



TOWN COUNCIL AGENDA
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, November 15, 2021
6:00 P.M.

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

THIS MEETING WILL BE LIVE STREAMED: To view the meeting with no interaction:
<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>

The public is welcome to participate in this Town Council meeting. Open Forum offers citizens the opportunity to clarify an item on the agenda, address items not on the agenda, or comment on a communication or Consent Agenda item. Citizens are welcome to speak to the subject of a Public Hearing, and are allowed to speak at the discretion of the Council President or a majority of Councilors present, or at other times during the meeting, in particular during New or Unfinished Business.

Anyone wishing to speak should use the microphone at the front of the room, stating their name and address for the record; comments must be addressed to the Council, not the audience. It is the Town Council's hope that citizens and Councilors alike will be respectful of each other's right to speak, tolerant of different points of view, and mindful of everyone's time.

Attachments for items on this meeting agenda are available to the public on the Town website at:
<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2021-meetings-minutes/2021-meetings/-fsiteid-1>

I. EXECUTIVE SESSION

The Town Council may seek to enter into Executive Session for review, discussion and/or potential action and/or vote on the following:

- A) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Review of Judges Ruling), Paul and Janice Balzer v. Jamestown C.A. No. 1:19-cv-00109-WES-PAS

II. ADJOURNMENT OF EXECUTIVE SESSION

The Town Council's Open Meeting will begin at 6:30 pm

III. ROLL CALL

IV. CALL TO ORDER, PLEDGE OF ALLEGIANCE

V. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Approval of Minutes; review, discussion and/or action and/or vote
 - 1) 9/20/2021(regular meeting)
 - 2) 10/18/2021 (regular meeting)
- B) Open Forum – Water & Sewer Matters

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

 - 1) Scheduled request to address - none
 - 2) Non-scheduled request to address
- C) Report of Town Officials:
 - 1) Pumping Report
 - 2) Town Project Reports
 - a) Town Wells
 - b) Water Treatment Plant
 - c) Transfer Pumping/Reservoir
 - d) Distribution System
 - e) Wastewater Treatment Facility
- D) Letters and Communication
 - 1) None
- E) Unfinished Business
 - 1) None
- F) New Business
 - 1) None
- G) **The Town Council Adjourns from sitting as the Board of Water and Sewer Commissioners**

VI. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

VII. OPEN FORUM

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

- A) Scheduled request to address
- B) Non-scheduled request to address

VIII. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

A) **Town Council Sitting as the Alcoholic Beverage Licensing Board**

- 1) Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following **RENEWAL** applications have been received by the Town Council for licenses under said Act, for the period December 1, 2021 to November 30, 2022 (duly advertised in the *Jamestown Press* on **October 28th and November 4th**); Review, Discussion and/or Action and/or Vote:

a) **Class B Victualer Liquor Licenses:**

Conanicut Restaurant Group II, LLC
dba: Beech
13 Narragansett Avenue

Epic Decade, LLC
dba: Curiosity & Co
14 Narragansett Avenue

- i) Approval of Liquor License renewal application for **Class B Victualer Liquor Licenses**, upon resolution of debts, taxes, State approval and appropriate signatures as well as, when applicable, proof of insurance for the year December 1, 2021 to November 30, 2022.

- ii) Set the **Class B Victualer Liquor License** Cap at Nine

- 2) 2021-2022 Alcoholic Beverage License Limit report

- 3) **The Town Council Adjourns from Sitting as the Alcoholic Beverage Licensing Board**

B) **Licenses and Permits**

- 1) Review, Discussion and/or Action and/or Vote to **Approve Renewal Applications** that have been received by the Town Council for **Victualing & Holiday License** upon resolution of debts, taxes, State approval and appropriate signatures as well as, when applicable, proof of insurance for the year December 1, 2021- November 30, 2022
 - a) Conanicut Restaurant Group II, LLC, dba: Beech
 - b) Epic LLC, dba: Curiosity & Co.

