

**CITY OF NEWPORT**  
**DOCKET OF THE COUNCIL MEETING**  
**JANUARY 8, 2014**

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 January 8, 2014, 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. **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 December 4, 2013, Special Council Meeting, and December 11, 2013, Regular Council Meeting (Approve)
  - b. Special Event Licenses:
    - 1) Newport Public Education Foundation, d/b/a Newport Night Run 5K; February 21, 2014, from 7:00 p.m. to 9:00 p.m. (beginning at Easton's Beach, Memorial Boulevard to America's Cup Ave. at Long Wharf and returning to Easton's Beach.)

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) – "Docket" (left side of homepage). 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 MADE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, **BASED UPON NOTIFICATION TO THE CITY CLERK'S (845-5351) OR 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 ONE WEEK IN ADVANCE OF THE MEETING.

- 2) Fort Adams Trust, d/b/a Newport 10 Miler; April 27, 2014, from 8:00 a.m. to 11:00 a.m., beginning and ending at Fort Adams (route attached: Ocean Ave., Bellevue Ave., Ruggles Ave, Wickham Rd., Harrison Ave., to Fort Adams Drive.)
  - 3) Ocean State Pyrotechnics and Christine Bevilacqua, Exquisite Events, d/b/a Fireworks Display; June 7, 2014, from 9:45 p.m. to 9:55 p.m., from a barge off of Rosecliff (in conjunction with a wedding)
  - 4) Bike Newport, d/b/a Father's Day Ride; June 15, 2014, from 8:00 a.m. to 11:00 a.m., beginning and ending at Fort Adams (3 routes included on attached map)
  - 5) Stage Door Dance, Inc., d/b/a 2014 Rehearsal & Dance Recital; Rogers High School, June 25 and 26 (from 4:00 p.m. to 9:00 p.m.) and June 28, from 4:00 p.m. to 10:00 p.m.
  - 6) Newport Festivals Foundation, Inc., d/b/a Newport Jazz Festival Opening Night; International Tennis Hall of Fame, Bellevue Ave., August 1, 2014, from 8:00 p.m. to 11:00 p.m.
  - 7) Enviro-Sports Productions, Inc., d/b/a Newport Sharkfest Swim; September 21, 2014, from 7:30 a.m. to 11:30 a.m. (from Perrotti Park to King Park; race starts at 9:00 a.m.)
- c. Tattoo Parlor/Operator License, Renewals:
- 1) Anchor Steam Tattoo Gallery/Jennifer Guertin, 44 Broadway
  - 2) Sitting Bull Tattoo, LLC/David Brian Bennett, 136 Thames St.
- d. Mechanical Amusement Device License, New, El Dee Vending, LLC; 8 Machines at Wyndham Long Wharf Hotel, 5 Washington St.
- e. Pedicab Business License, Renewals (**Continue to Jan. 22, 2014**):
- 1) Pirate Pedicab, LLC (David Cass) – 4 pedicabs; requests 4 additional, for a total of 8
  - 2) Pedi-Power Pedicabs (Andrew Croan) – 6 pedicabs
  - 3) Newport Pedicab (Ben Morris) – 6 pedicabs
- f. Reappointment of Scott Wheeler as Newport Tree Warden (Approve)

