

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 8, 2011, 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 2011-2012 Operating Budget
 - a. Ordinance Appropriating Revenues (Second Reading)
 - 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 (Sewer) Charge (Second Reading)
 - f. Ordinance Amending Chapter 13.12.015, CSO Fixed Charge (Second Reading)

2. **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:

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 supporting documents, can be viewed on the City of Newport website: www.cityofnewport.com – “Current Newport City News & Announcements” – Click on “MORE NEWS.” Council Meetings can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting will be available at the Newport Public Library within 48 hours 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 NOTIFY THE CITY MANAGER'S OFFICE TWO WEEKS IN ADVANCE OF THE MEETING.

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- 1) Newport Film, Inc., d/b/a NewportFILM; June 17-August 27, 2011 (list of dates, locations and times attached), and to use Queen Anne Square on July 7, 2011, for a free outdoor screening, beginning at sundown, and to waive the provisions of Section 12.42.010 of the Codified Ordinances (9:00 p.m. park closing) (Approve subject to details being worked out with the city administration)
 - Communication from The Rev. Anne Marie Richards, Rector, Trinity Church, expressing approval of the event.
- 2) Aquidneck Land Trust, d/b/a “Fiesta Verde” Annual Fundraiser; 646 Bellevue Ave., 662 Bellevue Ave., 670 Bellevue Ave., from 6:00 p.m. to 11:00 p.m.
- 3) Elmwal Associates, LLC, d/b/a Music at Long Wharf Shoppes; Long Wharf Mall, June 25, July 2 and 30, and August 28, 2011, from 1:00 p.m. to 5:00 p.m.
- 4) Women’s Resource Center, d/b/a “Beyond the Bounce” Basketball Tournament; Edward St. Basketball Court, June 18, 2011, from 9:00 a.m. to 6:00 p.m.
- 5) Beluga Froyo, LLC (by Chandra Kent & Brandon Vondera), d/b/a Grand Opening of Beluga Froyo; 217 Goddard Row, June 19, 2011, from 11:00 a.m. to 10:00 p.m.
- 6) Event Planners with a Touch of Class (by Rebecca Hanos), d/b/a Yard Sale/Fundraiser; Elks Lodge, 141 Pelham St., June 25, 2011, from 8:00 a.m. to 2:00 p.m.
- 7) David Lester, Expoships GP. Inc., d/b/a Art Newport/Art Fair; onboard Sea Fair, Perry Mill Wharf, June 30, 2011, through September 5, 2011, from 11:00 a.m. to 9:00 p.m.
- 8) Fort Adams Trust, d/b/a Civil War Living History Reenactment; Fort Adams State Park, July 9, 2011, from 10:00 a.m. to 5:00 p.m.; July 10, 2011, from 10:00 a.m. to 2:00 p.m.
- 9) Newport Art Museum, d/b/a Painters and Patrons Soiree; Newport Art Museum, 76 Bellevue Ave., July 9, 2011, from 6:30 p.m. to Midnight.

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- 10) Robert Potter League for Animals, d/b/a "Tea for Tails"; Miramar, 646 Bellevue Ave., July 10, 2011, from 4:00 p.m. to 6:00 p.m.
- 11) Newport Festivals Foundation, Inc., d/b/a Newport Festivals Foundation Gala Fundraiser; Rosecliff, 548 Bellevue Ave., August 4, 2011, from 7:30 p.m. to 11:00 p.m.
- 12) St. Peter's Lutheran Church, d/b/a Church & Community Yard Sale, St. Peter's Church, 525 Broadway, August 20, 2011 (rain date, Aug. 27, 2011), from 9:00 a.m. to 1:00 p.m.
- 13) Newport Dinner Train, d/b/a "A Day Out With Thomas in Newport, RI"; September 1, 2, 3 and 4, 2011, 9:00 a.m. to 4:45 p.m.

--Request of Robert J. Andrews, Newport Dinner Train, to use a portion of the grassed City land on the north side of the Humphrey J. Donnelly, III, Transportation & Visitors Center, Aug. 31 to Sept. 4, 2011, in conjunction with Thomas the Tank event. (Approve subject to details being worked out with the city administration.)

- b. Drain Layer License, Renewals:
 - 1) C.B. Utility Co., Inc., 99 Tupelo St., Bristol, RI
 - 2) R. J. Cawley Contracting, Inc., 110 Connell Highway, Newport, RI
 - 3) Camara Excavating LLC, 48 Common Fence Blvd., Portsmouth, RI
 - 4) Foster Excavation, Inc., 3 Salisbury Rd., Foster, RI
 - 5) J.A.M. Construction, Inc., 77 Pine Tree St., Portsmouth, RI
 - 6) KM Gladding Excavating, 242 America Way, Jamestown, RI
 - 7) Landscaping Services, Inc., 700 Wood St., Bristol, RI
 - 8) NCD Developers, Inc., 370 Metacom Ave., Bristol, RI
 - 9) Pond View Excavation Corp., 50 French St., Rehoboth, MA
- c. Food Concession License, Seasonal, Renewal, Newport Gulls, Ltd., Cardine's Field.
- d. Fortuneteller's License, Renewals:
 - 1) Marie Miller, d/b/a Pauline's Palm & Tarot Card Readings, 421 Thames St.
 - 2) Pauline Miller, d/b/a Pauline's Palm and Card Readings, 421 Thames St.

