

CITY OF NEWPORT
DOCKET OF THE COUNCIL MEETING
JUNE 26, 2013

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 26, 2013, 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.

**RECOGNITION OF CAITLIN MC CABE WHOSE ART WORK WAS
SELECTED FOR THE 2013 EASTON BEACH PARKING STICKER**

1. **PUBLIC HEARING: Recommended 2013-14 Operating Budget**
 - a. Revisions to the FY14 Proposed Budget (Rec'd June 19th)
 - b. Adoption of Budget
 - c. Ordinance Appropriating Revenues for FY14 (Amended for Second Reading to reflect June 19th Budget Revisions)
 - d. Ordinance Amending Title 3, Personnel (Second Reading)
 - e. Resolution, re: Omnibus Property Tax Relief & Replacement Act
 - f. Resolution Authorizing Tax Levy

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.

- g. Ordinance Amending Chapters 13.12.010 and 13.12.040 to increase the Sewer Rate to \$11.92 per 1,000 gallons of metered water consumption (Second Reading)
2. **PUBLIC HEARING:** Disaster Recovery Assistance – Community Development Block Grant – Hurricane Sandy
 - Action #5171/13, re: Disaster Recovery Assistance – Community Development Block Grant (with accompanying resolution)
3. **PUBLIC HEARING:** Proposed Zoning Amendment to permit public utilities and facilities by right in the Commercial-Industrial Zone.
 - a. Recommendation of the Planning Board
 - b. Ordinance amending Chapter 17.08.010, Definitions (adding “Public Utilities”); Section 17.64.020 (“Use Regulations”) ; and Section 17.88.020 (uses Requiring Development (First Reading)
4. **PUBLIC HEARING:** Proposed Zoning Amendment to regulate the keeping of livestock and poultry. **(Continue to July 24, 2013)**
 - a. Recommendation of the Planning Board
 - b. Ordinance amending Section 17.100.120 (“Keeping of Livestock and Poultry”) and Section 17.100.130 (“Home Occupations”). (First Reading)
5. **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 June 12, 2013, Council Meetings (Approve)
 - b. Special Event Licenses:
 - 1) Washington Square Roots, d/b/a Patriotic Newport 4th of July; Washington Square and Long Wharf, July 4, 2013, from 9:00 a.m. to 12:30 p.m.
 - 2) OHPRI, d/b/a Oliver Hazard Perry Rhode Island Fundraiser; American Shipyard (d/b/a Newport Shipyard), 1 Washington St., July 5, 2013, from 6:00 p.m. to Midnight.

- 3) Gabriele Pedone, d/b/a Studi Omilano, “Champions on the Breeze” Sports/Arts Event; International Yacht Restoration School, 458Thames St., July 8-14, 2013, from 2:00 p.m. to 9:00 p.m.
- 4) Sail Newport, d/b/a 2013 Newport Regatta/Socials; Fort Adams State Park, July 12, from 4:00 p.m. to 8:00 p.m.; July 13, from 4:00 p.m. to 10:00 p.m.; and July 14, from 4:00 p.m. to 8:00 p.m.
- 5) Newport Art Museum, d/b/a 2013 Annual Gala; Newport Art Museum, 76 Bellevue Ave., July 20, 2013, from 6:00 p.m. to 12 Midnight.
- 6) Aquidneck Island Land Trust, d/b/a Aquidneck Land Trust’s Fiesta Verde; “Chastellux,” 30 Chastellux Ave., July 27, 2013, from 6:00 p.m. to 11:00 p.m.
- 7) Seamen’s church Institute, d/b/a Bridgefest 2013; Seamen’s Church Institute, 18 Market Square, July 29 – August 1, from 4:00 p.m. to 6:00 p.m.; and Aug. 1, from 7:00 p.m. to 9:00 p.m.
- 8) Bucket Regattas, LLC, d/b/a 2013 Newport Bucket Regatta; Newport Shipyard; Aug. 23, from 8:30 a.m. to 10:30 p.m.; Aug. 24, from 8:30 a.m. to 11:00 p.m.; Aug. 25, from 8:30 a.m. to Noon.
- 9) Bucket Regattas, LLC, d/b/a 2013 Newport Bucket Regatta Awards Ceremony; International Yacht Restoration School, Thames St., Aug. 25, from 6:00 p.m. to 8:30 p.m.
- 10) St. Peter’s Lutheran Church, d/b/a Church & Community Yard Sale; St. Peter’s Lutheran Church, 525 Broadway, Aug. 24 (rain date, Aug. 31), 2013, from 9:00 a.m. to 1:00 p.m.
- 11) Darcy Roland and the Newport Boys & Girls Club, partnering with Island Sport & Surf, Clean Ocean Access, and Save the Bay, d/b/a Beach Day for the Boys and Girls Club; Easton’s Beach, August 29, 2013, from 1:00 p.m. to 4:30 p.m.

