

# 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 22, 2011, at 6:30 p.m.**

**THIS MEETING WILL BE HELD AT THE  
\*\* THOMPSON MIDDLE SCHOOL CAFETERIA \*\***  
(as a result of construction work in the Council Chambers)

## ***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. Special Event Licenses:
    - 1) Chelsea's Restaurant, d/b/a "Bucks for Brian" Fundraiser; Elks Lodge, 141 Pelham St., June 24, 2011, from 6:00 p.m. to 11:00 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 supporting documents, 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 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.

- 2) Elmwal Associates, LLC, d/b/a “Afternoon Music at the Long Wharf Shops”; Long Wharf Mall, June 26; July 9, 10, 16, 24; August 6, 7, and 21, 2011, from 1:00 p.m. to 5:00 p.m.
- 3) David Lester, Expoships GP. Inc., d/b/a Art Newport Preview Evening; aboard Sea Fair, Perry Mill Wharf, June 30, 2011, from 6:00 p.m. to 10:00 p.m.
- 4) David Lester, Expoships GP. Inc., d/b/a Art Newport July 4<sup>th</sup> Fireworks Celebration, aboard Sea Fair, Perry Mill Wharf, July 4, 2011, from 11:00 a.m. to 10:00 p.m.
- 5) Rose Island Foundation, d/b/a Rose Island 4<sup>th</sup> of July Fireworks; Rose Island, July 4, 2011, from 6:30 p.m. to 10:30 p.m.
- 6) Sail Newport, d/b/a The Newport Regatta/Regatta Socials; Fort Adams State Park, July 8, 2011, from 4:00 p.m. to 8:00 p.m.; July 9, 2011, from 4:00 p.m. to 11:00 p.m., and July 10, from 4:00 p.m. to 8:00 p.m.
- 7) Kitt Kites, d/b/a The Newport Kite Festival; Brenton Point State Park, July 9 and 10, 2011, from 10:00 a.m. to 5:00 p.m.
- 8) Japan- America Society and Black Ships Festival of RI, d/b/a 2011 Black Ships Festival, Long Wharf Mall:
  - Request to use Long Wharf Mall --
  - July 14: Navy Band Northeast Salutes Black Ships Festival, 6:00 to 7:00 p.m.;
  - July 16: Japanese-American Market and Taiko Drum performance, 11:00 a.m. to 4:00 p.m.;
  - July 17: Japanese-American Market, 11:00 a.m. to 4:00 p.m., Army Band Performance, 3:00 p.m. to 4:00 p.m.
- 9) Japan-America Society, d/b/a 2011 Black Ships Festival; Touro Park, July 15, from 10:30 to 12 Noon; July 16, from 10:00 a.m. to 3:30 p.m.
- 10) Japan-America Society and Black Ships Festival of RI, d/b/a 2011 Black Ships Festival Sister City Gala; Rosecliff, July 16, 2011, from 6:30 p.m. to 11:30 p.m.

- 11) Japan-America Society, d/b/a 2011 Black Ships Festival Taiko Drummers; Cardines Field, July 17, from 12 Noon to 1:30 p.m.
  
- 12) Rhode Island Arts Foundation at Newport, Inc., d/b/a Newport Music Festival:
  - ♪ The Breakers, 44 Ochre Point Ave.: July 10, 11, 12, 17, 18, 19, 2011, from 8:00 p.m. to 10:00 p.m.; July 8, 9, 14, 15, 16, 21, 23, 24, 2011, from 9:00 p.m. to 11:00 p.m.; July 20 and 22, 2011, from 7:00 p.m. to 10:30 p.m.
  
  - ♪ CrossPoint Church, 14 Rhode Island Ave.: July 9, 10, 13, 22, 23 and 24, 2011, from 4:00 to 6:00 p.m. and from 7:00-8:00 p.m. on July 23<sup>rd</sup>.
  
  - ♪ The Elms, 367 Bellevue Ave.: July 8-12; July 14; July 17-24, 2011, from 11:00 a.m. to 1:00 p.m.
  
  - ♪ The Elms Tent, 367 Bellevue Ave.: July 15, 2011, from 2:00 p.m. to 4:00 p.m. and 5:00 p.m. to 7:00 p.m.; July 16, 2011, from 11:00 a.m. to 1:00 p.m., from 2:00 p.m. to 4:00 p.m., and from 5:00 p.m. to 7:00 p.m.; July 17, 2011, from 2:00 p.m. to 4:00 p.m.
  
  - ♪ Newport Art Museum, 76 Bellevue Ave.: July 13 and 15, 2011, from 11:00 a.m. to 1:00 p.m.
  
  - ♪ Salve Regina University, Ochre Court, 16 Ochre Point Ave.: July 11, 12, 14, 18, 19, 20 and 21, 2011, from 4:00 p.m. to 6:00 p.m.; plus from 6:00 p.m. to 7:00 p.m. on July 14<sup>th</sup>, and from 6:30 to 8:30 p.m. on July 21<sup>st</sup>.
  
