

**CITY OF NEWPORT
DOCKET FOR A REGULAR COUNCIL MEETING
DECEMBER 8, 2021**

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 on December 8, 2021 at 6:30 p.m., City Hall, Council Chambers, 43 Broadway, Newport, RI

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.*

Proclamation honoring William A. Hanley, II, Building Official

Proclamation honoring Brian T. Dugan, Fire Chief

Recognizing the Rogers High School Girls Volleyball Team- Division II State Champions

Sophie Breitenbach, Kathryn Margolis, Mia Finn, Amelia Prendergast, Katelyn Serth, Khatima Bulmer, Jessica Russell, Camilla May, Danaysha Cherry, Hannah Reilly, Freya McCreath, Sophia Rey

Head Coach: Erin McGloin Assistant Coach: Jacob Hatch

1. **PUBLIC HEARING:** Proposed Amendments to Title 17 of the Codified Ordinances, entitled, "Zoning" to add "*Marijuana Retail Facility*" which would prohibit marijuana retail facilities:
 - a. Recommendation from the Planning Board;

As has been past practice, the Council will meet at 6:20 p.m. to discuss docket items. This pre-meeting will be held in the Second 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 – "Council Agendas and Minutes." Council Meetings can be viewed on Cox Cable, Channel 17; check local listings for dates and times.

Newport City Hall is accessible and meets ADA requirements. **INDIVIDUALS REQUIRING AN 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.**

b. Ordinances amending Title 17:

1. 17.52, entitled, “**Limited Business District**”, Section 17.52.020- Use Regulations (First Reading)
2. 17.56, entitled, “**Waterfront Business District**”, 17.56.020- Use Regulations (First Reading)
3. 17.60, entitled, “**General Business District**”, 17.60.020- Use Regulations (First Reading)
4. 17.64, entitled, “**Commercial Industrial District**”, 17.64.020- Use Regulations (First Reading)

2. **PUBLIC HEARING**: Action Item No #6023/21 – RE: Public Hearing - Community Choice Aggregation Plan (w/accompanying resolution)

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).

a. Minutes of the Council meetings held October 27, 2021 (Approve)

b. Special Events:

- 1) L and B Associates, LLC, d/b/a Stoneacre Garden- Valentine’s Holiday Market, 151 Swinburne Row; 1/8/22, 1/15/22, 1/22/22, 1/29/22, 2/5/22, 2/12/22 from 9:00 a.m. to 1:00 p.m.
- 2) Newport Art Museum/Newport Art Association, d/b/a Opening Reception- Biennial, 76 Bellevue Ave.; January 7, 2022 from 5:00 p.m. to 7:00 p.m.
- 3) Newport Art Museum/Newport Art Museum, d/b/a Newport Art Museum Winter Speaker Series 2022, 76 Bellevue Ave.; 1/29/22, 2/5/22, 2/12/22, 2/19/22, 2/26/22, 3/5/22 from 2:00 p.m. to 4:00 p.m.

- 4) Newport Art Museum/Newport Art Association, d/b/a Opening Reception- Call & Response + Collection Show, 76 Bellevue Ave.; February 10, 2022 from 5:00 p.m. to 7:00 p.m.
- 5) Clann Lir Association Irish Dance, d/b/a Clann Lir Association Newport Feis, 1 Goat Island; February 26-27, 2022 from 9:00 a.m. to 5:00 p.m.
- 6) Newport Festivals Foundation, Inc., d/b/a Newport Folk Festival, Fort Adams State Park; July 22, 23 & 24, 2022 from 11:00 a.m. to 7:30 p.m.
- 7) Newport Festivals Foundation, Inc., d/b/a Newport Jazz Festival, Fort Adams State Park; July 29, 30 and 31, 2022 from 11:00 a.m. to 7:30 p.m.
- c. Tattoo License Renewal-Owner/Operator, Bret Lohnes, d/b/a Captain Bret's Tattoo Shop Inc, 4 Collins St. Unit 4A
- d. Tattoo License Renewal- Owner/Operator, David Bennett, d/b/a Sitting Bull Tattoo LLC, 136 A Thames St.
- e. Arcade License, Renewal, Ryan Family Amusements, Inc., d/b/a Ryan Family Amusements, 268 Thames St. (49 machines)
- f. Pool Table License, Renewals:
 - a) Friendly Sons of Newport, 3-5 Farewell St., Newport, RI (1 table)
 - b) Atlas Vending Inc., 1106 North Main St., Providence, RI (1 table)
 - c) The Protective Club, 596 Thames St., Newport, RI (1 table)
 - d) Fastnet Inc., 1 Broadway, Newport, RI (1 table)
- g. Holiday Selling, License, Renewal, Island Pursuit, Inc., d/b/a Island Pursuit, 364 Thames St.