- 12) Gay and Lesbian Options of RI, d/b/a Options White Party-Fundraising Gala; Easton's Beach Rotunda, August 30, 2013, from 7:00 p.m. to 11:00 p.m.
 - 13) Anthony Monte, d/b/a Expo Productions – Anthony's First Annual Dog & Pony Show; Fort Adams State Park, September 1 (rain date Sept. 2), 2013, from 11:00 a.m. to 6:00 p.m.
- c. Drain Layer License:
- 1) A. DiFazio Construction, Inc., 132 Shun Pike, Johnston, RI
 - 2) Brennan & Sons, Inc., d/b/a Brennan Construction Co., 89 Pools Lane, Tiverton, RI
 - 3) East Coast Construction & Landscaping, Inc., 44 Gooseberry Lane, Tiverton, RI
 - 4) KM Gladding Excavating, 645 North Main Rd., Jamestown, RI
 - 5) Longley Construction, Inc., 1279 Stony Lane, No. Kingstown, RI
 - 6) Manafort Brothers, Inc., 414 New Britain Ave., Plainville, CT
 - 7) Narragansett Improvement Company, 223 Allens Ave., Providence, RI
- d. Holiday Selling License, New:
- 1) Shave Soap Company, LLC, d/b/a Shave Soap Company, 302 Thames St.
 - 2) Jack Wills, Inc., d/b/a Jack Wills, 170 Thames St.
- e. Private Detective License, New, Margaret A. Kirschner, CPA, CFE, 8 Pleasant St.
- f. Communication from Meghan Dutton, Outreach Co-chair, Emmanuel Church, asking permission to sell ice cream at King's Park on July 14, 2013, from 3:00 p.m. to 6:00 p.m. to fund their relief work. (Approve subject to details being worked out with the city administration.)
- g. Communication from Kris Baker, Admin-CrossPoint Church, asking permission to use Braga Park for the Church's Annual Picnic, August 11 (rain date, Aug. 18), 2013, from 11:00 a.m. to 5:00 p.m. (Approve subject to details being worked out with the city administration.)
- h. Communication from Kathleen M. Dunn, 7 Yale St., asking permission to close Yale Street for a neighborhood block party on July 13 (rain

date July 14), 2013, from 3:00 p.m. to 8:00 p.m. (Approve subject to details being worked out with the city administration.)

- i. Communication from Andrea McHugh, 61 Malbone Rd., asking permission to close Burdick Ave., from Malbone Rd. to Thurston Ave., for a neighborhood block party on June 29, 2013, from 11:00 a.m. to 1:00 p.m. (Approve subject to details being worked out with the city administration.)
- j. Communication from NewportFilm asking to amend their 2013 Special Event License, granted June 12, 2013, to allow for music, from 6:00 p.m. to 8:00 p.m., prior to showing of films at the International Tennis Hall of Fame, July 19th; Rosecliff, August 1st, and Easton's Beach, August 15th. (Approve subject to details being worked out with the city administration.)
- k. Resignation of Stephen Coyne from Discover Newport (Receive with regret.)
- l. CRMC Notices of Intent to change management plans, policies, procedures and regulations:
 - 1) Access to Public Records
 - 2) Ocean Special Area Management Plan (SAMP)

