

REGULAR MEETING OF THE PEABODY CITY COUNCIL
OCTOBER 27, 2016

PRESENT COUNCILLORS: MOUTSOULAS, WALSH, CHAREST, SASLAW, TURCO, GRAVEL, GARABEDIAN, GOULD, AND MCGINN

ABSENT COUNCILLORS: SINEWITZ AND MANNING-MARTIN

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Peter M. McGinn.

Salute to the American Flag.

P752-16 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of October 13, 2016. (Unanimous)

COUNCILLOR MCGINN - OPEN MEETING LAW STATEMENT: THIS MEETING IS BEING TELEVISED LIVE ON CABLE CHANNEL 9 AND BEING TAPED BY PEABODY ACCESS TV, AND ALSO BEING RECORDED BY OUR CITY COUNCIL STENOGRAPHER.

HEARINGS

None.

REPORTS OF COMMITTEE

MUNICIPAL SAFETY COMMITTEE
OCTOBER 27, 2016

P753-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee – The Municipal Safety Committee met tonight and we discussed several items. The first item was regarding electronic signs and a motion was made by Councillor Walsh to purchase 6 to 12 signs. (Report received)

P754-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee – MOVE TO request that Captain Richards and/or Chief Griffin investigate the purchase of 6 to 12 pole-mounted electronic speed signs. (Unanimous)

P755-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee – The next item on the agenda was regarding painting a stop line at the intersection of Summit Street and Centennial Drive, which was referred to the Committee by Councillor Charest. (Report received)

P756-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee – MOVE TO request that Captain Richards determine the proper location for a stop line for drivers taking a left onto Summit Street from Centennial Drive. (Unanimous)

P757-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee –The third item on the agenda was a traffic light at Lowell Street and Lake Street and that item is staying in Committee. Councillor Charest brought up the issue of House bill 4564 regarding the authority cities and towns will have to reduce speed limits and requested to follow the process. (Report received)

FINANCE COMMITTEE
OCTOBER 27, 2016

P758-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – The Finance Committee met this evening. Sitting in for the Committee was myself as chair, Councillor Gould, Councillor Saslaw, Councillor Walsh, and substituting for Councillor Manning-Martin was Councillor McGinn. Also present at the meeting were Councillor Moutsoulas, Councillor Turco, and Councillor Garabedian. The meeting contained three items. The first item was a presentation by the mayor on a proposed ordinance

amendment of Division 7 for the Building Department. Really to summarize, that was to move the Building Department out of the Community Development Department and put it under a direct report to the mayor. There was some discussion and clarification that went on, but the end result was that a vote was taken to unanimously support the request of the mayor for this change. (Report received)

P759-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – BE IT ORDAINED by the City Council of the City of Peabody that An Ordinance Amending Article III Departments by Adding Division 7; Building Department of the Code of the City of Peabody be advertised as amended and read. (Carried 9-0; Councillor Sinewitz and Councillor Manning-Martin absent)

P760-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – The second item that was discussed was the schedule of compensation for full-time positions not subject to collective bargaining. Specifically two positions were discussed: The city Building Commissioner and the Director of Parks, Recreation & Forestry. During the discussion the mayor presented competitive salary analysis, which was prepared by the Human Resources Department, and his recommendation was to change each position's compensation from their current level to \$99,634, which is consistent with other department heads within the city thereby creating parity between the departments. After some discussion it was approved by the subcommittee with an amendment to the language of the approval. (Report received)

P761-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – BE IT ORDAINED by the City Council of the Peabody of Peabody That an Ordinance Amending Section 18-21 entitled “Rates of Compensation for full-time positions not subject to collective bargaining” of the Code of the City of Peabody be advertised as amended and read. Carried 8-1; Councillor Saslaw opposed; Councillor Sinewitz and Councillor Manning-Martin absent)

