

# 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 October 12, 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: Transportation Improvement Program**

- Communication #4909/11, re: 2013-2016 Transportation Improvement Program

### **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 Sept. 14, 2011, Council Meeting
- b. Special Event Licenses:
  - 1) Rogers High School Music, Art & Theater Dept., d/b/a Haunted House; Rogers High School, Wickham Road, October 15, 2011, from 5:00 p.m. to 10:00 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.

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- 2) Sail Newport, Inc., d/b/a Sail Newport Presents/Fundraiser; Jane Pickens Theater, 19 Touro St., October 18, 2011, from 6:00 p.m. to 10:00 p.m.
  - 3) Washington Square Roots Committee, d/b/a Halloween Parade; Eisenhower Park and Washington Square (sidewalks), October 31, 2011, from 5:00 p.m. to 7:00 p.m.
  - 4) Child & Family Services of Newport County, d/b/a Taste of Newport/Fundraiser; Hyatt Regency, Goat Island, November 13, 2011, from 5:00 p.m. to 11:00 p.m.
  - 5) Ocean State Tall Ships Festival 2012; various locations along the waterfront -- private properties, as well as Perrotti Park, the State Pier, and Washington St., July 5-9, 2012.
- c. Annual Catering License, Blue Rocks Catering, LLC, 7 Carroll Ave.
  - d. Holiday Selling License, New, Thomas Martin, d/b/a JJ's Audio & Electronics, 188 Connell Highway.
  - e. Pedicab Business License (4 Pedicabs), Renewal, David Cass, Pirate Pedicab, 32 Kenyon St., Providence, RI
  - f. Semi-Annual Report of the Ad Hoc Committee on Wastewater and Stormwater System Improvements (Receive)
  - g. Newport and Bristol County Convention and Visitors Bureau's Independent Auditors' Report for the year ending March 31, 2011 (Receive)
  - h. Newport Housing Authority 2011 Annual Report (Receive)
  - i. Communication from the Town of Richmond, RI, re: Opposing the implementation of paid tolls on Interstate Route 95 between the Towns of Richmond and Hopkinton. (Receive)
  - j. Claim of Nancy H. White (Receive and refer to City Solicitor)

**LICENSES & PERMITS**

3. Application for a Special Event License, ISES Rhode Island for a Halloween Bash/Fundraiser ; “SeaView Terrace,” Ruggles Ave & Wetmore St., October 22, 2011, from 7:00 p.m. to Midnight. (Continued from Sept. 28, 2011)
4. Application for a Special Event License, Newport Community School, d/b/a 10<sup>th</sup> Anniversary Celebration/ Fundraiser; Easton’s Beach Rotunda, 175 Memorial Blvd., Nov. 4, 2011, from 6:00 p.m. to 10:00 p.m.
  - Communication from Tracy L. Shea, Exec. Director, Newport -- Community School, requesting a 50% reduction in the Rotunda rental fee.
5. Application for an Annual Victualing License, Michael A. Wells, d/b/a Café Bellevue II, 111 Bellevue Ave. (New Owner)
6. Application for a Sidewalk Café License, 2paddysandacanuck, LLC, d/b/a The Fifth Element, 107-111 Broadway (note: expansion of liquor license request under Board of License Commissioners)
7. Annual Victualing License Renewals, 2011-2012

**APPOINTMENTS TO BOARDS AND COMMISSION**

8. Reappointment of Jimmy Winters to the Newport Film Commission

**RESOLUTIONS**

9. Urging the RI General Assembly to enact comprehensive “Extended Producer Responsibility” (EPR) Legislation to require producers to accept responsibility for end-of-life management of their products and bear the costs of recycling and responsible disposal – J. McLaughlin, N. Neville, J. Napolitano, C. Duncan
  - Communication from the Newport Energy & Environment Commission in support of EPR Legislation
10. Recognizing Local Businesses and Organizations for their assistance during the Hurricane Irene Threat – S. Waluk

## **ORDINANCES**

11. Amending Chapter 12.08 of the Codified Ordinances, entitled, "Excavations and Curb Cuts", Section 12.08.0709 ("Responsibilities of Permit Holders"), to prohibit the use of concrete curbing on any public street or right of way. (Requested by Councilor Neville with support of Public Services Director) (First Reading)

## **COMMUNICATIONS FROM THE CITY MANAGER**

12. Communication #4910/11, re: RI Department of Transportation Grant Agreement—Existing Ann Street Pier (with accompanying resolution)
13. Communication #4911/11, re: Implementation of Residential (Sticker) Parking -- Equality Park West (with accompanying ordinance)
14. Communication #4912 /11, re: 2009 Assistance to Firefighters Grant, 800 MHz Radio Equipment (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 Daily Liquor License, Newport Tree Society, d/b/a Saplings and Spirits (Fundraiser); SeaView, Ruggles Ave. & Wetmore St., October 13, 2011, from 5:30 p.m. to 7:30 p.m.
  - b) Class F-1 Daily Liquor License, Sail Newport, Inc., d/b/a Sail Newport Presents... (Fundraiser); Jane Pickens Theater, 19 Touro St., October 18, 2011, from 6:00 p.m. to 9:00 p.m.

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2. Application of Newport Wine Cellar, LLC, d/b/a Newport Wine Cellar, 24 Bellevue Ave., to transfer 100% of its stock to Maria Chiancola (Hearing)
3. Application of 2paddysandacanuck, LLC, d/b/a The Fifth Element, 107-111 Broadway, to transfer 33-1/3% of its stock to Bradly Cherevaty and Frank Doyle (each becoming 50% stockholders). (Hearing)
4. Application of 2paddysandacanuck, LLC, d/b/a The Fifth Element, 107-111 Broadway, to expand its Class BV alcoholic beverage license to a 6'6" x 60' sidewalk café. (Hearing)
5. Annual Liquor License Renewals, 2011-2012 (listed at the end of the docket) (Hearing)

ADJOURN

Kathleen M. Silvia  
City Clerk

October 4, 2011