

**CITY OF NEWPORT
DOCKET OF THE COUNCIL MEETING
MAY 13, 2015**

**THE MEETING WILL BE HELD IN THE CAFETORIUM OF
THE PELL ELEMENTARY SCHOOL, 35 DEXTER STREET**

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 May 13, 2015 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:** Draft Environmental Assessment Review (-System Master Plan (SMP)- Wellington Combined Sewer Overflow (CSO) Facility Improvements
2. **PUBLIC HEARING:** Recommended 2016-2017 Operating Budget
3. **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.)

As has been past practice, the Council will meet at 6:20 p.m. to discuss docket items. This pre-meeting will be held at the Pell Elementary School first-floor conference room. 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 – “Services” – “Council Agendas & Minutes.” 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.

The Pell Elementary School is accessible and meets ADA requirements. **INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST NOTIFY THE CITY CLERK'S OFFICE (845-5351) OR CITY MANAGER'S OFFICE (845-5429) ONE WEEK IN ADVANCE OF THE MEETING.**

- a. Minutes of the Meetings held March 25, 2015 (Approve)
- b. Special Event Licenses:
 1. Elmwal Associates, LLC, d/b/a Free Summer Concert Series, Shops at Long Wharf; May 16, 23, 30, June 6, 13, 20, 27, July 4, 5, 11, 18, 25, August 1, 8, 15, 18, 25, September 5, 12, 19, 29 and October 3, 10 & 11, 2015 from 1:00 p.m. to 5:00 p.m.

~Request to waive Section 5.70.040 of the codified ordinances, entitled "License Application Fee" - which states a special event license can be granted for not more than (14) fourteen days. Applicant is requesting 24 days total.
 2. Bike Newport, d/b/a Bike to Work Day 2015, Streets of Newport; May 15, 2015 from 7:00 a.m. to 9:30 a.m. and 3:30 p.m. to 5:00 p.m.
 3. Iglesia Cristiana Peniel, d/b/a Musical Concert, Newport Marriott Hotel; America's Cup Ave., May 30, 2015 from 6:30 p.m. to 10:00 p.m.
 4. Child and Family Services of Newport County, d/b/a Au Courant-Fundraising Event; Ochre Court, 100 Ochre Point Ave., June 26, 2015 from 6:30 p.m. to 11:00 p.m.
 5. Festival Fete, d/b/a Newport Art Festival, 33 Bowens Wharf (The Landing parking lot); June 27 & 28, 2015 from 10:00 a.m. to 6:00 p.m.
 6. Michael Russo, d/b/a Think Pink! Chase Away Breast Cancer, beginning at the Elks Lodge, 141 Pelham St., June 27, 2015 from 8:00 a.m. to 5:30 p.m. (Race between 10:00 a.m. to 12:00 p.m.) Two proposed routes attached (Approve subject to details being worked out with city administration)
 7. The Confetti Foundation, d/b/a Boats & Bowties, Newport Yachting Center, August 4, 2015 from 7:00 p.m. to 9:00 p.m.

8. Newport Public Library, d/b/a Literacy Blooms at A Novel Evening; Newport Public Library, 300 Spring St., August 16, 2015 from 6:00 p.m. to 8:30 p.m.
 9. Festival Fete, d/b/a Newport Art Festival, 33 Bowen's Wharf (The Landing parking lot); August 29 & 30, 2015 from 10:00 a.m. to 6:00 p.m.
- c. Holiday Selling Licenses, New:
1. Sukhy's Threading #5, LLC, d/b/a Sukhy's Threading, 213 Goddard Row
 2. SSND Inc., d/b/a Ships Store and Rigging, Bowens Wharf, 1a Bowen's Landing
 3. Wicker Designs LTD, d/b/a Hey Sailor, 129 Swinburne Row
 4. L'Occitane Inc., d/b/a L'Occitane en Provence, 21 Long Wharf Mall
 5. Spice of Life Management LLC, d/b/a The Spice & Tea Exchange of Newport, 192-B Thames St. (new owner)
- d. Holiday Selling License, New Location, Wild Orchid LLC, d/b/a Wild Orchid, 492 Thames St. Unit 1
- e. Second-hand License, New, Newport Style Inc., d/b/a Newport Style, 59 Bellevue Ave.
- f. Second-hand License, Renewal, Stella Martin, d/b/a Design Newport, 121 Bellevue Ave.
- g. Holiday Selling License Renewals:
1. Bailey T's Resortwear, LLC, d/b/a Bailey T's Resortwear, 12 Long Wharf Mall
 2. Stella Martin, d/b/a Design Newport, 121 Bellevue Ave.
 3. NEHC, LLC, d/b/a New England Harbour Club, 65 Long Wharf
 4. Wagon Wheel Corporation, d/b/a Newport Best Sportswear, 246 Thames St.
 5. Wicker Designs LTD, d/b/a P.S. Gear 2, 359 Thames St.
 6. Wicker Designs LTD, d/b/a P.S. Gear Division, 113 Swinburne Row
 7. Wicker Designs LTD, d/b/a Pleasant Surprise, 121 Swinburne Row
 8. Zara Trading Inc., d/b/a Rib & Rhein, 86 William St.

