the Codified Ordinances, entitled, "Property Tax Classification"; Section 4.08.120, Paragraph 5, to provide a motor vehicle exemption of \$5,500. (Second Reading)

### **COMMUNICATIONS FROM THE CITY MANAGER**

10. Communication #4649/10, re: National Grid Easement – Harrison Avenue Substation (with accompanying resolution)

11. Communication #4733/10, re: National Grid Petitions
  - a. Webster Street (Relocation of Existing Pole)-
  - b. Vicksburg Place- Pole & Anchor for Service to New House
12. Communication #4734/10, re: Bid Award #11-002-Demolition of Old Nonquit Pump Station (with accompanying resolution)
13. Communication #4735/10, re: Washington Square Phase 2 Project- Change Request #4 (with accompanying resolution)
14. Communication #4736/10, re: Washington Square Phase 3- Funding (with accompanying resolution)
15. Communication #4737/10, re: Newport Substance Abuse Prevention Task Force (NSAPTF)- Contract for Services: NSAPTF Coordinator- Contract Period July 1, 2010- June 30, 2011
16. Communication #4738/10, re: Report on Webcasting and Video-Archiving of City Municipal Meetings

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

**BOARD OF LICENSE COMMISSIONERS**

**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.)

1. Application of Fort Adams Trust for a Class F-1 Daily Liquor License, August 14, 2010 (Rain date Aug. 15), from 4:30 p.m. to 10:00 p.m.
2. Communication from Turner C. Scott, Esq., representing The Pale, LLC, d/b/a Buskers, re: Change in LLC membership. (Receive and make part of the file.)

ADJOURN

DOCKET OF THE COUNCIL

July 28, 2010

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Kathleen M. Silvia

City Clerk

July 21, 2010