

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**JULY 8, 2021**

PRESENT COUNCILLORS: GOULD, MANNING-MARTIN, SASLAW, WELTON, CHAREST, MCGINN, MOUTSOULAS, TURCO, ROSSIGNOLL, MELVILLE, AND O'NEILL

ABSENT COUNCILLORS:

An in-person and remotely held meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President Mark J. O'Neill.

Salute to the American Flag.

COUNCILLOR O'NEILL – 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.

P384-21 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the special meeting of June 17, 2021, and the regular meeting of June 24, 2021.  
(Unanimous)

**HEARINGS**

A public hearing was duly held on the application filed by Detour Cars, LLC, d/b/a Auto Factory, 288 Newbury Street, Peabody, MA. Atty. Athan Vontzalides appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P385-21 COUNCILLOR SASLAW – MOVE TO receive and approve, under suspension of the rules, Item 8-A communication from Albert Talarico, Building Commissioner, regarding Transfer of Special Permit 10-2015; Nick Markos and Michael Markos, 288 Newbury Street, subject to all papers being in order.  
(Unanimous)

P386-21 COUNCILLOR SASLAW – MOVE TO approve the Class 2 Motor Vehicle License transfer to Detour Cars, LLC, d/b/a Auto Factory, 288 Newbury Street, Peabody, MA, subject to all papers being in order.  
(Carried 10-0; Councillor Welton absent)

**REPORTS OF COMMITTEE**

**Committee of the Whole**  
**July 8, 2021**

P387-21 COUNCILLOR O'NEILL – Reporting for the Committee of the Whole – The first report will be a Committee of the Whole. In attendance tonight was all councillors with the exception of Councillor Welton. The first agenda item was supposed to be a discussion of the local re-precincting standards process to include a presentation from the Secretary of State's office. Obviously, the technical difficulties we had would not allow us to carry that meeting through. At this point in time, we could reschedule because I want councillors to hear, but certainly I do want to give a quick overview. The working group that we have that is going to work for Peabody has a meeting set up for July 22<sup>nd</sup> to begin the process of looking at the rough Census numbers, the map, and the population to try to come up with the map, if you will, of the voting precincts, especially the wards. I would ask councillors to submit initial questions, comments, concerns, or anything you want to the working group through Clerk Danforth in writing so that they have your initial thoughts, comments, and suggestions in writing so they can begin the process of

analyzing this. It is going to take some time, but there is a quick timeline. Conversely, if councillors do not have any issues, questions, or concerns, they should also send an email to the working group, through Clerk Danforth, stating that they have no issues, questions, or concerns; that way this is not to tie anyone down, but just to get everything out in front of them so when they begin the process, they can do it with full concept of what peoples, I guess, initial thoughts are. I know we are asking people to look at this and it is just something that we are going to start. But I think it is important for councillors to get their thoughts out before this process starts. (Report received)

P388-21 COUNCILLOR GOULD – MOVE TO receive, under suspension of the rules, Item 8-H communication from Michael Owens, Re-Precincting Community Engagement Director, Office of the Secretary of the Commonwealth, regarding 2021 Re-Precincting; Peabody Map and refer to the Committee of the Whole.

(Unanimous)

P389-21 COUNCILLOR O'NEILL – Reporting for the Committee of the Whole – The second item before the Committee of the Whole was a discussion of future public hearings, including use of remote participation. We had some great discussion about some of the challenges that we have had recently with technology, including certainly part of tonight's earlier committee meeting. All councillors were in favor of continuing the hybrid of both in-person for councillors meeting here as well as the public coming to attend in the Wiggin Auditorium and also allowing continued remote participation for both the public and councillors, who may not be able to attend the meetings in person, via the Zoom application. So the gist was that we want to continue. We certainly are going to work on the technology challenges that we have had recently the last few meetings and get those straightened out. We did have two motions that came out of the Committee of the Whole. (Report received)

P390-21 COUNCILLOR O'NEILL – Reporting for the Committee of the Whole – MOVE THAT the City Council continue holding its meetings in person in the Wiggin Auditorium with continued remote participation via Zoom for members of the public, as well as any councillor if necessary. Applicants or their representatives will be required to attend their Special Permit hearing in person in the Wiggin Auditorium.

(Carried 10-0; Councillor Welton absent)

P391-21 COUNCILLOR O'NEILL – Reporting for the Committee of the Whole – MOVE TO request that the Community Development Department contact Signet, the consultant the city used to purchase the Wiggin Auditorium audio system, and request that a representative appear before the City Council to address our repeated sound issues.

(Unanimous)

P392-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 8-M communication from Councillor Mark O'Neill regarding Discussion of Public Meetings – Going Forward.