- e. Holiday Selling Licenses, New:
 - 1) Barry Automotive, Inc., d/b/a Barry Newport Nissan Volvo, 166 Connell Highway
 - 2) Breakwater Surf Company, LLC, d/b/a Surf Co., 306 Thames St.
 - 3) Faus Concept, Inc., d/b/a The Jewelry Boutique, 337 Thames St.
 - 4) Newport Majestic Cruises, Inc., d/b/a Newport Majestic Cruises, 424 Thames St.
 - 5) Tim Keyes Apparel Group, d/b/a Dixon & McAllister, 604 Thames St.
 - 6) Wagon Wheel Corp., d/b/a Newport Best Sportswear, 246 Thames St.
 - 7) Christina Erwin, d/b/a Newport Bicycle, 89 Dr. Marcus F. Wheatland Blvd.

- f. Pedicab Operator License:
 - 1) John Becker, 12 Merton Road, Newport, RI
 - 2) Drew Furtado, 80 Bliss St., Fall River, MA
 - 3) Sean P. Galvin, 36 Red Cross Ave., Newport, RI
 - 4) Joseph J. Keenan, III, 4 Potter St., Newport, RI
 - 5) David B. Vidich, 40 Frontage Rd., Ashford, CT

- g. Waste Hauler License, New:
 - 1) CWPM, LLC, 25 Norton Place, Plainville, CT
 - 2) The Holland Companies, LLC, 20 S. Anguilla Rd., Pawcatuck, CT

- h. Waste Hauler, License, Renewals:
 - 1) A Star Waste Disposal, P.O. Box 2485, Pawtucket, RI
 - 2) Patriot Disposal Co., Inc., 2208 Plainfield Pike, Johnston, RI

- i. Communication from Kris Baker, Administrator, CrossPoint Church, requesting permission to use Braga Park for their annual church picnic on July 31, 2011, from Noon to 5:00 p.m.

- j. Communication from Max Nuki, Newport Majestic Cruises, requesting permission to serve alcoholic beverages aboard "The Majestic" prior to departures, in accordance with its Class G Alcoholic Beverage License granted by the State of RI. (Approve)

- k. Claims: (Receive and refer to City Solicitor)
 - 1) Best Western The Mainstay Inn

- 2) James B. Baker
- 3) Shawn Bohannon

LICENSES AND PERMITS

3. Application for a Bicycle Rental Agency License, New, Christina Erwin, d/b/a Newport Bicycle, 89 Dr. Marcus F. Wheatland Blvd. and H.J. Donnelly, III, Transportation and Visitors Center
4. Application for a Class A (indoor) Entertainment License, Diego's Newport, LLC, d/b/a Diego's, 11 Bowen's Wharf (First Hearing)
5. Application for a Sidewalk Café License, New, Donick's LLC, d/b/a Donick's, 26 Broadway
6. Application for a Sidewalk Café License, New, Vivienne O'Dwyer, d/b/a People's Café, 282 Thames St.
7. Application for a Valet Parking License, The Valet Connection, Inc., d/b/a Valet Connection; to provide valet services to merchants located in the 450 to 509 Thames St. business district, with valet podium at 509 Thames St.

8. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

- a. Energy & Environment Commission: Reappointment of Lauren Carson
- b. Housing Authority of Newport: Reappointment of Charles Laranjo
- c. Tree & Open Space Commission: Reappointment of Susan Ruff

ORDINANCES

9. Amending Chapter 10.32.040, of the Codified Ordinances to require that at least 65% of the residents are represented on a petition for 24-hour residential parking (Second reading)
10. Amending Chapter 5.97.280 of the Codified Ordinances to allow pedicabs the use of Memorial Blvd. West between the hours of 6:00 p.m. to 2:00 a.m. (First Reading)

COMMUNICATIONS FROM THE CITY MANAGER

11. Communication #4851/11, re: East Bay Consortium—HOME Loan Program (with accompanying resolution)
12. Communication #4852/11, re: Bid Award for Network, Server, and Printer Technical Support (with accompanying resolution)
13. Communication #4853/11, re: Bid Award for Water Chemicals (with accompanying resolution)
14. Communication #4854/11, re: Bid Award for Water Works Supplies (with accompanying resolution)
15. Communication #4855/11, re: Contract #10-042 -- Easton's Beach Stormwater UV Disinfection System Project Change Order No. 2 (with accompanying resolution)
16. Communication #4856/11, re: Bid Award for Decorative Light Maintenance and Repair Services (with accompanying resolution)
17. Communication #4857/11, re: Bid Award for Roadway Investment—Local Equity Aid Program (RI-LEAP) (with accompanying resolution)
18. Communication #4858/11, re: Award of Contract for Construction Inspection, RI-LEAP (with accompanying resolution)
19. Communication #4859/11, re: Hammersmith Road Drainage and Roadway Improvements (with accompanying resolution)
20. Communication #4860/11, re: Agreement with the Newport Dinner Train for the Temporary Use of Land at the H.J. Donnelly Transportation & Visitors Center in Conjunction with "A Day Out With Thomas" Event (with accompanying resolution)
21. Communication #4861/11, re: Agreement with Newport Bicycle for Rental for the Temporary Use of Space at the Humphrey J. Donnell, III, Transportation & Visitors Center for a Bicycle Rental Service Pilot Program (with accompanying resolution)

22. Communication #4862/11, re: Agreement with Studiomilano for the Temporary Use of Space at the Humphrey J. Donnelly, III, Transportation & Visitors Center for a Display Center (with accompanying resolution)
23. Communication #4863/11, re: Agreement for Transfer of Ownership of the Newport Area Career & Technical Center (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

Application of Shiva Corporation, d/b/a Downtown Liquors, 202 Thames St., to transfer 100% of its stock to Sonal J. Patel. (Hearing)

ADJOURN

Kathleen M. Silvia
City Clerk

June 1, 2011