P762-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – Then we had our third item on the agenda for the evening pertaining to the Retirement Board. This was an item that had been brought up in a prior meeting and I think information was given to us this evening that we're looking for an ability to change the stipend currently paid to the Retirement Board based on the immense amount of increased duties that they've realized with all of the attendance that they have to do for state issues, etc., augmented by the fact that in 20 years there's been no increase to the stipend that they're currently being paid. The request was to increase the stipend by \$1,200 per year. So that was voted on and approved in subcommittee, but it was requested, subsequent to that vote, that consideration be given to make that effective July 1, 2016. (Report received)

P763-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – MOVE TO adopt and approve local option, Section 34 of Chapter 176 of the Acts of 2011, which authorizes the payment of a stipend for Peabody Retirement Board members in the amount of \$4,200.00 per year to be paid from funds under control of the Retirement Board [not from the City of Peabody] and to be effective 1 July, 2016. Said stipend is a local option and has been included in the new legislation that requires board members to attend educational seminars and perform numerous other activities as part of the Pension Reform Act of 2011 approved by the Governor and State Legislature. (Carried 8-1; Councillor Saslaw opposed; Councillor Sinewitz and Councillor Manning-Martin absent)

RECONSIDERATION BY COUNCILLOR WALSH - Immediate reconsideration hoping same shall not prevail. (Failed 8-1; Councillor Saslaw in favor; Councillor Sinewitz and Councillor Manning-Martin absent)

AD HOC COMMITTEE ON DRUG EDUCATION & AWARENESS OCTOBER 27, 2016

P764-16 COUNCILLOR SASLAW – Reporting for the Ad Hoc Committee on Drug Education & Awareness –The Committee met tonight with Councillor Charest and sitting in for Councillor Manning-Martin was Councillor Turco. We had Lisa and Todd Buckley come down and make a presentation and inform us a little bit more about the Third Annual Colton Buckley 5K road race and some of the things that they're doing in the community, as far as peer mentoring and helping families who don't have funds to seek assistance for any type of addiction to their loved ones who are battling addiction. The road race is going to be held Sunday, November 13th at 10:00 o'clock kicking off from the AOH. Councillor Turco made the following motion. (Report received)

P765-16 COUNCILLOR SASLAW – Reporting for the Ad Hoc Committee on Drug Education & Awareness – MOVE THAT the City Council make a donation from our Drug Education & Awareness fund in the amount of \$1,000 to the Third Annual Colton Buckley 5K, which will be held Sunday, November 13, 2016, at 10:00 a.m.

(Carried 9-0; Councillor Sinewitz and Councillor Manning-Martin absent)

MOTIONS, ORDERS AND RESOLUTIONS

P766-16 COUNCILLOR MOUTSOULAS – MOVE TO request that the ordinance for the handicapped sign for 27 Fulton Street be rescinded. (Unanimous)

P767-16 COUNCILLOR MOUTSOULAS – MOVE TO request that the Public Services Department install a guardrail in front of 56 Central Street. (Unanimous)

P768-16 COUNCILLOR MOUTSOULAS – MOVE TO receive and approve, under suspension of the rules, Item 8-A communication from Our Lady of Fatima Church, 50 Walsh Avenue, regarding Banner, subject to all papers being in order. (Unanimous)

P769-16 COUNCILLOR WALSH – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Special legislation for additional liquor licenses. (Unanimous)

P770-16 COUNCILLOR WALSH – MOVE THAT the following language be added to Motion P706-16: “A license granted under this act, if cancelled, revoked, or no longer in use, shall be returned physically, with all of the legal rights, privileges, and restrictions pertaining thereto, to the licensing authority of the City of Peabody. The licensing authority may then grant the license to a new applicant, within the areas designated herein under the same conditions as specified in this act;” and that the “designated areas,” as referenced in Motion P706-16 are as follows:

10 licenses shall be assigned to the Downtown Peabody region – using Foster Street, Main Street, Howley Street, Walnut Street, Washington Street, Railroad Avenue, and Central Street as the borders and encompassing all properties therein;

7 licenses shall be assigned to the Route 1 and Route 114 corridors, which shall include all parcels on and immediately bordering Route 1 and Route 114; and

3 licenses shall be assigned to the Centennial Park area, to include Centennial Drive, Corporation Way, Technology Drive, Summit Street, First Avenue, and Second Avenue.

