

**CITY OF NEWPORT  
DOCKET OF THE COUNCIL  
JUNE 11, 2008**

*The following items of business, having been filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held in the Council Chambers of City Hall on June 11, 2008, 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.

**COUNCIL**

1. Public Hearing: FY2009 Recommended Operating Budget
  - a. Ordinance Appropriating Revenues (Second Reading)  
-- Proposed Budget Change Sheet (as of 6/04/08)
  - b. Ordinance Amending Title 3, Personnel (Second Reading)
  - c. Resolution, re: Omnibus Property Tax Relief & Replacement Act
  - d. Resolution, re: Authorizing Tax Levy
  - e. Ordinance Amending Chapter 13.10, Industrial Pretreatment-Wastewater Treatment Rates (Second Reading)
  - f. Ordinance Amending Chapter 13.12.010, Basic Charge - Sewer Rate (Second Reading)
  - g. Ordinance Amending Chapter 13.10.015, CSO Fixed Charge (Second Reading)

*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 applications and communications, 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 also be available at the Newport Public Library the day following the meeting.*

2. **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 March 26, 2008, council meeting (Approve)
  - b. Minutes of the April 23, 2008, council meeting (Approve)
  - c. Minutes of the May 7, 2008, council meeting (Approve)
  - d. Special Event License:
    - 1) The Ally Foundation, d/b/a “5<sup>th</sup> Annual Beacon Rock Gala - Rock for a Change”; Beacon Rock, 147 Harrison Ave., June 28, 2008, from 7:00 p.m. to 11:00 p.m.
    - 2) The Newport Daily News, 101 Malbone Rd., d/b/a Mercury Love Awards Night; Island Moving Co. Dance Studio, 3 Charles St.; June 28, 2008, from 8:00 p.m. to 11:00 p.m.
    - 3) Newport Art Museum & Art Association, d/b/a PM Picnics; Newport Art Museum, 76 Bellevue Ave.; June 25, July 2, 9, 16, 23, 30, and August 13, 2008, from 6:30 p.m. to 8:00 p.m.
    - 4) International Yacht Restoration School, d/b/a IYRS Summer Gala; IYRS, 449 Thames St.; July 12, 2008, from 5:30 p.m. to Midnight.
    - 5) Bowen’s Wharf Co., Inc., d/b/a Coastal Living Newport Regatta; Bowen’s Wharf; July 12, 2008, from 9:00 a.m. to 5:00 p.m. and July 13, 2008, from 10:00 a.m. to 5:00 p.m.
    - 6) Jamestown Kites, 11 Camp St., Cumberland, RI, d/b/a Newport Kite Festival; Brenton Point State Park, Ocean Ave.; July 12 and 13, 2008, from 10:00 a.m. to 4:00 p.m.
    - 7) Bucket Regattas, LLC, So. Marina Plaza, Goat Island, d/b/a Newport Bucket Regatta; Newport Shipyard, 1 Washington St.; July 18, 2008, from 5:00 p.m. to 10:00 p.m.; and July 19, 2008, from 9:00 a.m. to 11:00 a.m. and 5:00 p.m. to Midnight.