- h. Communication from Dave McLaughlin, Clean Ocean Access, re: Quarterly Report on Adopted CRMC Public rights-of-way (2015/Q1) (Receive)
- i. Communication from John A. Murphy, Esq., Morneau & Murphy, Attorneys at Law, requesting on behalf of Conanicut Marine Services, Inc., permission for the ferries, The Jamestown and the MV Katherine, to sell alcoholic beverages dockside in conjunction with their State Class G Marine Vessel Beverage Licenses (Approve)

LICENSES & PERMITS

- 4. Victualing License, Renewal, Lindsey Kusic, d/b/a Gooseberry Concession and Grill, Ocean Ave.
- 5. Victualing License, New, Ally McCally's The Family Deli, LLC, d/b/a Ally McCally's The Family Deli, 66 Broadway
- 6. Victualing License, New, The Shop on Thames LLC, d/b/a Shop on Thames, The, 397 Thames St. Unit 6
- 7. Sidewalk Café, New, Dwayne Paiva, d/b/a Van Gough Pizza, 12 Broadway
- 8. Entertainment License, New, Class A (Indoor), TLC Enterprises LLC, d/b/a Lorusso's Café, 580 Thames St. (Second Hearing)
- 9. 2015-2016 Entertainment License Renewals (List Attached)

10. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Note: Vacancies currently or soon will exist on the following Boards and Commissions:
Accessibility Advisory Committee, Waste Water and Storm Water Improvements Committee, Affirmative Action Commission, Beach Commission, Bicycle and Pedestrian Advisory Commission, Building Code Board of Appeals, Charter Review Commission, Energy and Environment Commission, Finance Review Committee, Harbor Walk Commission, Historic District Commission, Hospitality Commission, Waterfront Commission, World Heritage Committee

NEWPORT HOUSING AUTHORITY- Reappointment of Cheryl L. Abney and Frank Coleman

COMMUNICATIONS AND PETITIONS

11. Communication from Haydn Bugden, Proprietor, Meg’s Aussie Bar, 111 Bellevue Ave., re: Requesting the City Council to grant permission pursuant to ordinance Section 17. 76.170 entitled, “City Council Authorization”, for his business to be able to place a small A-Frame sign on city property in front of 111 Bellevue Ave.

RESOLUTIONS

12. Taxation Rate-Affordable Housing – J. Napolitano, L. Ceglie, K. Leonard (continued from April 22, 2015)

ORDINANCES

13. Amending Chapter 10.32, Section 10.32.100 entitled, and “Designated Residential Parking District, to include Gilroy St. (First Reading)

COMMUNICATIONS FROM THE CITY MANAGER

14. Action #5384/15, re: Church Community Housing Corporation – Contract for Management of City’s Community Development Block Grant Program and Community Development Block Grant-Disaster Recovery Program (w/resolution) - Continued from April 22, 2015

-Memorandum from the City Manager

15. Action #5387/15, re: Award of Bid-Fourth of July Fireworks Display (with accompanying resolution)
16. Action #5388/15, re: Award of Bid-Roadway Improvement Program 2015 (with accompanying resolution)
17. Action #5389/15, re: Ordinance Revisions-Parking Restrictions, Carroll Avenue and Alpond Drive (with accompanying ordinance)

