

**CITY OF NEWPORT
DOCKET FOR A REGULAR COUNCIL MEETING
FEBRUARY 23, 2022**

THE MEETING WILL BE HELD REMOTELY IN COMPLIANCE WITH GOVERNOR MCKEE'S EXECUTIVE ORDER 22-01 " *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*". IN THE EVENT GOVERNOR MCKEE'S EXECUTIVE ORDER 22-01 EXPIRES, THE MEETING WILL BE HELD IN THE CITY COUNCIL CHAMBERS, 43 BROADWAY, NEWPORT, RI 02840

Videoconference access is available via Zoom software at:

<https://zoom.us/j/93043707062>

Teleconference is available Toll Free by dialing:

877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Webinar ID:

930 4370 7062

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 22-01 on February 23, 2022 at 6:30 p.m. In the event Governor's Executive Order expires, the meeting will be held in the City Council Chambers, 43 Broadway, Newport, RI 02840

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:** Action Item #6042/22 – RE: Public Hearing - Community Development Block Grant (CDBG) Application 20/21 (w/accompanying resolution)

2. **PUBLIC HEARING:** Capital Improvement Program FY 2023-FY2027) -
A copy is available in the City Clerk's Office and on the city's website:
www.cityofnewport.com/cip
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. Special Events:
 1. Elks Lodge, d/b/a Elk's Lodge- various bands, 141 Pelham St.; 2/25/2022, 3/4/2022, 3/11/2022, 3/12/2022, 3/18/2022, 3/19/2022 and 3/25/2022 from 6:30 p.m. to 10:00 p.m.
 2. Michelle Leys, d/b/a My Best Friend's Closet Sale, Elks Lodge, 141 Pelham St., 4/28/2022 from 5:00 p.m. to 8:00 p.m., 4/29/2022 from 10:00 a.m. to 7:00 p.m., 4/30/2022 from 10:00 a.m. to 6:00 p.m. and 5/1/2022 from 10:00 a.m. to 3:00 p.m.
 3. Preservation Society of Newport County, d/b/a :
 - a. The Newport Flower Show, Rosecliff, 548 Bellevue Ave., June 16-18, 2022 from 9:00 a.m. to 10:00 p.m.
 - b. Coaching Weekend Dinner Dance, The Breakers, 44 Ochre Point Ave., August 20, 2022 from 7:00 p.m. to 12:00 a.m.
 - c. Newport Mansions Wine & Food Festival, Rosecliff; September 16 through 18, 2022 from 10:00 a.m. to 10:00 p.m.
 - d. Holiday Dinner Dance, The Breakers; December 17, 2022 from 7:00 p.m. to 12:00 a.m.
 4. Fireworks Displays (8 permitted per calendar year)-

- a. Deborah & Neal Shalom, d/b/a Shalom Wedding
Fireworks, barge off of Belle Mer, 6-minute display June
18, 2022 beginning at 9:00 p.m. (sunset @ 8:22 p.m.)
- b. Bailey's Beach Club, d/b/a Bailey's Beach Club
Fireworks, 34 Ocean Ave., barge off Bailey's
Beach, 6-minute display, July 2, 2022 beginning at 9:15
p.m. (sunset @ 8:23 p.m.)
- c. Stephen Soscia, Soscia-Lowery Wedding
Fireworks, barge off Rosecliff Mansion; 6-minute display
July 9, 2022 at 9:15 p.m. (sunset @ 8:21 p.m.) -
continued from *February 9, 2022*
- 5. Bowen's Wharf Co., d/b/a Newport Oyster & Chowder Festival,
Bowen's Wharf; May 21 & 22, 2022 from 11:00 a.m. to 6:00
p.m.
- 6. Safe Harbor Newport Shipyard, d/b/a Newport Charter Yacht
Show, Newport Shipyard, 1 Washington St.; June 20-23, 2022
from 10:00 a.m. to 8:00 p.m.
- 7. Safe Harbor Newport Shipyard, d/b/a Safe Harbor Race
Weekend, Newport Shipyard, 1 Washington St.; August 12, 2022
from 9:00 a.m. to 8:00 p.m., August 13, 2022 from 9:00 a.m. to
11:00 p.m. and August 14, 2022 from 9:00 a.m. to 6:00 p.m.
- b. Communication from Colleen Burns Jermain, re: FY 2022/2023 Draft
Budget (Receive)

LICENSES AND PERMITS

- 4. Victualing License, New, Mozz, LLC, d/b/a Mozz, 181 Bellevue Ave.
- 5. Victualing License, New, Bellevue Boards, LLC, d/b/a Bellevue Boards, 84
Broadway

