

AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS
180 HIGH STREET
WAKEFIELD, RI

MONDAY, AUGUST 16, 2010

NOTE: Individuals requesting interpreter services for the hearing impaired must call 792-9642 (TDD) or 789-9331 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 8/12/2010

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1. **A. INTERVIEW – 6:30 PM**
- B. WORK SESSION – 6:45 PM**
- C. REGULAR SESSION – 7:30 PM**

2. **PLEDGE OF ALLEGIANCE TO THE FLAG**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**
- A. Work Session – July 26, 2010**
- B. Regular Session – July 26, 2010**
- C. Closed Executive Session – July 26, 2010**

5. **CONSENT AGENDA**

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- I. Rule 10A. for the conduct of the meetings of the South Kingstown Town Council for the Term 2008 through 2010: Members of the public shall be entitled to speak at regular meetings during any period designated on the agenda for public comment, once, for a period of five minutes, or longer at the discretion of the President, and at other times when invited to do so by the President. The public shall address their comments to the question under debate as indicated on the agenda. Pursuant to RI General Laws §42-46-6(b), public comment regarding subject matter not on the agenda but received during the public participation portion of a meeting shall be for information purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.

- II. Rule 11: No item of business other than that of adjournment may be brought before the Town Council at any meeting unless such an item is introduced before 11:00 PM; provided, however, that this rule may be suspended by an affirmative vote of a majority of members present.

- III. Rule 13: All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

6. LICENSES

- A.** A resolution granting a Miscellaneous Permit to conduct the WKBC Heavenly Health 5K road race on Saturday, September 11, 2010 at 9:00 AM to WEST KINGSTON BAPTIST CHURCH subject to the execution of a hold harmless agreement indemnifying the Town, and issuance of a Certificate of Insurance naming the Town as an additional insured in the amounts specified by the Risk Manager. Application by Pastor Keith Mlyniec, 277 Waites Corner Road, West Kingston, RI 02892; New.

7. PUBLIC HEARINGS

- A.** A Public Hearing relative to an application for a license to keep and sell alcoholic beverages in South Kingstown in accordance with the General Laws of 1956, as amended, as follows:

CLASS B LIMITED LIQUOR LICENSE

Application for a Class B Limited Liquor License by Phil's Kitchen, Inc. d/b/a Phil's Restaurant, 323 Main Street, Wakefield, RI 02879 by Carl J. Tetzner, President for the first floor dining area, in accordance with a Special Use Permit granted July 21, 2010 by the Zoning Board of Review; and as further defined in a site plan on file in the Town Clerk's Office.

- B.** A Public Hearing for public discussion relative to the need for additional liquor licenses within the community.

- C. A Public Hearing relative to proposed amendments to the Zoning Ordinance, as follows:

Article 8. Signs

Section 803. Signs prohibited in all zoning districts.

The following signs shall not be permitted in any zoning district:

B. *Flashing signs.* Signs which incorporate in any manner any flashing or moving illumination, animation or illumination which varies in color. This shall include, but not be limited to: electronic messaging boards/centers (animated or intermittent), LED (light emitting diode) type signs, digital/programmable ink and all other electronic, changeable copy signs.

C. *Hazards to public safety:* Any sign or sign support which constitutes a hazard to public safety or health, including signs which by reason of size, location, content, coloring or manner of illumination obstruct the vision of a driver or pedestrian, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets, and roads or sidewalks; or which obstruct free ingress to or egress from a fire escape, door, window or other required exit way; or which make use of words such as stop, look, one way, danger, yield, or any similar words, phrases, symbols, lights or characters, in such a manner as to interfere with, mislead or confuse traffic.

8. COMMUNICATIONS

- A. A communication dated July 20, 2010 from Grady Miller, Town Manager seeking support of a resolution adopted July 6, 2010 by the Narragansett Town Council requesting the suspension of the newly adopted catch share/sector management program imposed on the fishing industry in the Northeast by the National Oceanic and Atmospheric Administration is received, placed on file, and the Town Council further directs _____ . (7/29/2010 Interim, Item E.)

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- B.** A communication dated July 28, 2010 from Michael Schnack, President, Jamestown Committee on LNG Threat inviting Council members to a Congress of Councils on September 8, 2010 hosted by that group and the Jamestown Town Council to discuss a proposed Hess/Weaver’s Cove LNG siting in Mount Hope Bay is received, placed on file, and the Town Council further directs _____. (7/29/2010 Interim, Item F.)
- C.** A communication dated August 3, 2010 from Cheryl Foster to T. Keith Richards, EMS Director, complimenting the Town’s Emergency Medical Services team for their response and treatment of her husband, William Colin McCullough during a recent incident is received and placed on file. (8/5/2010 Interim, Item C.)
- D.** A communication dated August 6, 2010 from Bob Silverstein, Executive Director, The EMILY Fund requesting a proclamation recognizing October as Domestic Violence Awareness Month is received, placed on file, and the Town Council further directs _____. (8/12/2010 Miscellaneous, Item II B.)
- E.** A communication received August 11, 2010 from Councilman James O’Neill requesting adoption of a resolution in support of a “shoreline forum” to address erosion issues is received, placed on file, and the Town Council further directs _____. (8/12/2010 Miscellaneous, Item II F.)
- F.** A communication received August 11, 2010 from Councilman James O’Neill requesting adoption of a resolution in support of removing the “master lever” from the Rhode Island ballot is received, placed on file, and the Town Council further directs _____. (8/12/2010 Miscellaneous, Item II F.)
- G.** A communication received August 11, 2010 from Councilman James O’Neill requesting adoption of a resolution concerning the RI Economic Development Corporation’s high-tech and knowledge based business investment policy is received, placed on file, and the Town Council further directs _____. (8/12/2010 Miscellaneous, Item II F.)
- H.** A communication received August 11, 2010 from Councilman James O’Neill requesting adoption of a resolution concerning pension reform is received, placed on file, and the Town Council further directs _____. (8/12/2010 Miscellaneous, Item II F.)

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(CA) I. Any communication added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

9. COMMENTS FROM INTERESTED CITIZENS

10. TOWN MANAGER’S REPORT

11. TOWN SOLICITOR’S REPORT

12. APPOINTMENTS

A. A resolution appointing _____ to the _____ Board/Committee/Commission for a term to expire in _____.

13. NEW BUSINESS

A. A resolution affirming or amending the Town’s Liquor License Rules and Regulations, Section I. The number of licenses for each class shall be authorized as indicated below:

<u>Class</u>	<u>Number</u>
A	4 (not to exceed 1 per 6,000 inhabitants)
B – Victualler	23
B – Tavern	2
B – Limited	2
B – Hotel	1
B – M	0
C	0 (not to exceed 1 per 1,000 inhabitants)
D – Club Full Privilege	2
D – Club Limited	0
F	No limit
F-1	No limit

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- (CA) B.** A resolution that Civil Action No. 2010-0472 filed in Washington County Superior Court by John S. Coughlin, Esquire on behalf of his clients, William Parenteau and Joyce Power relative to an incident that occurred on or about April 18, 2010 be referred to the Town Solicitor and the Town’s insurance carrier.

- C.** A resolution authorizing the Tax Assessor to abate taxes in the total amount of \$21,111.03, as shown on Tax Abatement Request #458.

- (CA) D.** Any New Business added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”