

**CITY OF NEWPORT
DOCKET OF THE COUNCIL MEETING
SEPTEMBER 26, 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 September 26, 2012, at 6:30 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Proclamation Congratulating the Newport Gulls on being named the
No. 1 Collegiate Summer League Team in the Nation

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. Minutes of the September 12, 2012, Council Meeting (Approve)
 - b. Special Event Licenses:
 - 1) Julie Loffredi, d/b/a Give & Glam (Fundraiser for Hasbro Children's Hospital); Belle Mer, 2 Goat Island, October 4, 2012, from 6:00 p.m. to 9:00 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 – "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) Bowen's Wharf Co., Inc., d/b/a Bowen's Wharf Sidewalk Sale; Bowen's Wharf, October 5 to 8, 2012, from 9:00 a.m. to 9:00 p.m.
 - 3) Sail Newport, d/b/a Sail for Hope/Fundraising Regatta; Newport Shipyard, October 6, 2012, from 4:00 p.m. to 9:00 p.m.
 - 4) Fort Adams Trust, d/b/a Fortress of Nightmares/Haunted House; Fort Adams State Park, October 12, 13, 19, 20, 26, 27, 28, 2012, from 6:00 p.m. to 10:00 p.m.
 - 5) Audrey Michienzi, Fireworks Display at Fort Adams State Park (Boat Basin); November 2, 2012, from 9:00 p.m. to 9:30 p.m.
 - 6) Child & Family Services of Newport County, d/b/a Taste of Newport - Fundraiser; Hyatt Regency Hotel, Goat Island, November 11, 2012, from 5:00 p.m. to 11:00 p.m.
 - 7) International Quidditch Association (IQA), d/b/a IQA Northeast Regional Championship; Fort Adams State Park, November 17-18, 2012, from 9:00 a.m. to 6:00 p.m.
- c. Bingo License, Paramount Tenants Bingo, 76 Broadway
 - d. Holiday Selling License, Renewal, Express Fashion Operations, LLC, d/b/a Express, 144 Thames St.
 - e. Waste Hauler License, Renewal, Coastal Recycling, 761 Great Road, North Smithfield, RI
 - f. Transfer Station License, Renewal, Waste Management of RI, 65 Halsey St.
 - g. Communication from Charles Roberts, Director, First Night/New Year's Eve Newport, re: requesting financial support for First Night Newport event. (Receive and refer to city administration.)
 - h. Communication from Michael R. McElroy, Esq., re: Request of Interstate Navigation Co., d/b/a The Block Island Ferry, to operate a Fast Ferry from Perrotti Park (Receive and refer to city administration.)

- i. Rhode Island Ethics Commission Public Notice of Proposed Rule-Making (Receive)

LICENSES & PERMITS

2. Application for an Annual Entertainment License, Class A (Indoors), New, 108 Laces, Inc., d/b/a Mudville Pub, 8 West Marlborough St. (Second Hearing)

3. COMMUNICATIONS & PETITIONS

- Council Liaison Updates
- City Manager Update -- King Park Stone Pier/Dinghy Docks

4. APPOINTMENTS TO BOARDS & COMMISSIONS

Affirmative Action Commission (unlimited membership): Patricia Archer

Note: Vacancies currently or soon will, exist on the following boards and commissions: Affirmative Action Commission, Building Code Board of Appeals, Energy & Environment Commission, Historic District Commission, Newport Juvenile Hearing Board, North End Planning Commission, Personnel Appeals Board, Planning Board, (Board of) Tax Appeals, and the Zoning Board of Review. Interested residents can obtain applications on the City's web page or by contacting the Mayor's Office.