- 8) Japan America Society of RI, 28 Pelham St., d/b/a Black Ships Festival/Sister City Gala; Belle Mer, Goat Island; July 18, 2008, from 6:00 p.m. to Midnight.
- 9) Japan America Society of RI, 28 Pelham St., d/b/a Black Ships Festival; Touro Park; July 19, 2008, from 10:00 a.m. to 4:00 p.m.
- 10) Japan America Society of RI, 28 Pelham St., d/b/a Black Ships Festival/Taiko Drummers; at Newport Yachting Center; July 19, 2008, from 6:00 p.m. to 8:30 p.m.; and Cardines Field, July 20, 2008, from 11:00 a.m. to 1:30 p.m.
- 11) Japan America Society of RI, 28 Pelham St., d/b/a Black Ships Festival; Brick Market; July 19 and 20, 2008, from 10:00 a.m. to 4:00 p.m.
- 12) Construction Industries of Rhode Island, d/b/a Dinner Dance; Rosecliff, 670 Bellevue Ave.; July 19, 2008, from 7:00 p.m. to 11:00 p.m.
- 13) Zabriskie Memorial Church of St. John the Evangelist, d/b/a Annual Parish Fair; 59-61 Poplar St., July 19, 2008, from 10:00 a.m. to 2:00 p.m.
- 14) Seamen's Church Institute, d/b/a Rock the Docks; 18 Market Square, July 20, 2008, from 7:00 p.m. to 10:00 p.m.
- 15) Bucket Regattas, LLC, d/b/a Newport Bucket Regatta; International Yacht Restoration School, 447 Thames St., July 20, 2008, from 5:00 p.m. to 10:00 p.m.
- 16) Rhode Island Arts Foundation at Newport, Inc., d/b/a NEWPORT MUSIC FESTIVAL:
  - a) The Breakers, 44 Ochre Point Ave.; July 11-22, 2008, and July 24-27, 2008, from 9:00 p.m. to 11:00 p.m.; July 22 and 25, 2008, from 7:00 p.m. to 8:00 p.m.; and July 23, 2008, from 7:00 p.m. (cocktails) to 10:00 p.m.

- b) Wakehurst, Salve Regina University, 51 Lawrence Ave.; July 12, from 11:00 a.m. to 1:00 p.m.; July 11, 12 and 24, 2008, from 4:00 p.m. to 6:00 p.m.
  - c) Ochre Court and Ochre Court Chapel, Salve Regina University; July 13, 18, 29, 20 and 27, 2008, from 4:00 p.m. to 6:00 p.m.; July 14, 16 and 17, 2008, from 5:00 p.m. to 6:00 p.m.; July 13 and 27, 2008, from 7:00 p.m. to 8:00 p.m.; July 19 and 26, 2008, from 11:45 p.m. to 1:00 a.m.; and July 20, 2008, from 2:00 p.m. to 3:00 p.m.
  - d) The Elms, 367 Bellevue Ave., July 13, 17, 19, 20 and July 24 - 27, 2008, from 11:00 a.m. to 1:00 p.m.
  - e) Belle Mer-Island House, Goat Island; July 14-16 and 21-23, 2008, from 11:00 a.m. to 1:00 p.m. and from 2:00 p.m. to 4:00 p.m.
17. Music Box Inc., d/b/a Helly Hansen Annual Summer Sale; Newport Yachting Center, "C" Tent, August 7-10, 2008, from 9:00 a.m. to Midnight.
- e. Annual Entertainment License, Class A, Renewal, Newport Playhouse & Cabaret Restaurant, 102 Connell Highway.
  - f. Food Concession License, Seasonal, Newport Gulls, Ltd., Cardines Field
- Recommended conditions from the Recreation Director: all litter generated by snack bar to be removed no later than 10 a.m. of the following day; Recreation Dept. to have key to enter for fire alarm service and meter reading; and no grease or food boxes to be left outside the building.)
- g. Holiday Selling Licenses, New:
    - 1. Island Pursuit, Inc., d/b/a Island Pursuit, 364 Thames St.
    - 2. Rachel Lessne, d/b/a Green Envy, 223 Goddard Row
    - 3. Kathleen Roan, d/b/a Minty, 474 Thames St.
    - 4. Woman to Woman Support Network, Inc., d/b/a Good Shepherd Gift Shop, 164 Broadway