(Unanimous)

## **Finance Committee**

### **July 8, 2021**

P393-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The Finance Committee of the Peabody City Council met earlier this evening. Present for the committee was Councillor Gould, Councillor Manning-Martin, Councillor Rossignoll, Councillor Turco, and myself as chair. All of the councillors were present with the exception of Councillor Welton. There were four items on the agenda, however, two items – Items B and C – are going to be taken up at a future Finance Committee meeting. The first item that we addressed, Item A, was a transfer of funds request for Cable Fund Expense for

\$120,000.00. This is a fairly routine process whereby the money comes in from the cable providers and, under the agreement with the cable providers, is earmarked for Peabody Access TV. The following motion was made by Councillor Gould. (Report received)

P394-21 COUNCILLOR GOULD - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of June 15, 2021:

<u>FROM:</u>		<u>TO:</u>	
Receipts Reserved Cable Fund	\$120,000.00	Cable Fund Expense	\$120,000.00
270-0000-33017		270-0000-53007	
(Carried 10-0; Councillor Welton absent)			

P395-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item was a request from the Building Commissioner to update some fees for the Zoning Board of Appeals and for the services of the sealer of weights and measures. These were outlined by the Building Commissioner, Mr. Talarico, in a communication to the council dated June 14, 2021. Mr. Talarico subsequently found out that the ZBA fees do not actually come under the purview of the City Council. That is something that he will bring to the Zoning Board of Appeals; so he withdrew that portion of the request but asked us to consider the balance of the request, which was some increases in the weights and measures fees, which have not been adjusted for a very long time. I believe he said 2008. With the explanation of how these fees stacked up to the current fees and to other neighboring communities, there was a motion made. (Report received)

P396-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO draft and advertise a change to the appropriate section of the ordinances of the City of Peabody in accordance with the Building Commissioner’s proposed weights and measures fees, as indicated in the Building Commissioner’s communication dated June 14, 2021, and request that the Building Commissioner review the fees every three years. (Carried 10-0; Councillor Welton absent)

### **MOTIONS, ORDERS AND RESOLUTIONS**

P397-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 8-G communication from Councillor Manning-Martin regarding Violation at 99-101 Lynn Street and refer to the Licensing Board. (Unanimous)

P398-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 8-L communication from Councillor Anne Manning-Martin regarding Bombshell Boutique. (Unanimous)

P399-21 COUNCILLOR SASLAW – MOVE TO receive and approve, under suspension of the rules, Item 9-B Block Party – 33 Benevento Circle to 43 Benevento Circle – July 17, 2021, subject to all papers being in order. (Unanimous)

P400-21 COUNCILLOR CHAREST – MOVE TO approve, under suspension of the rules, Item 9-B Block Party – Rawding/Buttonwood to Fitz/Buttonwood – September 11, 2021, subject to all papers being in order. (Unanimous)

P401-21 COUNCILLOR CHAREST – BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 10-13 entitled “Chairman; Personnel; Reports; Organization meeting” of the Code of the City of Peabody be adopted as advertised and read.  
(Carried 10-0; Councillor Welton absent)

P402-21 COUNCILLOR CHAREST – MOVE THAT the City Council send a letter of condolence to the family of Mary L. Duff.  
(Unanimous)

P403-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-B communication from Sarah Narcus, 43 Main Street, regarding Downtown Business Coalition notes for City Council and refer to the Industrial & Community Development Committee.  
(Unanimous)

P404-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-D communication from Steven Lomasney, 635 Lowell Street, regarding Special Permit application and set up a public hearing.  
(Unanimous)

P405-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Census 2020 Local Re-Precincting and request that the City Clerk send a letter of support to our state delegation that is consistent with His Honor the Mayor’s position.  
(Carried 10-0; Councillor Welton absent)

P406-21 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, Item 8-C communication from Charles J. Orphanos, Manager, PMLP, regarding Response to Motions: P196-21 and P308-21; Massachusetts Municipal Wholesale Electric Company (MMWEC) Project 2015A.  
(Unanimous)

P407-21 COUNCILLOR MOUTSOULAS – MOVE TO receive and approve, under suspension of the rules, Entertainment License (Renewal for 2021) Oliveira’s Steak House, 72 Walnut Street, subject to all papers being in order.  
(Unanimous)

P408-21 COUNCILLOR MOUTSOULAS – MOVE TO request that the Public Services Department inspect the area of Dobbs Road and replace all the street signs, “Stop” signs, and “Commercial Vehicles over 5 Ton Excluded” signs that are missing.  
(Unanimous)

P409-21 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, late communication Item 2 from Councillor Mark O’Neill regarding Motions – PMLP (Proposed Peaker Plant Project).  
(Unanimous)

P410-21 COUNCILLOR MOUTSOULAS – Whereas an emergency conditions exists affecting the health, safety, and welfare of citizens of the City of Peabody; therefore be it ordered by the City Council of the City of Peabody that the Public Services Department repair all of the sidewalks on Sprague Street.  
(Emergency Preamble - Carried 10-0; Councillor Welton absent)  
(Motion to adopt - Carried 10-0; Councillor Welton absent)

P411-21 COUNCILLOR MOUTSOULAS – MOVE TO request that the Public Services Department clean up the grass and weeds at the end of Roland Road where the fence and signs that read “Keep off this property” is located.

