

# CITY OF NEWPORT

## DOCKET OF THE COUNCIL MEETING

### JULY 25, 2012

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 25, 2012, at 6:00 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. Special Event Licenses:
    - 1) Bailey T's Resortwear, LLC, d/b/a Free Concert at Long Wharf; Long Wharf Mall, July 30, 2012, from 7:00 p.m. to 8:30 p.m.
    - 2) Jane Pickens Theater & Event Center in conjunction with Bridgefest, d/b/a Bridgefest – Live Music; Jane Pickens Theater, 49 Touro St., July 30 AND August 1, 2012, from 9:30 p.m. to 11:30 p.m.
    - 3) Seamen's Church Institute, d/b/a Bridgefest 2012; Seamen's Church Institute, 18 Market Sq., July 30 through August 2, 2012, from 4:00 p.m. to 6:00 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.

- 4) Fort Adams Trust, d/b/a Summer Luau/Fundraiser; Fort Adams State Park, August 18, 2012, from 4:30 p.m. to 10:00 p.m.
  - 5) Seamen's Church Institute, d/b/a 6<sup>th</sup> Annual Rock The Docks; Newport Shipyard, 1 Washington St., Aug. 26, 2012, from 6:00 p.m. to 10:00 p.m.
  - 6) Turning Around Ministries, Inc., d/b/a 2012 TAM Walk, September 8, 2012, from 8:00 a.m. to 12 Noon, beginning and ending at Emmanuel Church, 40 Dearborn St., route attached. (Approve subject to details being worked out with the city administration.)
  - 7) Newport Brokerage Boatshow, LLC, d/b/a Newport Brokerage Boatshow; Sept. 13 to 15, 2012, from 10:00 a.m. to 6:00 p.m.; Sept. 16, 2012, from 10:00 a.m. to 5:00 p.m.
  - 8) Alzheimer's Association, d/b/a Walk to Alzheimer's—Walk-a-thon; Sunday, Sept. 23, 2012, from 12 Noon to 3:00 p.m., beginning and ending at Salve Regina University O'Hare Academic Center, route attached. (Approve subject to details being worked out with the city administration.)
  - 9) Harley H. Tinney, d/b/a Belcourt Castle – The Halloween Party; Belcourt Castle, 659 Bellevue Ave., Oct. 27, 2012, from 8:00 p.m. to Midnight.
- b. Fortuneteller's License, Pauline Miller, 427 Thames St.
- c. Second-hand License, Renewal, Dennis C. Kelley, d/b/a D. Kelly Fine Used Books, 330 Thames St.
- d. Holiday Selling License, Renewals:
- 1) Dennis C. Kelley, d/b/a D. Kelley Fine Used Books, 330 Broadway
  - 2) Gregory Jordan and Andrew Borer, d/b/a:
    - House of Scrimshaw and Gifts, 132 Thames St.
    - The New Store, 101 Swinburne Row
    - Newport's Best Tee Shirts, Sweatshirts, Souvenirs, 107 Swinburne Row

- The Souvenir Shop, 115 Swinburne Row
  - The Souvenir Shop II, 359 Thames St., Unit F2
  - T Shirt Town, 182 Thames St., Unit B
- e. Communication from St. John the Evangelist Church, 62 Poplar St., asking to change the date of the Special Event License for their Annual Fair, from July 28 to August 4, 2012. (Approve subject to details being worked out with the city administration.)
- f. Communication from Bucket Regattas, LLC, d/b/a Newport Bucket Regatta at Newport Shipyard, asking to amend their Special Event License to extend the hours on Friday, August 24, 2012, from 9:00 p.m. to 11:00 p.m.
- g. Communication from Bay Fireworks asking permission for a five to six minute fireworks display from a barge off of the Cliff Walk (by Rosecliff) on August 11, 2012, at approx. 9:30 p.m. (Approve subject to details being worked out with the city administration.)
- h. Communication from *Newport Patch* requesting permission to pay the hourly rate for parking meters on Thames St. on August 30, 2012, from 10:00 a.m. to 5:00 p.m. to promote *Newport Patch* and provide free parking. (Receive and refer to the city administration for a recommendation.)
- i. Communication from the Governor's Commission on Disabilities, re: public forums (Receive)

**ADD:**

- j. Communication from Ronald MacDonald requesting to close Aborn St. to Daniels St. at Ellery Rd. on July 28, 2012 between 11:00 a.m. and 7:00 p.m. (Approve subject to details being worked out with city administration)**