- h. Holiday Selling License, Renewal, Chris Wyllie, d/b/a Found Gallery, 480 Thames St.
- i. Pedicab Licenses, New:
  - 1) Chavdar K. Denkov, 58 Kingston Ave., Newport
  - 2) Sean Fitzgerald, 10 Cross St., Newport
  - 3) Vladimir Emilov Evtimov, 53 Plymouth Rd., Jamestown
  - 4) Patricia LaFreniere, 51 Ortoleva Dr., Providence
  - 5) Andrew M. Watters, 4718 Sailors Lane, Oxford, MD
  - 6) Chris Watts, 11 Gould St., Newport
- j. Sidewalk Café, Renewal, JNR, LLC, d/b/a Jonathan's Ocean Coffee Roaster, 22 Washington Square
- k. Communication from Ron Turgeon, Treasurer, Japan America Society of RI, asking permission to hang "Black Ships" banners on America's Cup Ave. and Memorial Blvd. West from July 14-21, 2008. (Approve subject to details being worked out with the city administration)

### **LICENSES & PERMITS**

- 3. Annual Entertainment License, Renewal, Class A & B, Hotel Viking, One Bellevue Ave. (Continued from May 28, 2008)
- 4. Annual Entertainment License, Class A, New, The Barking Crab-Newport, LLC, d/b/a The Barking Crab Restaurant, 151 Swinburne Row (Second Hearing)
  - Communication from Paul S. Horvitz, owner of a residential Brick Market Condominium, requesting reasonable restrictions be imposed on the license.
  - Communication from John M. Moran, Jr., 316 Swan's Wharf Row, requesting restrictions to prevent problems of excessive noise.
  - Communication from James N. Champagne, Swan's Wharf Row, objection to the indoor entertainment license.
- 5. Annual Entertainment License, Class A, New, PCDS, LLC, d/b/a The Mainstay Inn, 151 Admiral Kalbfus Road (Second Hearing)

6. Annual Entertainment License, Class A, New, Mach, LLC, d/b/a Sambar, 515 Thames St. (Second Hearing)
7. Holiday Selling License, Renewals (Continued from May 28, 2008):
  - a. JB Antiques, 33 Franklin St.
  - b. Adriance Furniture Makers, **206 Bellevue Ave.**
  - c. Newport Best Sportswear, 246 Thames St.
  - d. Cabbage Rose, 493 Thames St.
  - e. Scooters, 476 Thames St.
  - f. Kristina Richards, 13 Touro St.
8. Sidewalk Café License, Renewal, Christian, LLC, d/b/a Rocco's Little Italy, 124 Broadway (Continued from May 28, 2008)
9. Annual Entertainment License, Class A, Expansion, Newport Bubble Tea, LLC, d/b/a Empire Tea & Coffee, 22 Broadway (First Hearing)
10. Second-hand License, New, ACD-Ally Coulter Designs, LLC, d/b/a Home Furnishings, 51 Bellevue Ave. (Hearing)
11. Holiday Selling License, New, ACD-Ally Coulter Designs, LLC, d/b/a Home Furnishings, 51 Bellevue Ave.
12. Sidewalk Café License, New, Godelieve Persoons, d/b/a Hendrika's Café, 2 Broadway.
13. Application of Waites Wharf Grille, LLC, d/b/a The Boat Dockside, 25A Waite's Wharf, to expand its Victualing License to an outdoor tiki bar on a pier located northwest of the existing licensed premises. (Hearing)  
-- Communication from Brian G. Bardorf, Esq, requesting approval of the expansion.

### **COMMUNICATIONS & PETITIONS**

14. 2007 Annual Report of the Municipal Court—Municipal Court Judge J. Russell Jackson. (Continued from May 28, 2008)
15. **APPOINTMENTS TO BOARDS AND COMMISSIONS**  
Aquidneck Island Planning Commission – Appointment of Naomi Neville, Chair, Newport Planning Board.