ADJOURN

Laura C. Swistak
 City Clerk

May 6, 2015

Entertainment Licenses by Class (restrictions noted) May 13, 2015

Class A and B

<u>DBA</u>	<u>Owner</u>	<u>Licensed Premises</u>	<u>Restrictions</u>
41 Degrees North	Forty 1 North, LLC	351 Thames St., indoors, outside porch, patio, and dock area; 14 Perry Mill Whf., indoors, 1st and 2nd fls.	Outdoor entertainment at 351 Thames to end at 11 PM Sunday through Thursday and at 12 Midnight Friday, Saturday, and Sunday before a holiday Monday. Doors & windows to be closed No outdoor entertainment at 351 Thames St. No outdoor entertainment at 14 Perry Mill Whf.; doors and windows to be closed during entertainment.
Castle Hill Inn and Resort Dining Room and Patio	Castle Hill, Inc.	located at Ocean Drive Main Floor	BAND LIMITED TO FIVE (5) MEMBERS. OUTSIDE ENTERTAINMENT (WITH AMPLIFICATION) RESTRICTED TO SUNDAYS AND MONDAYS FROM 1:00 P.M. TO 5:30 P.M. AND MAY NOT EXCEED MAXIMUM DECIBLES FOR RESIDENTIAL AREAS.
Chanler at Cliff Walk, The	Chanler, Inc. The	located at 117 Memorial Boulevard	OUTSIDE ENTERTAINMENT (WITH AMPLIFICATION) LIMITED TO FRIDAYS, SATURDAYS, AND SUNDAYS, FROM 1:00 P.M. TO 6:00 P.M. MEMORIAL DAY TO OCTOBER 1ST. PATIO SPEAKERS TO FACE EAST AND LAWN SPEAKERS TO FACE NORTH TOWARDS BUILDING AND HAVE BACKDROP.
Hotel Viking	LSREF3, LLC	located at One Bellevue Ave.	OUTSIDE ENTERTAINMENT WITH AMPLIFICATION PERMITTED TO 9:40 P.M.; Wed., Thurs, Friday and Saturday only except on Sunday's before a Monday holiday. Band limited to 4 members
Hyatt Regency Newport	DHC Food & Beverage Corporation	located at Goat Island	OUTSIDE ENTERTAINMENT LIMITED TO 11:00 P.M. ON MONDAY THROUGH THURSDAY, AND TO MIDNIGHT ON FRIDAYS AND SATURDAYS, AND SUNDAYS OF HOLIDAY WEEKENDS.
Landing, The	Newport Waterfront Landing, Inc.	located at Bowens Wharf First Floor, Outside Patio Second Floor North West and East Decks	OUTSIDE ENTERTAINMENT LIMITED TO 11:00 P.M. ON MONDAY THROUGH THURSDAY, AND TO MIDNIGHT ON FRIDAYS AND SATURDAYS, AND SUNDAYS OF HOLIDAY WEEKENDS. LIMIT OF 4 BAND MEMBERS; NO DRUMS EXCEPT FOR BONGOS.
Marina Café & Pub	Marina Café, LLC	located at 3 Marina Plaza	OUTSIDE ENTERTAINMENT LIMITED TO SPEAKERS; NO LIVE MUSIC, SUNDAY TO THURSDAY TO 11:00 PM; FRIDAY AND SATURDAY TO MIDNIGHT
Newport Marriott Hotel Inc.	Marriott Hotel Services, and Long Wharf	located at Americas Cup Avenue	OUTSIDE ENTERTAINMENT LIMITED TO 11 P.M. ON SUNDAY THROUGH THURSDAY, AND TO MIDNIGHT ON FRIDAYS AND

Docket of the Council

May 13, 2015

Page 7

SATURDAYS, AND SUNDAYS OF HOLIDAY WEEKENDS. LOUNGE FRIDAY AND SATURDAY 9:00 P.M. - MIDNIGHT. POOL AREA FRIDAY 3:00 PM - 7:00 PM, SATURDAY

