

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 **August 24, 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:** Proposed Amendments to the Zoning Ordinance: Section 17.08.010 (Definition of "Convalescent Homes and Rest Homes") and Section 17.100.040(E) (Expansion of convalescent homes and rest homes that existed prior to April 13, 1977).
 - a. Recommendation of the Planning Board
 - b. Ordinance amending Sections 17.08 and 17.100 of the Codified Ordinances (First 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 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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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. Minutes of the July 27 and August 10, 2011, Council Meetings (Approve)
 - b. Special Event Licenses:
 - 1) The Museum of Newport Irish History, d/b/a Andy Cooney Irish Music; Jane Pickens Theater, 49 Touro St., August 26, 2011 from 5:00 p.m. to 7:00 p.m.
 - 2) Bill Hare, d/b/a Beach 5 Sand Soccer; Easton's Beach, August 27 & 28th, 2011 from 8:00 am to 6:00 p.m.
 - 3) Looking Upwards, Inc., d/b/a Newport Arts Festival; Newport Yachting Center, August 27, 2011, from 10:00 a.m. to 6:30 p.m., and August 28, 2011, from 10:00 a.m. to 5:00 p.m.
 - 4) Sail Newport, Inc., d/b/a "Sail for Pride"; Newport Shipyard, 1 Washington St. September 11, 2011, from 4:00 p.m. to 10:00 p.m.
 - 5) Paul A. Hafner, Jr., d/b/a Late Summer Wiffleball Classic; Morton Park, September 11, 2011 from 8:00 a.m. to 6:00 p.m.
 - 6) The Leukemia & Lymphoma Society, d/b/a "Light the Night" Walk; September 24, 2011, from 7:00 p.m. to 9:30 p.m. (beginning and ending at Wakehurst, Salve Regina University; route included with application)
 - 7) Patrick Kilroy, d/b/a The Landing Seafood Fest; 30 Bowen's Wharf, October 15 & 16, 2011 from 11:00 a.m. to 7:00 p.m.
 - 8) Visiting Nurse Service of Newport & Bristol Counties, d/b/a Chocolate Brunch/Fundraiser; Rotunda at Easton's Beach, November 6, 2011 from 12:00 p.m. to 3:00 p.m.
 - c. Holiday Selling Licenses, New:
 - 1) Francesca Erice, d/b/a Newport Girl, 7 Christie's Landing
 - 2) Shivam, Inc., d/b/a JD's, 125 Swinburne Row

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- 3) Whitman Designs, LLC, d/b/a Whitman Designs, 8 Marlborough St.

- d. Pedicab Operator Licenses:
 - 1) Samuel Babikian, 53 Shore Drive, Middletown, RI
 - 2) Tyson Bottenus, 9 Upper College Rd., Kingston, RI
 - 3) Benjamin Kiracofe, 216 Gibbs Ave., Newport, RI
 - 4) A. Ben Leadbetter, 27 Sycamore St., Providence, RI
 - 5) Paul Mata, 120 Tweed St., Cranston, RI
 - 6) Joel Senger, 64 Callendar Ave., Newport, RI
 - 7) Paul L. Steidinger, 39 Cranston Ave., Unit 3, Newport, RI

- e. Tattooing License, Renewal, Fred Smith American Tattoo, 10 Collins St.

- f. Private Detective License, Renewal, William J. Gearon, Jr., d/b/a DeBeers Investigations, 99 Narragansett Ave. Unit C-4

- g. Communication from Marty Grimes, 111 Champlin Place No., requesting permission to close Champlin Pl. No., from Ellery Road to 107 Champlin Pl. No., on September 4, 2011, from 2:00 p.m. to 8:00 p.m. for a neighborhood block party. (Approve subject to details being worked out with the city administration)

- h. Communication from Brett Allen, MS Walker of RI, asking permission to change the date of the Oyster Festival at Fort Adams State Park to Sunday, October 9, 2011 (previously approved for Oct. 8th) (Approve)

- i. Communication from CRMC, re: Notice of Continuation of application for State Assent of City of Newport CRMC File Number 2010-05-070, Extension to existing Anne Street Pier, (application continued from August 23, 2011) (Receive)

- j. Communication from United States Coast Guard, re: Received from the Massachusetts Department of Transportation a Bridge Permit Amendment for approval to place submarine cable at and for extension of time to complete the Brightman Street Bridge across Taunton River, mile 2.1 between Fall River and Somerset, Massachusetts (Receive)

- k. Claims: (Receive and refer to City Solicitor)
 - 1) Bonnie Dugan
 - 2) Anthony J. Cassese, by attorney