(Unanimous)

P412-21 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, Item 8-E communication from Albert Talarico, Building Commissioner, regarding Transfer of Special Permit 4-2020; Catherine Lutz, 160 Lynn Street, subject to all papers being in order.

(Unanimous)

P413-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-K communication from Joseph L. Daly, Fire Chief, regarding Response to Motion P303-21; Broken sensors at Lynnfield Street/Summit Street intersection and refer to the Public Services Committee.

(Unanimous)

P414-21 COUNCILLOR TURCO – MOVE TO approve, under suspension of the rules, Item 9-B Block Party – Saint Ann’s Avenue at the intersection of Woodlawn to 27 Woodlawn Avenue – July 17, 2021, subject to all papers being in order.

(Unanimous)

P415-21 COUNCILLOR TURCO – MOVE TO request that Robert Labossiere, Director of Public Services, appoint a contact person for approved block party motions.

(Unanimous)

{Violet Road, Bartlett Road, Dahlia Avenue}

P416-21 COUNCILLOR TURCO – BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 19-126 entitled “Obedience To Isolated Stop Signs” of the Code of the City of Peabody be adopted as advertised and read.

(Carried 10-0; Councillor Welton absent)

P417-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, the following items and refer to the Legal Affairs Committee:

Item 8-F Albert Talarico, Building Commissioner, regarding City of Peabody Ordinance Code

Item 8-I Curt Bellavance, Director, Community Development Dept., regarding Recodification of the City Code

(Unanimous)

P418-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 8-J communication from Joseph L. Daly, Fire Chief, regarding Response to Motion P310-21; Aggregate Industries noise complaints and damage claims.

(Unanimous)

P419-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, late communication Item 1 Block Party Request – Birch/Scott and Scott/Terri – August 21, 2021, subject to the following conditions:

1. Time of block party shall end at 10:00 p.m.;
2. Time of music shall end at 9:30 p.m.;
3. Police Detail Required; and
4. Police Detail Full Payment Due August 13<sup>th</sup>

(Unanimous)

**COMMUNICATIONS FROM HIS HONOR THE MAYOR**

Previously received.

**COMMUNICATIONS FROM CITY OFFICERS AND OTHERS**

Previously received.

**PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

Previously received.

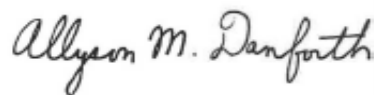
**UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 9:00 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, JULY 15, 2021

RETURNED BY HIS HONOR THE MAYOR, JULY 15, 2021



(Allyson M. Danforth, City Clerk)

**COMMUNICATIONS:**

His Honor the Mayor re: Census 2020 Local Re-Precincting  
 Albert Talarico, Building Commissioner, re: Transfer of Special Permit  
 10-2015; Nick Markos and Michael Markos, 288 Newbury Street  
 Sarah Narcus, 43 Main Street, re: Downtown Business Coalition notes for City Council  
 Charles J. Orphanos, Manager, PMLP, re: Response to Motions: P196-21 and P308-21; Massachusetts  
 Municipal Wholesale Electric Company (MMWEC) Project 2015A  
 Steven Lomasney, 635 Lowell Street, re: Special Permit application  
 Albert Talarico, Building Commissioner, re: Transfer of Special Permit  
 4-2020; Catherine Lutz, 160 Lynn Street  
 Albert Talarico, Building Commissioner, re: City of Peabody Ordinance Code  
 Councillor Manning-Martin, re: Violation at 99-101 Lynn Street

Michael Owens, Re-Precincting Community Engagement Director, Office of the Secretary of the Commonwealth, re: 2021 Re-Precincting; Peabody Map

Curt Bellavance, Director, Community Development Dept., re: Recodification of the City Code

Joseph L. Daly, Fire Chief, re: Response to Motion P310-21; Aggregate Industries noise complaints and damage claims

Joseph L. Daly, Fire Chief, re: Response to Motion P303-21; Broken sensors at Lynnfield Street/Summit Street intersection

Councillor Anne Manning-Martin re: Bombshell Boutique

Councillor Mark O'Neill re: Discussion of Public Meetings – Going Forward

**Entertainment License:** (Renewal for 2021)

Oliveira's Steak House, 72 Walnut Street

**Block Party:**

33 Benevento Circle to 43 Benevento Circle – July 17, 2021

Rawding/Buttonwood to Fitz/Buttonwood – September 11, 2021

22 Woodlawn Street to between 26 and 27 Woodlawn Street – July 17th