O'Brien's Pub	Five Tempus Ltd. Floor year-round and from April 15 to September 30 on Outside Patio	located at 501 Thames Street First	OUTSIDE PATIO LIMITED FROM APRIL 15 TO SEPTEMBER 30, FROM NOON TO 8 P.M.; said entertainment may be amplified. No more than three musicians (including vocalist) at any time.
Oceancliff Inc.	Newport Time Resorts,	located at 65 Ridge Road	OUTSIDE ENTERTAINMENT (WITH AMPLIFICATION) LIMITED TO SUNDAYS AND MONDAYS, FROM 1-5:30 P.M. FROM MAY FIRST THROUGH OCTOBER 15 ONLY
Pier Restaurant The	NAJ Associates rear patio	bar indoor rear and Bar outdoor	OUTSIDE ENTERTAINMENT (WITH AMPLIFICATION) PERMITTED THROUGH SEPTEMBER 30. NO AMPLIFICATION AFTER 10 P.M. SUNDAY THROUGH THURSDAY MAX DECIBEL LEVEL OF 65. NO AMPLIFICATION AFTER 11 P.M. ON FRIDAYS, SATURDAYS AND ON SUNDAYS PRECEDING A MONDAY HOLIDAY. NO LIVE MUSIC OR SPEAKERS PERMITTED ON THE NORTH PATIO. NO ENTERTAINMENT PERMITTED ON NORTH PATIO.
Port The Bar, LLC	Seaport Grille & Raw P.M. TO 11:00 P.M.	located at 359 Thames Street	OUTSIDE ENTERTAINMENT LIMITED TO 7:00 ON SUNDAY THROUGH THURSDAY, AND 2:00 P.M. TO MIDNIGHT ON FRIDAYS AND SATURDAYS, AND SUNDAYS OF HOLIDAY WEEKENDS.
Regatta Place, The	Goat Island Grille, Inc. and Outside Patio	located on Goat Island First Floor	OUTSIDE ENTERTAINMENT LIMITED TO 11 P.M. ON SUNDAY THROUGH THURSDAY, AND TO MIDNIGHT ON FRIDAYS AND SATURDAYS, AND SUNDAYS OF HOLIDAY WEEKENDS
Smokehouse Café	Mooring LTD, The Floor and Outdoor Deck	located at 31 Scott's Wharf, First	NOON TO 9:00 PM FRIDAY, SATURDAY AND SUNDAY'S ONLY
Speakeasy Bar and Grill, The	Carter LLC	located at 250 Thames Street First Floor	DOORS AND WINDOWS PERMITTED TO BE OPEN DURING ACOUSTIC ENTERTAINMENT

Class A Indoors

<u>DBA</u>	<u>Owner</u>	<u>Licensed Premises</u>	<u>Restrictions</u>
22 Bowen's Wine Bar and Grille	22 Bowen's Wine Bar and Grille, LLC	located at 22 Bowen's Wharf, first and second floors only	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Barking Crab Restaurant, The	Barking Crab Newport, LLC	located at 151 Swinburne Row	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATIONS
Brick Alley Pub	Plumb, Inc.	located at 140-142 Thames Street	NO OUTSIDE ENTERTAINMENT OR

Docket of the Council

May 13, 2015

Page 8

and Restaurant		Second Floor	AMPLIFICATION.
Cafe Zelda First Floor	Rudder, Inc.	located at 528-530 Thames Street	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Caleb & Broad Caleb Earl	Stone Soup LLC	located at 162 Broadway and 2	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION
Celtica Celtica, LLC	located at at 95 Long Wharf		NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Clarke Cooke House, Cooke House Candy Store, The	Clarke Cooke House, LLC	located at 26 Bannisters Wharf First and Second Floors Basement and 2 Summer Porches	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Diego's Indoors	Diego's of Newport LLC	located at 11 Bowen's Wharf,	Detail Police Office may be required
Empire Tea & Coffee LLC	Newport Bubble Tea River Lane	located at 22 Broadway and 3	
Fastnet, The	Fastnet, Inc.	located at 1-3 Broadway First Floor	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Fifth Element, The	2paddyandacanuck, LLC	located at 107-111 Broadway	LIMITED TO A TOTAL OF 5 BAND MEMBERS WHICH IS TO INCLUDE VOCALISTS.
Five Guys Burgers	Ocean State Five, LLC	located at 199 Connell Hwy Unit 14	
Fluke Wine Bar & Kitchen	Partners in Wine, Inc.	located at 41 Bowen's Wharf, Second & Third Floors & Mezzanine	
Gas Lamp Grille, The	BMT, LLC First and Second Floor	located at 206-208 Thames Street	FIRST FLOOR NO RESTRICTIONS. SECOND FLOOR. ALL DOORS AND WINDOWS TO REMAIN CLOSED DURING ENTERTAINMENT. NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.