- g. Resignation of Pauline Mcgrady from the Beach Commission (Receive with regret)
- h. City of Newport Financial Reports:  
(Documents are on City's website: [www.cityofnewport.com](http://www.cityofnewport.com); click on Departments—Finance—Finance Home)
  - 1) Actuarial Valuation Report: Post Retirement Benefits Plan as of July 1, 2013. (Receive)
  - 2) Comprehensive Annual Financial Report (CAFR) for the Year Ended June 30, 2013. (Receive)
- i. Federal Single Audit for the Year Ended June 30, 2013 (Receive)
- j. Recommended FY2015-2019 Capital Improvement Program (Receive and order advertised for hearing on February 12 and 26, 2014)  
(Document is on City's website: [www.cityofnewport.com](http://www.cityofnewport.com); click on Departments—Finance—Finance Home)
- k. Communication from the State Planning Council, re: Notice of public hearings (1/23/14) – draft Rhode Island State Rail Plan (Receive)
- l. Annual Reports: (Receive)
  - 1) Ad Hoc Committee on Wastewater & Stormwater System Improvements
  - 2) Affirmative Action Commission
  - 3) Beach Commission
  - 4) Bicycle & Pedestrian Advisory Commission
  - 5) Henderson Home Commission
  - 6) Historic District Commission
  - 7) Hospitality Commission
  - 8) Juvenile Hearing Board
  - 9) Tax Appeals, Board of
  - 10) Waterfront Commission

## **LICENSES & PERMITS**

- 2. Victualing License, New, WHT Management, LLC, d/b/a White Horse Tavern, 25 Marlborough St. (in conjunction with transfer of the Class K alcoholic beverage license)

3. Victualing License, Pizza Hut of America, Inc., d/b/a Pizza Hut 317103, 202 J. T. Connell Highway (new owner)

### **COMMUNICATIONS & PETITIONS**

4. City Manager Update: Road Resurfacing (Continued from Dec. 11, 2013)
5. Memorandum from the City Solicitor, re: Proposed Revisions to Chapter 5.97 of the Codified Ordinances, entitled, "Pedicab" (Continued from Dec. 11, 2013)

### **RESOLUTIONS**

6. Thanking the Friends of Touro Park for improving the park, and encouraging businesses, neighborhood organizations, and special interest groups to participate in the City's "Adopt-A-Park" Program – Kate Leonard (Continued from Dec. 11, 2013)
7. Requesting a median barrier on the Pell Bridge – K. Leonard, M. Camacho, J. McLaughlin, N. Neville, M. Farley (Continued from Dec. 11, 2013)

### **ORDINANCES**

8. Amending Chapter 12.32.010, entitled, "Closing Hours of Parks and Beaches Generally..," Paragraph D, to provide that the Pell School Playgrounds shall be closed to the public at sunset on all days; and, on school days, only open to the public from 3:00 p.m. to sunset (Second Reading)

### **COMMUNICATIONS FROM THE CITY MANAGER**

9. Action #5218/13, re: Roadway Excavation Regulations (with accompanying resolution; continued from Dec. 11, 2013)
10. Action #5225/14, re: Fuel Management System – National Contract Cooperative (with accompanying resolution)
11. Action #5226/14, re: Environmental Land Usage Restriction (ELUR) – RIDEM—Queen Anne Square (with accompanying resolution)

12. Action #5227/14, re: Award of Contract—North End Innovation Hub Consultant Services (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

### **BOARD OF LICENSE COMMISSIONERS**

1. Application of the Fort Adams Trust for a Class F Daily Liquor License, Fort Adams State Park, April 27, 2014, from 8:00 a.m. to 11:00 a.m.
2. Application of Debra Whalley, 50% stockholder of Newport Prescription Center, Inc., d/b/a Island Wine & Spirits, 291 and portion of 289 Broadway, first floor, holder of a Class A alcoholic beverage license, to transfer her stock to David P. Whalley (becoming 100% stockholder.) (Hearing)
3. Application of Lecade Investments, LLC, d/b/a White Horse Tavern, 26 Marlborough St., first and second floors, and 15' x 23' patio on southwest corner of property, to transfer its Class K alcoholic beverage license to WHT Management, LLC, d/b/a White Horse Tavern, for the same premises. (Hearing)
4. Application of Kevin Sullivan, 33-1/3% stockholder in MBK, LLC, d/b/a Pour Judgement, 32 Broadway, first floor, holder of a Class BV alcoholic beverage license, to transfer his stock to HarryWhitin and Gary Borges (each becoming 50% stockholders.) (Hearing)

ADJOURN

Kathleen M. Silvia  
City Clerk

January 2, 2014