LICENSES & PERMITS

6. Application for a Class B (outdoor) Entertainment License, J.H. Enterprises, d/b/a Rhino Bar & Grill and Tusk, 337 Thames St., from Memorial Day through Labor Day, from 2:00 p.m. to 8:00 p.m. (Second Hearing)
7. Application of BKA Industries, Inc., d/b/a Scales & Shells Restaurant, 527 Thames St., to expand their Victualing License into 537 Thames St.
8. Application of BKA Industries, Inc., d/b/a Scales & Shells Restaurant, 527 Thames St., to expand their Sidewalk Café License to in front of 537 Thames St.
9. Application for a Victualing License, New, Newport Provisioning Corp., d/b/a Newport Provisioning Corp., 10 Spring Wharf

10. **COMMUNICATIONS & PETITIONS**

- Council Liaison Updates:
 - 1) Green Team Update – Councilor Neville
 - 2) IT Working Group Update – Councilor Neville

RESOLUTIONS

11. Establishing a Charter Review Commission – H. Winthrop, N. Neville, K. Leonard; M. Farley, J. McLaughlin, M. Camacho, J. Napolitano
12. Opposing Senate Bill 322, Sub A, exempting new construction on single-family development homes and condos from taxation until a development property is sold – K. Leonard, H. Winthrop, M. Camacho, M. Farley, N. Neville, J. Napolitano
13. Performance Audit of the School Department – H. Winthrop, N. Neville, J. McLaughlin, J. Napolitano
14. Establishing a Finance Review Committee – H. Winthrop, N. Neville, J. McLaughlin, J. Napolitano, K. Leonard, M. Camacho

ORDINANCES

15. Amending Chapter 12.32, entitled, “Park and Recreation Areas,” Section 12.32.100, “Prohibition of skateboards, bicycles, roller blades, roller skates, and bicycles in any manner is prohibited in the following locations,” to include Queen Anne Square. (Second Reading)

COMMUNICATIONS FROM THE CITY MANAGER

16. Action #5172/13, re: 2013 Bryne Grant Application (with accompanying resolution)
17. Action #5173/13, re: Vice Unit Vehicle Purchase (with accompanying resolution)

18. Action #5174/13, re: Bid Award for Building Stabilization of the Newport Harbor Center (Armory) (with accompanying resolution)
19. Action #5175 /13, re: Supplemental Agreement for Engineering Services – Cliff Walk Restroom Drainage/Utility Improvements (with accompanying resolution)
20. Action #5176/13, re: Modification to Contract for Professional Services – Program Manager for CSO Long-term Control Plan (with accompanying resolution)
21. Action #5177/13, re: Residential Sticker Parking Application – Congdon Avenue (with accompanying ordinance)

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.)

Class F-1 Daily Liquor License:

- a. Sail Newport, Inc., d/b/a Newport Regatta; Socials; Fort Adams State Park, July 12, from 4:00 p.m. to 8:00 p.m.; July 13, from 4:00 p.m. to 10:00 p.m.; and July 14, from 4:00 p.m. to 8:00 p.m.
- b. Gay and Lesbian Options of Rhode Island, d/b/a Options White Party-Fundraising Gala; Easton’s Beach Rotunda, August 30, 2013, from 7:00 p.m. to 11:00 p.m.

LICENSES & PERMITS

2. Application of BKA Industries, Inc., d/b/a Scales & Shells Restaurant, 527 Thames St., to expand its Class BV alcoholic beverage license into 537 Thames St., first floor, through connecting doorways. (Hearing)

ADJOURN

June 19, 2013

Kathleen M. Silvia
City Clerk