- 2) Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote to **Approve Renewal Applications** that have been received by the Town Council for **Entertainment License** upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2021-November 30, 2022:
 - a) Building and Zoning Official William Moore summary report
 - b) Conanicut Restaurant Group II, LLC, dba: Beech
 - c) Epic LLC, dba: Curiosity & Co.
 - d) Jamestown Beer Holdings LLC dba: Jamestown Beer Holdings
- 3) One Day Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event. Review, Discussion and/or Action and/or Vote on the following:
 - a) Applicant: Clean Ocean Access
 Event: Clean Ocean Access Cove Cleanup
 Date: December 4, 2021, 12pm – 2:00 p.m.
 Location: Hull Cove, Jamestown

C) **Public Hearings**

- 1) Proposed Amendments to the Code of Ordinances, Chapter 10, Animals, Article I -In General; Sections 1-2; Article III Dogs and Cats, Section 10-67, Section 10-70, 10-72 through Section 10-75. These Amendments are proposed to update and modernize the existing Dog Leash and Dog At Large ordinance (duly advertised in the *Jamestown Press* on **November 4th**); Review, Discussion and/or Action and/or Vote:
 - a) Amended Dog Ordinance

IX. **COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS**

Please Note the Following Items are Status Reports and Matters of Interest to the Council and are for Informational Purposes unless Indicated Otherwise and will be Acted upon in Accordance with Section 42-46-6 (b)

- A) Town Administrator's Report: Jamie A. Hainsworth
 - 1) Broadband Utility RFP update
 - 2) Letter of October 29th from Jamestown Conservation Committee
 - 3) Municipal Parking Lot, Narragansett Avenue
 - 4) Friends of Jamestown Rights of Ways+Roads
 - 5) Covid-19 update
- B) Parks and Recreation Director's Report: Raymond DeFalco
 - 1) Fort Getty update
- C) Town Clerk's Report: Roberta J. Fagan
 - 1) Business License Report

X. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Review, Discussion and/or Action and/or Vote authorizing Town Administrator Hainsworth to send letter to RI DOT regarding Walcott Avenue and Hamilton Avenue
 - 1) Letter from Town Administrator Hainsworth to RIDOT
- B) Review, Discussion and/or Action and/or Vote regarding Jamestown Housing Authority:
 - 1) Acknowledgement of email from Kathy Powers to Town Council President Nancy Beye in which she tenders her resignation as Resident Commissioner of the Jamestown Housing Authority effective November 30, 2021. Expression of thanks from the Town Council to Ms. Powers for her commitment and service as Resident Commissioner to the JHA for the past 4 years, since her appointment on November 6, 2017.
 - 2) Request for a vote of the Town Council to approve sending a letter to Ms. Valerie Molloy, Chair of the Board of Commissioners of the Jamestown Housing Authority, and Ms. Marcia Sullivan, Executive Director of the Jamestown Housing Authority, urging that: JHA immediately establish a process by which residents of the Jamestown Housing Authority can nominate through "open election" candidates for potential appointment to the JHA Board of Commissioners position of Resident Commissioner, so that the Town Council can select a suitable person from the nominees to assume the role of Resident Commissioner, as provided in R. I. General Laws 45-26-4 (a) 2, as soon as is practicable after November 30, 2021 when the position becomes available.
- C) Review, Discussion and/or Action and/or Vote to consider Short Term Rental Ordinance Provisions
 - 1) A synopsis of a potential Short-Term Ordinance
 - a) Memorandum from Town Councilor Mary Meagher, regarding issues discussed at the STR Subcommittee
 - 2) Scope of ordinance management including potential hiring of a management company
 - 3) Funding for administration of potential ordinance
- D) Review, Discussion and/or Action and/or Vote regarding cell phone coverage in Jamestown
 - 1) Letter to the Jamestown Town Council from the Jamestown Cell Coverage Coalition (JC3)
 - 2) Letter to the Jamestown Town Council from Louis Vitali, Manager, Mariner Tower

XI. NEW BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Review, Discussion and/or Action and/or Vote regarding scheduling Special Meeting
 - 1) Request to schedule a Joint Meeting on December 6, 2021 at 5:30 p.m. between Jamestown Town Council and the Jamestown School Department as per RIGL §16-2-21

XII. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Appointments, Vacancies and Expiring Terms; Review, Discussion, and/or Action and/or Vote:
 - 1) Jamestown Housing Authority – Resident Commissioner (One vacancy with a five-year term ending date of December 31, 2023; duly advertised
 - a) Letter of resignation
 - i) Kathy Powers
 - 2) Library Board of Trustees (One [1] Member vacancy with a three-year term ending date of December 31, 2023) duly advertised
 - a) Letter of application
 - i) Mackenzie Richards
 - ii) Joseph Cannon
 - iii) Robert Flath

XIII. CONSENT AGENDA

An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately for review, discussion and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion and/or potential action and or vote.

