

1 888 788 0099 or 1 833 548 0276  
Webinar ID: 912 5797 5406  
Zoom: <https://zoom.us/j/91257975406>

**CITY OF NEWPORT**  
**DOCKET FOR THE REGULAR COUNCIL MEETING**  
**MAY 26, 2021**

**THE MEETING WILL BE HELD REMOTELY IN COMPLIANCE WITH GOVERNOR MCKEE'S EXECUTIVE ORDER 21-40 " *SUCH MEANS MAY INCLUDE, WITHOUT LIMITATION, PROVIDING PUBLIC ACCESS THROUGH TELEPHONE, INTERNET, OR SATELLITE ENABLED AUDIO OR VIDEO CONFERENCING OR ANY OTHER TECHNOLOGY THAT ENABLES THE PUBLIC TO CLEARLY FOLLOW THE PROCEEDINGS OF THE PUBLIC BODY WHILE THOSE ACTIVITIES ARE OCCURRING*".**

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at a meeting to be held in accordance with Governor McKee's Executive Order 21-40 on May 26, 2021 at 6:30 p.m.

***PLEDGE OF ALLEGIANCE TO THE FLAG***

**CITIZENS' FORUM:** (Speakers must sign in with the City Clerk) The Citizens' 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:** FY2022 & FY 2023 Proposed Biennial Operating Budget- (Copy is available on the city's website)
  - a) Budget Change Sheet;
  - b) Ordinance Appropriating Revenues (First Reading);
  - c) Ordinance Amending Title 3, Personnel (First Reading)
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 from the meetings held April 10, 2021 and April 24, 2021 (Approve)
  - b. Special Events :

1. Sankofa Community Connection, d/b/a Melanin Sol Paint Bar (paint & sip nights), 2 Broadway; 5/29/21, 6/5/21 and 6/26/21 from 7:00 p.m. to 8:30 p.m. and 6/11/21 from 5:00 p.m. to 6:30 p.m.
2. Island Moving Company, d/b/a Newport Academy of Ballet Dance Recital, Great Friends Meeting House; June 5, 2021 from 4:00 p.m. to 5:00 p.m. (Rain date- June 6, 2021)
3. MLK Community Center, d/b/a Concert Series, grass in front of MLK Community Center, 20 Dr. Marcus Wheatland Blvd; June 9, 2021, July 14, 2021 and August 11, 2021 from 4:30 p.m. to 6:00
4. Trinity Episcopal Church, d/b/a Trinity Church Strawberry Festival, 1 Queen Anne Square; June 19, 2021 from 11:00 a.m. to 5:00 p.m.
5. newportFILM, d/b/a newportFILM Outdoor Film Screenings, various locations (list attached); 6/24/21, 7/1/21, 7/8/21, 7/22/21, 8/19/21, 9/2/21 and 9/9/21 from 6:00 p.m. to 10:00 p.m.
6. Newport OUT, d/b/a Newport Pride Festival, Equality Park; June 26, 2021 from 11:00 p.m. to 3:00 p.m.
7. Rhode Island Sons of the Revolution, d/b/a Independence Day Events in Washington Sq.; Washington Square, July 4, 2021 from 10:00 a.m. to noon
  - Request waive license fees and police detail fees
8. Newport Art Association/Newport Art Museum, d/b/a Summer Art Party Fundraiser, Newport Art Museum; July 16, 2021 from 6:00 p.m. to 9:00 p.m.
9. Middletown Rotary Club, d/b/a Middletown Rotary “Rotary at the Fort” Car Show, Fort Adams State Park; September 19, 2021 from 8:00 a.m. to 2:30 p.m.

c. Holiday Selling License, Renewals:

1. The TJX Companies, d/b/a T J Maxx #617, 199 Connell Highway
2. BG Retail, LLC, d/b/a Famous Footwear #2559, 199 Connell Highway Unit 2

d. Waste Hauler License, Renewals:

1. ABC Disposal Service, Inc., 1245 Shawmut Ave., New Bedford, MA
2. RPKK Inc., d/b/a RPE Waste Services, Inc., PO Box 126 Wood River Junction, RI
3. Pasquazzi Bros. Inc./Heather Construction Corp., 464 Dyer Ave., Cranston, RI
4. Rollaway Disposal, 86 Knight St., Warwick, RI
5. Cleanway Disposal & Recycling Inc., P.O. Box, 731, Westport, MA
6. Frazier's Disposal Service, Inc., 168 Ridgewood Rd., Middletown, RI
7. Gulfeagle Supply, 2900 East 7<sup>th</sup> Ave., Tampa, FL
8. Island Rubbish Service, Inc., 8 Swinburne St., Jamestown, RI

e. Communication from Justin Richardson, re: Newport Pedicab Ordinance Change (Receive)

f. Communication from Stephen M. Brusini, Esq., re: Proposed Zone Change for Transition Zone Broadway Properties (Receive and refer to the Planning Board for a recommendation and order advertised for public hearing)

g. Communication from the Waterfront Commission, re: Proposed ordinance amendments relating to house boats (Receive)

h. Communication from ICF, Jessica Gabriel, New York Bight Section 106 Lead, re: Invitation to consult on the New York Bight Lease and Right-of-Way/Right-of-Use Issuance located off the coast of New York, New Jersey and Rhode Island (Receive and refer to city administration)

- i. Communication from SWCA, re: Invitation to consult on the Revolution Wind Farm and Revolution Wind Export Cable Project, North Kingstown, Rhode Island, and Notification of Using the NEPA

### **LICENSES AND PERMITS**

3. Victualing License, New, Marco's Subs Inc., d/b/a Marco's Café, 382 Spring St.
4. Victualing License, New, Wen Di Chen, d/b/a China Star III, 110 William Street
5. Victualing License, New, Carpe Noctem Restaurant, LLC, d/b/a The Fifth Element, 107-111 Broadway (In conjunction with liquor license transfer of 2paddysandacanuck, LLC)
6. Sidewalk Café, New, Carpe Noctem Restaurant, LLC, d/b/a The Fifth Element, 107-111 Broadway (In conjunction with liquor license transfer of 2paddysandacanuck, LLC)
7. 2021-2022 Annual Entertainment License Renewals (list attached)

### **8. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**NOTE:** Vacancies currently or soon will exist on the following Boards and Commissions: Beach Commission, Bicycle and Pedestrian Advisory Commission, Henderson Home, Historic District Commission, Energy and Environment Commission

### **RESOLUTIONS**

9. Requesting the City Administration implement bike lanes on city streets pursuant to the R.I. Bike Mobility Plan- L. Ceglie, J. Bova- *Continued from May 12, 2021*

### **COMMUNICATIONS AND PETITIONS**

- 9a. Communication from Colleen Burns Jermain, re: Newport Public Schools approved budget for July 1, 2021-June 30, 2022

## **COMMUNICATIONS FROM THE CITY MANAGER**

10. Action Item #5981/21 – RE: CRMC File No. 2021-03-020 - Application of Paraport, LLC/Michael Parascondola, Perry Mill Wharf – Regatta Center and Limited Marina
11. Action Item #5982/21 – RE: Award of Bid # 21-041 - Citywide Elevator Testing & Maintenance (w/accompanying resolution)
12. Action Item #5983/21 – RE: Spring/Touro Intersection Improvements - Consultant Design Services (w/accompanying resolution)
13. Action Item #5984/21 – RE: Supplemental Agreement #1 – RFP#20-029- Design/Build of the Gateway Parking Garage Stair Towers – Temporary Shoring and Door Replacement at Easton’s Beach Complex (w/accompanying resolution)
14. Action Item #5985/21 – RE: Award of Contract - Rubberized Asphalt Chip Seal (w/accompanying resolution)
15. Action Item #5986/21 – RE: Award of Bid #21-034 - West Marlborough Street Storm Drain Improvements /accompanying resolution)
16. Action Item #5987/21 – RE: Amendment #1-Contract #20-009 - Engineering Services for West Marlborough Street Storm Drain Improvements /accompanying resolution)
17. Action Item #5988/21 – RE: Award of Bid # 21-037 - Water Treatment Chemicals /accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE  
COMMISSIONERS

## **BOARDS OF LICENSE COMMISSIONERS**

### **CONSENT CALENDAR**

1. Class F Daily Liquor – Gray Matter Marketing, d/b/a Amica Newport Marathon, Easton’s Beach; October 10, 2021 from 9:00 a.m. to 3:00 p.m.  
(continued from May 12, 2021)

2. Class F Daily Liquor- Newport Festivals Foundation, Inc.:
  - a) Newport Folk Festival; July 22, 2021 from 12:00 p.m. to 6:30 p.m.
  - b) Newport Jazz Festival; July 29, 2021 from 12:00 p.m. to 6:30 p.m.
3. Class F Daily Liquor License, Sankofa Community Connection, d/b/a Melanin Sol Paint Bar, 2 Broadway; 5/29/21, 6/5/21 and 6/26/21 from 7:00 p.m. to 8:30 p.m. and 6/11/21 from 5:00 p.m. to 6:30 p.m.