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- 3) Tina Cassese
- 4) Edward F. Kearney, by attorney
- 5) Nathan Mosher, by attorney
- 6) Ellen O'Brien

ADDED 8/22/11:

- l. Communication from Robert T. Lehane, Jr., President, Ancient Order of Hibernians, re: requesting permission a procession (led by the Pipe & Drum Band) on September 17, 2011, at 4:40 p.m., from 2 Wellington Ave. down Thames Street to St. Augustin's Church on Harrison Ave., celebrating the 135th Anniversary of the Newport Division. (Approve subject to details being worked out with City Administration)

- m. Communication from Deacon Edna Wells, Community Baptist Church, asking permission to block off a section of Marcus F. Wheatland Blvd. and Burnside Ave. (up to Bosworth Court) on Saturday, August 27, 2011, from 12 Noon to 5:00 p.m. for the Sixth Annual Neighborhood Cookout & Barbecue. (Approve subject to details being worked out with City Administration)

LICENSES & PERMITS

- 3. Application for a Sound Variance, Cdr. Ian Bray, 719 Bellevue Ave., on August 27, 2011, from 5:00 p.m. to midnight (Hearing)

- 4. Application for a Second-hand License, Maryelizabeth Vereskis, d/b/a Memory Lane, 80 Thames St.

- 5. Application for a Holiday Selling License, Maryelizabeth Vereskis, d/b/a/ Memory Lane, 80 Thames St.

COMMUNICATIONS & PETITIONS

- 6. Communication from Robin Gardner, 97 Third St., re: requesting permission to address the council on traffic issues at the intersection of Van Zandt Ave. and Third St.

RESOLUTIONS

- 7. Honoring the Recipients of the Doris Duke Preservation Awards – City Council

ORDINANCES

8. Amending Section 3.16.060 of the Codified Ordinances, entitled, "Pay Schedule for...Fire Division." (Second Reading)
9. Amending Section 10.08.180, entitled, "Speed Restrictions"; to reduce speed limit on Thames St., between Poplar and Marlborough Sts., to 20 miles per hour (Second Reading)

COMMUNICATIONS FROM THE CITY MANAGER

10. Communication #4885/11, re: National Grid Petition for Pole Location at 365 Thames Street (Continued from August 10, 2011)
11. Communication #4892/11, re: Newport Substance Abuse Prevention Task Force (NSAPTF) - Contract for Services: NSAPTF Coordinator-Contract Period August 8, 2011-June 30, 2012 (with accompanying resolution)
12. Communication #4893/11, re: US Department of Defense, Office of Economic Adjustment (OEA) Grant (with accompanying resolution)
13. Communication #4894/11, re: City of Newport & Aquidneck Island Reuse Planning Authority Agreement (with accompanying resolution)
14. Communication #4895/11, re: Contract Change Order for Design-Build of Fire Suppression (Sprinkler) System for Transient Boater Facility (Beach Level of the Harbor Center) (with accompanying resolution)
15. Communication #4896/11, re: Perrotti Park Long Wharf Transient Dock RIDEM Grant Agreement (with accompanying resolution)
16. Communication #4897/11, re: Award of Bid #12-008, Enterprise Funds-King Park Mobile Food Concession (with accompanying resolution)
17. Communication #4898/11, re: Award of Bid #12-002-King Park Beach Seawall Repairs (with accompanying resolution)
18. Communication #4899/11, re: Award of Bid #12-011-Guardrail Improvements (with accompanying resolution)

19. Communication #4900/11, re: Contract #10-027-Catch Basin Separation Area 6 Project-Modification
20. Communication #4901/11, re: Award of Bid #12-007 Water Division-Trench and Sidewalk Restoration (with accompanying resolution)
21. Communication #4902/11, re: Phase 2 Engineering Services to Contract #11-046 Beach Pump Station Improvements (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

1. Application for a Class F-1 Daily Liquor License, Sail Newport, Inc., d/b/a "Sail for Pride" Fundraiser, Newport Shipyard, September 11, 2011, from 4:00 p.m. to 10:00 p.m.

ADJOURN as Board of License Commissioners, RECONVENE as Council, and, based upon an affirmative vote of the majority of the members, convene in Executive Session in the Conference Room, pursuant to RI General Laws, Section 42-46-1, as amended, and in accordance with Section 42-46-5, "Purposes for Which Meeting May be Closed," Paragraphs (a) (1) Personnel Matters (a)(2) Collective Bargaining, the pending vacancy of the position of city manager and AFSCME C-94, Local 911 Negotiations will be discussed.

RECONVENE IN OPEN SESSION and ADJOURN.

ADJOURN

Kathleen M. Silvia
City Clerk

August 17, 2011