In all cases, licenses shall only be assigned to parcels as allowed by the Zoning Ordinance Table of Uses.

To prohibit these licenses from being transferred, legislation will include the following language:

“A license granted under this act, if cancelled, revoked, or no longer in use, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority for the City of Peabody. The licensing authority may then grant the license to a new applicant, within the areas designated herein under the same conditions as specified in this act.”

(Carried 9-0; Councillor Sinewitz and Councillor Manning-Martin absent)

RECONSIDERATION BY COUNCILLOR GRAVEL – Immediate reconsideration hoping same shall not prevail.

(Carried 9-0; Councillor Sinewitz and Councillor Manning-Martin absent)

P771-16 COUNCILLOR WALSH – MOVE TO refer to the Municipal Safety Committee a discussion on the responsibilities of tow companies when clearing the scene of vehicular accidents. (Unanimous)

P772-16 COUNCILLOR WALSH – MOVE TO request that the Finance Director update the City Council regarding the first quarter revenues of the City of Peabody and alert us to any potential revenue shortfalls or unusual spending challenges. (Unanimous)

P773-16 COUNCILLOR WALSH – MOVE TO request that the Superintendent of Schools provide the City Council with data relative to the number of students enrolled in our school system from any apartment complexes throughout the city with more than 10 units. (Unanimous)

P774-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-F communication from Turnpike Car Wash, 80 ½ Newbury Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P775-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, late communication Item 1 from Salem Country Club, 133 Forest Street, regarding Special Permit application and Special Event application. (Unanimous)

P776-16 COUNCILLOR SASLAW – MOVE THAT public hearings be set regarding the Special Permit application and the Special Event application, submitted by Salem Country Club, 133 Forest Street. (Unanimous)

P777-16 COUNCILLOR TURCO – MOVE TO refer to the Municipal Safety Committee a discussion regarding making a four-way stop at the intersection of Granite Road and Fairway Avenue. (Unanimous)

P778-16 COUNCILLOR GOULD (Co-motion with Councillor Charest) – MOVE TO request that the Police Department provide a recommendation to the City Council whether there is a need for a "Stop" sign at the intersection of Perkins Street and Franklin Street, and be referred to the Municipal Safety Committee. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P779-16 COUNCILLOR WALSH – MOVE TO receive a communication from Jennifer Davis, Director of Parks, Recreation & Forestry, regarding Completed motion P680-16. (Unanimous)

P780-16 COUNCILLOR MOUTSOULAS – MOVE TO receive a communication from David Terenzoni, Acting Director of Public Services Department, regarding Completed motion P599-16. (Unanimous)

P781-16 COUNCILLOR SASLAW – MOVE TO receive and approve a communication from Higgins Middle School, 85 Perkins Street, regarding Banner, subject to all papers being in order. (Unanimous)

P782-16 COUNCILLOR GOULD – MOVE TO receive a communication from Chief Thomas Griffin, Police Department, regarding 2015 annual report. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P783-16 COUNCILLOR GARABEDIAN – MOVE TO receive and approve Use of the Wiggin Auditorium – Talents of the World – November 19, 2016, subject to all papers being in order. (Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 8:50 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, NOVEMBER 4, 2016
RETURNED BY HIS HONOR THE MAYOR, NOVEMBER 4, 2016



ATTEST _____
(Timothy E. Spanos, City Clerk)

COMMUNICATIONS:

His Honor the Mayor re: Special legislation for additional liquor licenses
Our Lady of Fatima Church, 50 Walsh Avenue re: Banner
Jennifer Davis, Director, Park, Recreation & Forestry Department re: Completed motion P680-16
David Terenzoni, Acting Director of Public Services re: Completed motion P599-16
Higgins Middle School, 85 Perkins Street re: Banner
Chief Thomas Griffin, Police Department re: 2015 annual report
Turnpike Car Wash, 80 ½ Newbury Street re: Special Permit application

USE OF THE WIGGIN AUDITORIUM:

Talents of the World – November 19, 2016