### **LICENSES AND PERMITS**

4. Application of 2paddysandacanuck, LLC, d/b/a The Fifth Element, 107-111 Broadway, to transfer its Class BV alcoholic beverage license to Carpe Noctem Restaurant, LLC (Derek Savas-15.5%, Sebastian Grasso-15.5%, Aryn Hawks-15%, Andrew Mazur-15%, Danielle Sestito-12%, Pasquale DeAngelis-12%, Dennis Savas-10%, Marc St. Laurent- 5%), d/b/a The Fifth Element, at the same premises.

Laura C. Swistak  
City Clerk

ADJOURN- (5/19/21)

*\*Rev. 05/21/21*

## Entertainment Licenses by Class

### Class A Indoors

DBA	Owner	Licensed Premises	Restrictions
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.
99 Restaurant & Pub	99 West, LLC	located at 199 JT Connell Hwy	
Bar & Board	Liquor Thames, LLC	located at 282 Thames St. 1st Floor,	
	Front right corner, 2nd Floor, Front right corner		
Boat Dockside, The LLC	Waite's Wharf Grille, #A First Floor	located at 25 Waites Wharf Unit	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION. ALL DOORS AND WINDOWS TO REMAIN CLOSED DURING ENTERTAINMENT.
Brick Alley Pub and Restaurant	Plumb, Inc.	located at 140-142 Thames Street Second Floor	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Cafe Zelda First Floor	Café Zelda, LLC	located at 528-530 Thames Street	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	Diego's of Newport LLC	located at 11 Bowen's Wharf, Indoors as well as 17 & 21B Bowens Wharf	Detail Police Office may be required
Fluke Wine Bar & Kitchen	Partners in Wine, Inc.	located at 41 Bowen's Wharf, Second & Third Floors & Mezzanine	
Irish American Athletic Club	Irish American Athletic Club	west corner of bar on Thames	ENTERTAINMENT MUST END AT 9:00 P.M.; NO MORE THAN 3 PERFORMERS AT ANY TIME
Jo's American	American Bistro LLC	located at 24 Memorial Blvd. W.	

# Docket of the Regular Council Meeting

May 26, 2021

Page 8

Bistro

Malt Leinster, Inc. located at 150 Broadway

Midtown Oyster Bar Midtown Oyster Bar, LLC located at 345 Thames St.

Mooring Seafood Kitchen & Bar Mooring, LTD, The located at 2 Sayer's Wharf

Newport Playhouse & Cabaret Restaurant Newport Playhouse & Cabaret Restaurant located at 102 Connell Highway NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.

Newport Sportsman Club NSC, Inc. located at 110 JT Connell Hwy

Norey's NDC Enterprises located at 156 Broadway

One Pelham East & Studio 3 Third Floor Brownstone, Inc. located at 270-276 Thames Street, First Floor and 3 Pelham Street, NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.

Parlor Parlor, LLC located at 200 Broadway

Poor Richard's- ONLY, OUTDOOR Mermaids Newport Benjamins LLC located at 254 Thames St. INDOOR ENTERTAINMENT FIRST FLOOR ONLY, SPEAKERS TO BE REMOVED

Pour Judgement MBK LLC located at 32 Broadway

Queen Anne's Loft Floor 2 Church Street, LLC located at 212 Thames Street Third Floor

Red Parrot Restaurant, The Red Parrot, Inc. located at 344-348 Thames Street First & Second Floors NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.

Restaurant Bouchard/Revolving Door Restaurant Bouchard Inc. located at 505-509 Thames NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.

Sardella's Restaurant and Second Floors DURING LIVE ENTERTAINMENT. SSR Corporation located at 30 Memorial Boulevard West and 78 William Street First DOORS AND WINDOWS TO REMAIN CLOSED NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION. SECOND FLOOR ALL

Vieste & Vino Wine Bar Radish Patch LLC located at 580 Thames St., Suite B103-B104

Wharf Pub and Raw Bar, The Wharf Pub Newport LLC, The located at 37 Bowens Wharf First Floor NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.