- h. Communication from Richard Haggis, re: Resignation from the Planning Board (Receive with regret)
- i. Communication from Margaret Caswell, re: Resignation from the Beach Commission (Receive with regret)
- j. Communication from Elizabeth W. Rochefort, Principal Architectural Historian, R.I. Historical Preservation & Heritage Commission, re: National Register of Historic Places nomination for the Newport National Historic Landmark District – Revised (Receive)
- k. Actuarial Valuation Reports: Police & Fire Pension Systems and Post Employment Benefit Plan as of July 1, 2021 (Receive)

LICENSES AND PERMITS

- 4. Special Event License, Audrain Automobile Museum, Inc., d/b/a Audrain Newport Concours & Motor Week, various locations throughout the city (list attached); September 29, 2022- October 2, 2022
 - Request to close Bellevue Avenue between Bowery St. and William St. from 11:00 a.m. to 2:00 p.m. on October 1, 2022
 - Request permission to use golf carts
- 5. 2021-2022 Victualing License Renewals:
 - a) FitzSimoes, LLC, d/b/a Corner Café, The, 110 Broadway #3A
 - b) Peaceable Market, LLC, d/b/a Peaceable Market, 520 Thames St.
 - c) Karma Pizza, LLC, d/b/a Karm Pizza Co., 446 Thames St.

- 6. **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)

Appointments

Charter Review Commission - Maureen Cronin Marosits, John Trifero, Bari Freeman, Susan Taylor, Michael Rego, Guy Weston, Stephanie Smyth

Canvassing Authority (1 vacancy to fill term expiring 3/1/2022 resulting from the resignation of David Roderick) – Sharon Connors, Holly Fisher, Aida Neary, Thomas Sullivan, Robert Vitello

Newport Beach Commission – Parker Sizeland (three-year term expires 4/11/2024)

Reappointments

Cliff Walk Commission - John Hirschboeck (five-year term expires 11/1/2026) pursuant to Section 2.56.010- Boards and Commissions, Item C, of the Codified Ordinances

Beach Commission – Richard Klaffky (three-year term expires 11/14/2024)

RESOLUTIONS

7. 2022 City Council regular meeting schedule
8. North End Zoning Amendments- A. McCalla, J. Bova

ORDINANCES

9. Amending Chapter 5.46. of the Codified Ordinances, entitled, “*Farmers’ Market*”, to amend Section 5.46.060 entitled, “*Conditions*” (First Reading)

COMMUNICATIONS FROM THE CITY MANAGER

10. Action Item #6024/21 – RE: Ordinance Revision 10.24.010. – Parking Prohibited at All Times in Designated Places – Tews Court, East Side, from Old Beach Road to Dead End (w/accompanying ordinance)
11. Action Item #6025/21 – RE: Ordinance Revision 10.24.010. - Parking Prohibited at All Times in Designated Places – Newport Avenue, North Side, 195 Feet West of Warner Street, Extending 27 Feet West (w/accompanying ordinance)
12. Action Item #6026/21 – RE: Change Order 1 & 2 - 21-034 West Marlborough Street Storm Drain Improvements (w/accompanying resolution)

13. Action Item #6027/21 – RE: Award of Contract - 22-012 On-Call, Engineering Services – Drainage System Investigation & Flooding Analysis - Prescott Hall Watershed (w/accompanying resolution)
14. Action Item #6028/21 – RE: Award of Contract - 22-012 On-Call Engineering Services - Rules & Regulations Update Water and Water Pollution Control Divisions (w/accompanying resolution)
15. Action Item #6029/21 – RE: National Grid Petitions – New Poles and Anchors: 1-Leroy Avenue and 2-Ruggles Avenue

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE
COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

1. Class F Daily Liquor Licenses:
 - a. Newport Art Museum/Newport Art Association, d/b/a Opening Reception- Biennial, 76 Bellevue Ave.; January 7, 2022 from 5:00 p.m. to 7:00 p.m.
 - b. Newport Art Museum/Newport Art Association, d/b/a Opening Reception- Call & Response + Collection Show, 76 Bellevue Ave.; February 10, 2022 from 5:00 p.m. to 7:00 p.m.
 - c. Newport Festivals Foundation, Inc., d/b/a Newport Folk Festival, Fort Adams State Park; July 21, 22, 23 & 24, 2022 from 12:00 p.m. to 6:00 p.m.
 - d. Newport Festivals Foundation, Inc., d/b/a Newport Jazz Festival, Fort Adams State Park; July 28, 29, 30 and 31, 2022 from 12:00 a.m. to 6:30 p.m.

LICENSES AND PERMITS

2. 2021-2022 Liquor License Renewals (Hearing):

LIQUOR CLASS D

Protective Club, d/b/a Protective Club, 596 Thames St.
Pyramid Club, d/b/a Pyramid Club, 32 Dr. Marcus Wheatland Blvd.

Laura C. Swistak
City Clerk

Adjourn (12/1/2021)