**LICENSES & PERMITS**

2. Application of JH Enterprises, Inc., d/b/a The Rhino Bar & Grille and Mamba Room, 337 Thames Street, to expand their Victualing License to a 726 sq. ft. outdoor patio on the northwest side of the building (in conjunction with request to expand their Class BT alcoholic beverage license)

**COMMUNICATIONS & PETITIONS**

3. Petition from Vivian Nelson, 16 Third St., requesting the implementation of a stop on Third St. at either Elm St. or Bridge St.
  - Minutes of the June 19, 2012, Interdepartmental Traffic Committee denying the request.
4. Council Liaison Updates

**COMMUNICATIONS FROM THE CITY MANAGER**

5. Action #5021/12, re: Newport Maritime Center (Armory) Lease with Rose Island Lighthouse Foundation (with accompanying resolution) (Continued from July 11, 2012)
  6. Action #5022/12, re: RI Department of Environmental Management (RIDEM) Consent Agreement No. RIA-381 – Lawton Valley WTP – RIPDES Permit (with accompanying resolution)
  7. Action #5023/12, re: Bid Award for Printing and Mailing of Utility Bills (with accompanying resolution)
  8. Action #5024/12, re: Bid Award for Trench and Sidewalk Restoration – Water Division (with accompanying resolution)
  9. Action #5025/12, re: Aquidneck Island Re-use Implementing Authority (AIRIA) Inter-local Agreement (with accompanying resolution)
  10. Action #5026/12, re: Contract for Professional Services – Community Outreach Meeting Planning (with accompanying resolution)
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11. Communication from Mayor Stephen C. Waluk, re: resignation from the position of Chairman of the Council/Mayor of the City of Newport.
  12. Election of a Councilor-at-Large to serve as Chairman of the Council/Mayor of Newport for the remaining term of office, ending January 2, 2013.

**ADD:**

**Resolutions**

- 13. Expressing gratitude and appreciation to Mayor Stephen C. Waluk for his years of service, his commitment to municipal government and the energy and enthusiasm he has dedicated to the City and its citizens - J. McLaughlin, H. Winthrop, N. Neville, C. Duncan, K. Leonard**

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

**BOARD OF LICENSE COMMISSIONERS**

**LICENSES & PERMITS**

1. Application of Fort Adams Trust, d/b/a Newport Storm Luau for a Class F-1 Daily Liquor License at Fort Adams State Park, August 18, 2012.
2. Application of JH Enterprises, Inc., d/b/a The Rhino Bar & Grille and Mamba Room, to expand its Class BT alcoholic beverage license to a 726 sq. ft. outdoor patio on the northwest side of the building. (Hearing)

ADJOURN

Kathleen M. Silvia  
City Clerk

July 18, 2012

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**Quick References:**

d/b/a = “doing business as” (fictitious name)

LLC = Limited Liability Corporation

**Liquor Licenses issued locally** (Full definitions provided in the RI General Laws, Chapter 3-7)

**Class F** – Daily liquor license, holder is limited to sale of beer and wine; issued only to religious organizations, state non-business corporations and political organizations.

**Class F-1** Daily liquor License, holder may sell all alcoholic beverages; issued only to religious organizations, state non-business corporations and political organizations.

**Class A** – package store

**Class BH** – Allows for mini bars in hotel and guest house rooms; allows for the sale and service of bottles of alcohol to registered guests in their hotel/guest house rooms.

**Class BL** – allows sale of only beer and wine in restaurants (“victualing houses”)

**Class BT** – allows for sale of all alcoholic beverages in hotels (defined in State Law as “tavern keeper” and must provide overnight accommodations).

**Class BV** -- allows sale of all alcoholic beverages in restaurants (“victualing houses”)

**Class C** – Saloon License; in Newport the one Class C License has basically the properties of Class BV; however, it must close at Midnight.

**Class D** – Private Club; alcoholic beverages may be consumed only by members and their guests.

**Class J** – Convention Hall License; holder may sell all alcoholic beverages; licensee must be able to accommodate five hundred or more persons at tables at one time.

**Class K**—Ancient Tavern License – issued to the owner of any building which has had a public and continuous use and license as a tavern for 10 years or more prior to 1730; basically has the same privileges of a Class BV restaurant.

**Class T**—Legitimate Theater

**State-issued Liquor Licenses (with uses in Newport)**

**Class G** -- for passenger-carrying marine vessels and trains; sale of alcoholic beverages on marine vessels while at dock for one-half hour before scheduled departure time, up to departure, must be approved by Council.

**Class P** – authorizes caterers, who must be licensed by the RI Health Dept., to furnish and sell alcoholic beverages at events to which they are catering food. Caterer must purchase the alcohol at a Class A package store.