## Class A and B

### DBA Owner Licensed Premises

### Restrictions

@ The Deck Sunday Thomas Abruzese Fridays and Saturdays, and Sundays of holiday weekends.	@ The Deck, LLC c/o	Located at 1 Waites Wharf Pole 6 south side first floor, tent, patio area	Outside entertainment limited to 11 p.m. on through Thursday, and to Midnight on
41 Degrees North at 11 porch, patio, and dock area; 14 Perry Mill Whf., indoors, 1st and 2nd fls. outdoor entertainment at 351 Thames St. No outdoor entertainment at 14 Perry Mill Whf.; doors and windows to be closed during entertainment.	Forty 1 North, LLC	351 Thames St., indoors, outside PM Sunday through Thursday and at 12 Midnight Friday, Saturday, and Sunday before a holiday Monday. Doors & windows to be closed when no	Outdoor entertainment at 351 Thames to end
Ancient Order of Sundays & Hibernians Belle Mer	Ancient Order of Hibernians Belle Mer, Inc.	located at 2 Wellington Ave. & patio located at 2 Goat Island	Outdoor limited to: Fridays, Saturdays, Holidays from 3:00 pm to 8:00 pm Outdoor entertainment allowed with
amplification until 11:00 p.m. Sunday through Thursday and to midnight Friday's, Saturday's and Sunday's prededing a Monday holiday.			
Castle Hill Inn and Resort	Castle Hill, Inc.	located at Ocean Drive Main Floor 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.	BAND LIMITED TO FIVE (5) MEMBERS.
Chanler at Cliff Walk, The	Chanler, Inc. The	located at 117 Memorial Boulevard 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.	OUTSIDE ENTERTAINMENT (WITH AMPLIFICATION) LIMITED TO
Hotel Viking	Viking Tenant, LLC	located at One Bellevue Ave. 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	OUTSIDE ENTERTAINMENT WITH
Landing, The TO Landing, Inc. Floor, Outside Patio Second Floor North West and East Decks AND SATURDAYS, AND SUNDAYS OF HOLIDAY WEEKENDS. LIMIT OF 4 BAND MEMBERS; NO DRUMS EXCEPT FOR BONGOS.	Newport Waterfront	located at Bowens Wharf First THURSDAY, AND TO MIDNIGHT ON FRIDAYS	OUTSIDE ENTERTAINMENT LIMITED 11:00 P.M. ON MONDAY THROUGH
O'Brien's Pub 15 TO	Five Tempus Ltd.	located at 501 Thames Street First	OUTSIDE PATIO LIMITED FROM APRIL

# Docket of the Regular Council Meeting

May 26, 2021

Page 10

Floor year-round and from April 15 to September 30 on Outside Patio SEPT EMBER 30, FROM NOON TO 8 P.M.; said entertainment may be amplified. No more than three musicians (including vocalist) at any time.

Oceanciff 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

Wednesday, May 19, 2021

Page 3 of 4

Perro Salado Inc. Kelkery Food & Spirits, located at 19 Charles St. on the first and second floors and the outside patio

Port, The Seaport Grille & Raw located at 359 Thames Street OUTSIDE ENTERTAINMENT LIMITED TO 7:00 P.M. TO 11:00 P.M. 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. 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

Riptides Dockside North, LLC located at 25 Waites Wharf Unit #B OUTSIDE ENTERTAINMENT LIMITED TO 11 P.M. ON SUNDAY THROUGH THURSDAY, AND TO MIDNIGHT ON FRIDAYS AND SATURDAYS, AND SUNDAYS OF HOLIDAY WEEKENDS. SOUND LEVEL NOT TO EXCEED 65 DECIBELS.

Smokehouse Café Mooring LTD, The located at 31 Scott's Wharf, First NOON TO 9:00 PM FRIDAY, SATURDAY AND SUNDAY'S ONLY

Speakeasy Bar Carter LLC located at 250 Thames Street First DOORS AND WINDOWS PERMITTED TO BE OPEN DURING ACOUSTIC and Grill, The ENTERTAINMENT Floor

Surf Club Surf Club LLC located at America's Cup Avenue & Thames Street Entire Premises of Newport Bay Club Except Plaza Level Retail Spaces

## Class C

### DBA Owner Licensed Premises

### Restrictions

Bohlin, The Historic Wharves located at Commercial Wharf a Associates, Inc. Detail Fire Fighter(s) will be determined after 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.

**Class THTR**

<b>DBA Owner</b>	<b>Licensed Premises</b>	<b>Restrictions</b>
Firehouse Theater persons	Firehouse Theater, Inc. located at 4 Equality Park Place	Capacity for theater to be maximum of 80