Docket of the Council

May 13, 2015

Page 9

Genie's Hookah Lounge	Farahnaz Shobeiri	located at 94 William St.	
Hope on Broadway NWPT, INC.	Floor and 1 River Lane Basement and 2nd floor function room.	located at 8-10 Broadway First	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Jane Pickens Theater & Event Center	Fine Arts Newport, Inc.	located at 49 Touro Street	Capacity of 499 people including (4) staff-Per order of the NFD
Jimmy's Saloon	Jimmy's Saloon LLC and 8 Merton Road	located at 37 Memorial Boulevard	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Jo's American Bistro	American Bistro LLC	located at 24 Memorial Blvd. W.	
La Forge Casino Restaurant	La Forge Casino Restaurant, Inc. Casino, and Porch	located at 186-188 Bellevue Avenue First Floor 3 Rooms,	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Malt	Leinster, Inc.	located at 150 Broadway	
Midtown Oyster Bar	Midtown Oyster Bar, LLC	located at 345 Thames St.	
Mooring Seafood Kitchen & Bar	The Mooring, LTD	located at 2 Sayer's Wharf	
Newport Blues Cafe	Tri Group, LLC and Second Floors	located at 286 Thames Street First	BANDS LIMITED TO FOUR (4) MEMBERS. DOORS AND WINDOWS TO REMAIN CLOSED, PER RESTRICTIONS ON FILE IN CITY CLERK'S OFFICE. NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Newport Grand Jai Alai	Newport Grand Jai Alai, LLC	located at 150 Admiral Kalbfus Road	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Newport Playhouse & Cabaret Restaurant	Newport Playhouse & Cabaret Restaurant	located at 102 Connell Highway	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.

Docket of the Council

May 13, 2015

Page 10

Norey's	NDC Enterprises	located at 156 Broadway	
One Pelham East & Studio 3	Brownstone, Inc.	located at 270-276 Thames Street, First Floor and 3 Pelham Street,	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
	Third Floor		
Pour Judgement	MBK LLC	located at 32 Broadway	
Poor Richard's-Benjamins	Mermaids Newport LLC	located at 254 Thames St.	INDOOR ENTERTAINMENT ONLY, FIRST FLOOR ONLY, OUTDOOR SPEAKERS TO BE
Rhumblin Restaurant	62 Bridge Street, LLC	located at 62-64 Bridge Street, First Floor	
Sardella's Restaurant	SSR Corporation	located at 30 Memorial Boulevard West and 78 William Street First	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION. SECOND FLOOR ALL DOORS AND WINDOWS TO REMAIN CLOSED
	and Second Floors		
	DURING LIVE ENTERTAINMENT.		
Scales & Shells	BKA Industries, Inc.	located at 527 Thames Street	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
	Second Floor		
Tavern on Broadway	Broadway Tavern, Ltd.	Indoors, 16 - 18 Broadway	
Teas and Javas	Teas and Javas LLC	located at 282 Thames St.	
Vanderbilt Grace Hotel	Grace Hotels (The) Vanderbilt LLC	located at 41 Mary Street	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION. DOORS AND WINDOWS TO REMAIN CLOSED DURING ENTERTAINMENT.
Wharf Pub and Raw Bar, The	Wharf Pub Newport LLC, The	located at 37 Bowens Wharf First Floor	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Willy's	A&O, Inc.	located at 599 Thames Stree First Floor	AMPLIFICATION FOR VOCALIST ONLY. DOORS AND WINDOWS TO REMAIN CLOSED DURING ENTERTAINMENT. NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
	Per Restrictions on file in City Clerk's Office.		

Docket of the Council

May 13, 2015

Page 11

Class C

DBA Owner Licensed Premises Restrictions

Newport Yachting Center	Historic Wharves Associates, Inc.	located at Commercial Wharf	Detail Fire Fighter(s) will be determined after a review of each event. Outside Entertainment Limited to 11:00 P.M. on Sunday through Thursday, and to Midnight on Fridays and Saturdays, and Sundays of Holiday Weekends. Concerts on Weekdays until 9:30 pm; Concerts on Fridays & Saturdays until 10:00 pm.
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Class THTR

DBA Owner Licensed Premises Restrictions

Firehouse Theater	Firehouse Theater, Inc.	located at 4 Equality Park Place	Capacity for theater to be maximum of 80 persons
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