- 13) George Washington Institute for Religious Freedom/Loeb Visitors Center at Touro Synagogue, d/b/a "Moses Michael Hays Day"; July 10, 2011, Sidewalk March (route attached to application) from 2:00 p.m. to 3:00 p.m.; presentation in the Colony House, from 3:00 p.m. to 4:00 p.m.; July 11, 2011, presentation inside Colony House, from 5:30 p.m. to 6:30 p.m.

DOCKET OF THE COUNCIL

June 22, 2011

Page 4

- 14) Redwood Library, d/b/a “The Grand Old Flag” Gala Fundraiser; Redwood Library (outdoor, under tents), 50 Bellevue Ave., July 16, 2011, from 6:30 p.m. to 11:00 p.m.
- 15) Turning Around Ministries, Inc., d/b/a “And Still We Rise” Theatrical Presentation; Salve Regina University, O’Hare Academic Center, Ochre Point Ave.; July 16, 2011, from 3:00 p.m. to 5:30 p.m.
- 16) Arts & Cultural Alliance of Newport County (by John Hirschboeck), d/b/a Bridgefest Preview Party/Fundraiser for Child & Family Services; aboard “Sea Fair” at Perry Mill Wharf, July 29, 2011, from 7:00 p.m. to 10:30 p.m.
- 17) St. John the Evangelist Church, d/b/a St. John’s Parish Annual Summer fair; Church grounds at Washington and Willow Streets, July 30, 2011, from 9:00 a.m. to 2:00 p.m.
- 18) Channing Memorial Church, d/b/a Carillon Concert (performed on trailer parked on street adjacent to Touro Park and across from 135 Pelham St.; July 31, 2011, from 1:00 p.m. to 3:00 p.m.
- 19) Arts & Cultural Alliance of Newport County (by John Hirschboeck), d/b/a “Arts Mingling at Bridgefest 2011”; aboard “Sea Fair” at Perry Mill Wharf, August 1, 2011, from 5:00 p.m. to 7:00 p.m.
- 20) Arts & Cultural Alliance of Newport County (by John Hirschboeck), d/b/a “George Wein & Guests at Bridgefest 2011”; aboard “Sea Fair” at Perry Mill Wharf, August 3, 2011, from 5:00 p.m. to 7:00 p.m.
- 21) Boys & Girls Clubs of Newport County, d/b/a Dinner Dance; Rosecliff, Bellevue Ave., August 26, 2011, from 7:00 p.m. to Midnight
- 22) Bucket Regattas, LLC, d/b/a 2011 Newport Bucket Regatta/Sailboat Race; Newport Shipyard, 1 Washington St., August 26, from 9:00 a.m. to 11:30 p.m.; August 27, from 9:00 a.m. to Midnight; August 28, from 9:00 a.m. to 11:00 a.m.

- 23) St. Joseph's Church, d/b/a Harvest Fair; St. Joseph's Church Hall, 5 Mann Ave., November 5, 2011, from 9:30 a.m. to 4:00 p.m.
  
- b. Annual Bingo License, Dr. Martin Luther King, Jr., Community Center, 20 Dr. Marcus F. Wheatland Blvd.
  
- c. Drain Layer License, Renewals:
  - 1) All Island Landscape, Inc., 2829 East Main Rd., Portsmouth, RI
  - 2) Catalano Construction, Inc., 10 Nate Whipple Highway, Cumberland, RI
  - 3) DAR Construction and Services, 158 Moulton St., Rehoboth, MA
  - 4) East Coast Construction & Landscaping, Inc., 202 Chase Rd., Portsmouth, RI
  - 5) H. Lacerda Jr. Landscaping & Construction, 465 Oliphant Lane, Middletown, RI
  - 6) Joseph C. Lopes II, 345 Mitchells Lane, Middletown, RI
  
- d. Holiday Selling License, Susette Stewart, d/b/a Su Darius Salon, 59-1/2 Bellevue Ave. (new location)
  
- e. Holiday Selling License, New, CNCC Holdings, LLC, d/b/a Active Sole, 16 Bowen's Wharf
  
- f. Pedicab Operator License:
  - 1) Amelia Bronder-Giroux, 40 Sprague St., Malden, MA
  - 2) Annie Hamilton, 9 Price's Neck, Newport, RI
  - 3) Timothy P. Kircorian, 6 Jean St., Cumberland, RI
  - 4) Chris Lull, 87 Hanover St., Newbury, MA
  - 5) Harry Morrell, 42 Inkberry Trail, Narragansett, RI
  - 6) Patrick O'Neill, 305 Kane Ave., Middletown, RI
  - 7) Scott Pakenham, 3 Seneca Rd., Portsmouth, RI
  - 8) Sarah Thomas, 49 Columbia Ave., Cranston, RI
  - 9) Travis Wright, 56 Pelham St., Newport, RI
  
- g. Tattoo License (operator/artist), Renewal, Captain Bret's Tattoo Shop, 2 Collins Street.
  