6. Victualing License, 1899, LLC, d/b/a Wally's Wiener's, 464-466 Thames St. (in conjunction with liquor license transfer of 1899, LLC)
7. Victualing License, New, 1899, LLC, d/b/a Vanderbilt Room, 256 Maple Ave., (in conjunction with liquor license transfer of 1899, LLC)
8. Mobile Food Establishment (MFEC/cart), Renewal- Newport Lobster Shack Group Cooperative, d/b/a Newport Lobster Shack, 150 Long Wharf, Newport, RI
9. Annual Entertainment License, New (Class A-indoor), Carpe Noctem Restaurant, LLC, d/b/a Fifth Element, The, 107-111 Broadway to have indoor entertainment from 11:00 a.m. to 1:00 a.m. Sunday through Saturday (Hearing)- continued from *February 9, 2022*
10. Pawn Broker License, Renewal, Spindle City Pawnbrokers, Inc., d/b/a Fall River Pawn Brokers, 128 Broadway
11. Horse & Carriage License, Daily, New Deal Farm of Exeter, April 23, 2022 from 2:00 p.m. to 5:00 p.m. from The Chanler to Emmanuel Church (route attached)
12. **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)

REAPPOINTMENTS

Tree and Open Space Commission- Maureen Cronin Marosits (term expires – 03/27/2025)

RESOLUTIONS

13. Supporting House Bill 7350 regulating motorized scooters- J. Napolitano, K. Leonard, C. Holder

COMMUNICATIONS FROM THE CITY MANAGER

14. Action Item #6043/22 – RE: CRMC File No. 2021-08-096 - Application of New York Yacht Club
15. Action Item #6044/22 – RE: Show Cause Hearing – Bishop’s Fourth Street Diner of Newport LLC, d/b/a Bishop’s Fourth Street Diner – Violation of the General Laws of Rhode Island and Codified Ordinances of the City of Newport - Failure to Meet the Conditions of the City Council in Granting of Victualing License
16. Action Item #6045/22 – RE: Show Cause Hearing –K & K Food Mart, Inc., d/b/a K & K Food Mart– Violation of the General Laws of Rhode Island and Codified Ordinances of the City of Newport - Failure to Meet the Conditions of the City Council in Granting of Victualing License
17. Action Item #6046/22 – RE: Show Cause Hearing –Muhamad Tariq Rashid, d/b/a 7-Eleven 25854-D, 135 JT Connell Hgwy. – Violation of the General Laws of Rhode Island and Codified Ordinances of the City of Newport - Failure to Meet the Conditions of the City Council in Granting of Victualing License
18. Action Item #6047/22 – RE: Show Cause Hearing – Harvest, Inc., d/b/a Harvest, Inc. – Violation of the General Laws of Rhode Island and Codified Ordinances of the City of Newport - Failure to Meet the Conditions of the City Council in Granting of Victualing License
19. Action Item #6048/22 – RE: Show Cause Hearing – Aramark Educational Services, LLC, d/b/a Aramark at Community College of RI – Violation of the General Laws of Rhode Island and Codified Ordinances of the City of Newport - Failure to Meet the Conditions of the City Council in Granting of Victualing License

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE
COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

CONSENT CALENDAR

1. Class F-1 Daily Liquor Licenses, Preservation Society of Newport County, d/b/a:
 - a. The Newport Flower Show, Rosecliff, 548 Bellevue Ave., June 16-18, 2022 from 9:00 a.m. to 10:00 p.m.
 - b. Coaching Weekend Dinner Dance, The Breakers, 44 Ochre Point Ave., August 20, 2022 from 7:00 p.m. to 12:00 a.m.
 - c. Newport Mansions Wine & Food Festival, Rosecliff; September 16 through 18, 2022 from 10:00 a.m. to 10:00 p.m.
 - d. Holiday Dinner Dance, The Breakers; December 17, 2022 from 7:00 p.m. to 12:00 a.m.

LICENSES AND PERMITS

2. Application of 1899, LLC, d/b/a Racquets Pub & The Porch at Canfield, 5 Memorial Blvd., holder of a Class BV alcoholic beverage license, to transfer location to 1899, LLC, d/b/a Wally's Wieners, at 464-466 Thames St.
3. Application of 1899, LLC, d/b/a Wally's Wieners, 464 Thames St., holder of Class BL alcoholic beverage license to transfer the location to 1899, LLC, d/b/a, Vanderbilt Room, at 256 Maple Ave.
4. Action Item #6049/22 – RE: Show Cause Hearing: Mermaids Newport, LLC, d/b/a Poor Richard's-Benjamin's – Operating Without a Valid Class BV Alcoholic Beverage License

Laura C. Swistak
City Clerk

Docket of the Regular Council Meeting

February 23, 2022

Page 7

Adjourn (02/16/2022)