- A) Adoption of Town Council Minutes
 - 1) November 1, 2021 (Special Interview Session)
 - 2) November 1, 2021 (Regular Meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Planning Commission (September 1, 2021)
 - 2) Jamestown Planning Commission (September 15, 2021)
 - 3) Jamestown Planning Commission (October 6, 2021)
- C) Abutter Notifications: Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing on November 23, 2021 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following:
 - 1) Town property: Plat 15 – Lots 61 & 90. Application of Alkione Giovan, whose property is located at 74 Ship St., and further identified as Assessor's Plat 15, Lot 58 for a variance from Article 3, Section 82-302, Table 3-2 & Art. 6, Sec. 82-605 & 82-606 to add a second floor, connecting bedroom at level one to a living room and add 2 bedrooms and full bathroom upstairs

by way of a second-floor addition. Seeking relief on side lot for 8'6" where 10' is allowed and rear setback of 26' where 30' is allowed. Said property is located in a R40 zone and contains 7405 sq. ft.

- 2) Town property: Plat 7, Lot 4 & Plat 8, Lots 283 & 5. Application of Conanicut Marine Services, Inc, whose business operates on the property is located at 260 Conanicut Avenue, and further identified as Tax Assessor's Plat 8, Lot 278 for a Modification to a Special Use Permit granted under Article 6, Special Use Permits and Variances, Section 600 and 602. This application is made pursuant to the provisions of section 82-302, Table 3-1, Permitted Uses of the zoning ordinance. The Applicant seeks to reduce the lot size from 444,885 sq. ft to 244,882 sq. ft. Said property is located in a R-20 zone and contains 444,885 square feet.
- 3) Town property: Plat 8, Lot 573. Application of We Dig Investments, LLC, whose property is located at 29 Narragansett Ave., and further identified as Assessor's Plat 9, Lot 631 for a variance from Article 3, Section 82-600, 605, 606, & 607, (height variance, SF variance, 3 stories variance), to build a mixed use, retail & multi-family structure; 3 stories where 2 max. is allowed; 40.91 ft. from grade, 35 ft. allowed; and 10,258 sq. ft. lot where 20,000 sq. ft. is required. Said property is located in a CD zone and contains 10,258 sq. ft.

XIV. COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion and/or potential action and/or vote.

A) Communications Received:

- 1) Copy of Letter to: Finance Director Christina Collins
From: Jennifer W. Fairbank, Visiting Nurse Home & Hospice
Dated: October 22, 2021
Re: Thank you for community support allocation of \$8,000
- 2) Copy of Letter to Matthew Largess, Largess Forestry, Inc.
From: Anne Kuhn-Hines, Chair, Jamestown Conservation Commission
Dated: October 22, 2021
Re: Thank you for donation
- 3) Copy of Letter to: Jamestown Town Council
From: Jamestown Cell Coverage Coalition (JC3)
Dated: October 27, 2021
Re: Update and information from JC3
- 4) Copy of Letter to Jamestown Town Council
From: Louis Vitali, Manager of Mariner Tower
Dated: November 8, 2021
Re: Cell phone tower

- 5) Copy of Letter to Jamestown Town Council
From: CYC Commodore Charles Beal
Dated: October 29, 2021
Re: Letter in response to Mary Lou Sanborn's letter of October 27, 2021
- 6) Copy of Memo to Town Administrator Jamie Hainsworth, Director of Public Works Michael Gray and Jamestown Planner Lisa Bryer
From: Anne Kuhn-Hines, Chair, Jamestown Conservation Commission
Dated: October 29, 2021
Re: Proposal for Steamboat Street – Wetland Restoration
- 7) Copy of Email to President Nancy Beye
From: Kathy Powers
Dated: November 3, 2021
Re: Resignation as Jamestown Housing Authority Resident Commissioner effective November 30, 2021
- 8) Copy of Letter to Jamestown Town Council
From: Mary and Tot Wright
Dated: November 2, 2021
Re: Proposed pickle ball courts at Ft. Getty
- 9) Copy of Letter to Jamestown Town Council
From: Bob Sutton
Dated: November 3, 2021
Re: Proposed pickle ball courts at Ft. Getty
- 10) Copy of Letter to Jamestown Town Council
From: Jean MacMillan
Dated: November 6, 2021
Re: Proposed pickle ball courts at Ft. Getty
- 11) Copy of Letter to Jamestown Town Council
From: Laura Carlson
Dated: November 8, 2021
Re: Rescue Barn Proposal

XV. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library. Notice is also posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov.

ALL NOTE: If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to rfagan@jamestownri.net not less than three (3) business days prior to the meeting.
Posted on the RI Secretary of State website on November 10, 2021