- h. Waste Hauler License, Renewals:
  - 1) Allied Waste Services, 1080 Airport Rd., Fall River, MA

- 2) Island Rubbish Service, 8 Swinburne St., Jamestown, RI
  - 3) Pasquazzi Bros., Inc./Heather Construction Corp., 464 Dyer Ave., Cranston, RI
  - 4) Roll-A-Way Disposal, 86 Knight St., Warwick, RI
  - 5) RPKK, Inc., P.O. Box 126, Woodriver Junction, RI
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- i. Communication from Felicidad Zeballos on behalf of the Spanish community of St. Joseph's Church, asking permission to use Braga Park for their annual picnic, July 17, 2011, from 12 Noon to 6:00 p.m. (Approve subject to details being worked out with the city administration)
    - Communication from Susan Cooper, Recreation Director, in support of the request.
  - j. Communication from George J. Botelho, Jr., 109 Second Street, asking permission to close Second Street, between Sycamore St. and Van Zandt Ave., on July 23, 2011, from 4:00 p.m. to 8:00 p.m. for the neighborhood's Fifth Annual Block Party (Approve subject to details being worked out with the city administration)
  - k. Communication from Shawn J. Brown, Town Manager, Middletown, re: Notice of Intention to Undertake Certain Permitted Actions on Plat 1078, Lots 4 and 556 (to place a fence around Kempenaar Valley) (Approve)
  - l. Communication from Annette Bourbonniere, Chair, Accessibility Advisory Committee, recognizing Gregg Grimshaw for his service as liaison to the committee. (Receive)
  - m. Claims: (Receive and refer to city solicitor)
    - 1) Newport Gas Light Company
    - 2) RDI Logistics, Inc.

### **LICENSES AND PERMITS**

2. Application for an Annual Public Entertainment License, Diego's Newport, LLC, d/b/a Diego's, 11 Bowen's Wharf (Second Hearing)
3. Application for a Victualing License, New, Crazy Dough Newport, LLC, d/b/a Crazy Dough's Pizza, 446 Thames St.

**COMMUNICATIONS AND PETITIONS**

4. Communication from Hank Kniskern, Chair, Waterfront Commission, re: Commission Initiative to review Harbor Ordinances with subsequent recommendations.
5. Communication from Andrew Montelli, 14 Seaview Ave., and Douglas G. Hancher, 16 Seaview Ave., re: Placing Existing Aerial Utility Lines Underground at the Western End of Seaview Ave.
6. Communication from Scooter World, LLC, requesting permission to use a section of the Ann Street Pier for Jet Ski rentals.

7. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Local Regional School District Planning Commission – Council Liaisons:  
Reappointment of Justin S. McLaughlin; Appointment of Henry F. Winthrop

Hospitality Commission (2 vacancies) – Applicant: Alexandra Allardt

Tree and Open Space Commission (4 vacancies) – Applicants: Daniel T. Christina, Ken M. Nomiya

Zoning Board of Review

- One vacancy – Appointment of Alternate Gregory Yalanis to full membership
- 2<sup>nd</sup> Alternate Vacancy – Applicants: Lynn Ceglie, Mary Ann Marin, Susan Perkins
- Reappointment of Chairperson – Rebecca McSweeney

**ORDINANCES**

8. Amending Chapter 5.97.280 of the Codified Ordinances to prohibit the use of pedicabs on Memorial Blvd. West, between 2:00 a.m. and 6:00 p.m., and on Franklin Street (Second Reading)

**COMMUNICATIONS FROM THE CITY MANAGER**

9. Communication #4864/11, re: 2009 Assistance to Firefighters Grant, 800MHz Radio Equipment (with accompanying resolution)

10. Communication #4865/11, re: Amendment to Chapter 5.46 of the Codified Ordinances, entitled, "Farmer's Market" (with accompanying ordinance)
11. Communication #4866/11, re: Grant Support – Morale, Welfare & Recreation at Naval Station Newport (with accompanying resolution)
12. Communication #4867/11, re: Authorization Amendment #4, Professional Services as City Advisor for Water Treatment Plan Improvements—Project #08-028 (with accompanying resolution)

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. Class F Daily Liquor License:

- a) Rose Island Lighthouse Foundation, d/b/a Fourth of July Barbeque; Rose Island, July 4, 2011.
- b) Class F Daily Liquor License, St. John the Evangelist Church, d/b/a Annual Summer Fair, July 30, 2011.

2. Class F-1 Daily Liquor License:

- a) Sail Newport, Inc., d/b/a The Newport Regatta; Fort Adams State Park, July 8 - 10, 2011.
- b) Rhode Island Arts Foundation at Newport, Inc., d/b/a Newport Music Festival:
  - ♪ The Breakers, 44 Ochre Point Ave.: July 10, 11, 12, 17, 18, 19, 2011, from 8:00 pm. to 10:00 p.m.; July 8, 9, 14, 15, 16, 21, 23, 24, 2011, from 9:00 p.m. to 11:00 p.m.; July 20 and 22, 2011, from 7:00 p.m. to 10:30 p.m.

DOCKET OF THE COUNCIL

June 22, 2011

Page 9

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ADJOURN

Kathleen M. Silvia  
City Clerk

June 15, 2011