RESOLUTIONS

5. Endorsing the Washington Square Community Charrette – N. Neville, J. Napolitano, H. Winthrop, C. Duncan

ORDINANCES

6. Amending Chapter 3.16.060 of the Codified Ordinances, entitled, "Pay Schedule for Classified Service" - Supervisory Employees—N.E.A. (Second Reading)
7. Amending Chapters 8.12.080 and Section 5.12.060 of the Codified Ordinances, entitled, "Table 1. Sound Levels by Receiving Land Use and Penalties for Violating Levels," to provide a maximum decibel level of 55 between the hours of 8:59 p.m. and 6:59 a.m. (First Reading)
8. Amending Chapter 8.12.100, Paragraph E, #3, of the Codified Ordinances, entitled, "Disorderly Houses," to include in the definition of disorderly house a

residence or dwelling in which one or more warnings of a noise disturbance in a three-year period has been issued by a police or zoning officers. (First Reading)

9. Amending Chapter 9.05.050, entitled, "Disorderly Conduct," Paragraph C, to add: "One or more warnings of violations issued in a three-year period of the foregoing provisions by City police or zoning officers to an individual or group of individuals shall result in a fine or fines of not less than one hundred (\$100.00) Dollars and/or imprisonment for not more than thirty (30) days. (First Reading)

COMMUNICATIONS FROM THE CITY MANAGER

10. Action #5028/12, re: Proposed Ordinance Amendment – Taxi Cab Stands (with accompanying ordinance; continued from August 22, 2012)
-- Memorandum from Eric Earls, Chair, Interdepartmental Traffic Committee, re: ITC Review of proposed changes to Taxi Stand Ordinance
11. Action # 5040/12, re: Newport Substance Abuse Prevention Task Force (NSAPTF) -- Contract with NSAPTF Coordinator for the period of Sept. 1, 2012 through June 30, 2013 (with accompanying resolution; continued from September 12, 2012)
12. Action # 5046/12, re: Grant Contract Agreement, RI Department of Behavioral Healthcare, Developmental Disabilities and Hospitals—Substance Abuse Prevention Funds (with accompanying resolution)
13. Action #5047, re: Clarke School Limited Partnership - Promissory Note Amendment (with accompanying resolution)
14. Action #5048/12, re: Modification #3-Contract #10-039, Professional Services for Program Manager for Implementation of CSO Long-term Control Plan (with accompanying resolution)
15. Action #5049/12, re: Doris Terrace Parking (with accompanying ordinance)
16. Action #5050/12, re: Bid Award #13-015 for Hammersmith Road Improvement Project (with accompanying resolution)
17. Action #5051/12, re: Aquidneck Ferry & Charter, Inc., Request to Operate from Perrotti Park.

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.)

Class F-1 Daily Liquor Licenses:

1. Sail Newport, Inc., d/b/a Sail for Hope Fundraising Regatta; Newport Shipyard, 1 Washington St., October 6, 2012, from 4:00 p.m. to 9:00 p.m.
2. Seamen’s Church Institute, for The Landing Seafood Festival; 30 Bowen’s Wharf, October 5 to 8, 2012, from 9:00 a.m. to 9:00 p.m.
3. Communication from LaSalle Hotel Lessee, Inc., d/b/a Hotel Viking, re: Change of Officers. (Receive and make part of licensee’s file.)

ADJOURN AS BOARD OF LICENSE COMMISSIONERS; RECONVENE AS COUNCIL; AND, BASED UPON AN AFFIRMATIVE VOTE OF THE MEMBERS PRESENT AND PURSUANT TO RI GENERAL LAWS SECTION 42-46-1, AS AMENDED, AND IN ACCORDANCE WITH SECTION 42-46-5, PURPOSES FOR WHICH MEETINGS MAY BE CLOSED, “(a) (2) Sessions pertaining to collective bargaining or litigation,” MOVE TO EXECUTIVE SESSION IN THE CONFERENCE ROOM TO DISCUSS ISSUES RELATED TO COLLECTIVE BARGAINING – LOCAL 911, COUNCIL 94, AFSCME.

Kathleen M. Silvia
City Clerk

September 19, 2012

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.