## **RESOLUTIONS**

16. Approving an amendment to the City of Newport Comprehensive Land Use Plan Existing and Future Land Use Maps – to change Plat 6, Lot 240 (Sheffield School Property), from Institutional to Commercial.
17. Accepting the offer of the Newport County Chamber of Commerce to operate a demonstration valet parking service for downtown Newport and asking the City Administration to work with the Chamber in developing a valet parking operator license. – K. Leonard, J. Napolitano
18. Setting aside July 12, 2008, as “Celebration of a New Launch” to announce the merger of the International Yacht Restoration School and the Museum of Yachting – K. Leonard
19. Requesting the city administration to prepare and report by July 9, 2008, on a water testing plan for King Park Beach and the adjacent harbor area – J. McLaughlin, M. Connolly, S. Waluk
20. Requesting the city administration to investigate and report by July 9, 2008, on alternative options Broadway roadway improvements, from Bliss Road to Washington Square – J. McLaughlin, C. Duncan, S. Waluk

## **ORDINANCES**

21. Amending Chapter 10.68.020, to create a loading zone on Wellington Ave., beginning 110 feet west of Thames Street, extending west a distance of 25 feet. (Second Reading)
22. Amending Chapter 10.24.030, to delete three 30-minute parking areas on Spring St.; and Chapter 10.24.040, to create a one-hour parking limit on Spring, beginning 60-feet south of Mill St. and proceeding north to Mary St., daily, 9:00 a.m. to 6:00 p.m., except on Sundays, when three-hour shall be allowed. (Second Reading)
23. Amending Chapter 10.32.110, Designated Residential Parking Streets, to include Fountain Street, 6:00 p.m. to 6:00 a.m. (Second Reading)

24. Amending Chapter 10.32.100, Designated Residential Parking Districts, to redefine "F" and include Sullivan Street. (First Reading)

**COMMUNICATIONS FROM THE CITY MANAGER**

25. Communication #4411/08, re: Bid Award for Dump Truck bodies, Snow Plows and Sanders (with accompanying resolution)
26. Communication #4412/08, re: Bid Award for King Park Stone Pier Seawall Repair/Renovations (with accompanying resolution)
27. Communication #4013/08, re: Bid Award for Slope Mower (with accompanying resolution)
28. Communication #4014/08, re: Award of Contract for Beverage Vending Services (with accompanying resolution)

**ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS**

## BOARD OF LICENSE COMMISSIONERS

1. **CONSENT CALENDAR.** \*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 F1 Daily Alcoholic Beverage Licenses:

- a. The Ally Foundation, d/b/a “Rock for a Change”; Beacon Rock, 147 Harrison Ave., from 7:00 p.m. to 11:00 p.m.
- b. Zabriskie Memorial Church of St. John the Evangelist, July 19, 2008, from 10:00 a.m. to 2:00 p.m. (Church grounds)
- c. RI Arts Foundation at Newport, Inc., d/b/a Newport Music Festival, The Breakers, 44 Ochre Point Ave.; July 11–22, and July 24-27, 2008.
- d. RI Arts Foundation at Newport, Inc., d/b/a Newport Music Festival; Wakehurst Tent, Salve Regina University, 51 Lawrence Ave.; July 11, 12, 24 and 26, 2008.
- e. RI Arts Foundation at Newport, Inc., d/b/a Newport Music Festival; The Breakers, 44 Ochre Point Ave; July 11-22 and July 24-27, 2008.
- f. RI Arts Foundation at Newport, Inc., d/b/a Newport Music Festival; The Elms, 367 Bellevue Ave.; July 13, 17, 19, 20 and July 24-27, 2008.
- g. RI Arts Foundation at Newport, Inc., d/b/a Newport Music Festival; Ochre Court and Ochre Court Chapel, Salve Regina University; July 13 - 14; July 16 – 20; and July 26 - 27, 2008.
- h. RI Arts Foundation at Newport, Inc., d/b/a Newport Music Festival; Belle Mer-Island House, Goat Island; July 14 - 16 and July 21 - 23, 2008.

### **LICENSES AND PERMITS**

2. Application of Waite’s Wharf Grille, LLC, d/b/a The Boat Dockside, 25A Waite’s Wharf, to expand its Class BV alcoholic beverage license to a tiki bar on a pier located northwest of the existing licensed premises. (Hearing)

ADJOURN

Kathleen M. Silvia  
City Clerk

June 4, 2008