

REGULAR MEETING OF THE PEABODY CITY COUNCIL
JUNE 27, 2024

PRESENT COUNCILLORS: TURCO, ROSSIGNOLL, WELTON, MELVILLE, GAMACHE, MCGINN, GOULD, DAIGLE, MANNING-MARTIN, HIGGINS, AND PEACH

ABSENT COUNCILLORS: None

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 Stephanie R. Peach.

Salute to the American Flag.

COUNCILLOR PEACH – 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.

P320-24 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the Regular Meeting of June 13, 2024.
(Unanimous)

HEARINGS

A public hearing was duly held on Zoning Amendment - Amend Section 4.2.1 Residential under Schedule of Use Regulations by adding by Special Permit "Multi-family" in the GB Zoning District; Add a new Section 6.17 Special Regulations entitled "Multi-family dwellings" in the GB Zoning District. Appearing to speak on behalf of the request was Attorney John Keilty. No one spoke in favor and no one spoke in opposition, as the hearing was recessed before public comment opened.

P321-24 COUNCILLOR WELTON – MOVE TO receive, under suspension of the rules, late communication Item 1 from Andrew Levin, Senior Planner, regarding Proposed Zoning Amendment – Section 4.2.1; Planning Board recommendation and refer to the public hearing.
(Unanimous)

P322-24 COUNCILLOR WELTON – MOVE TO receive, under suspension of the rules, Item 8-B communication from Atty. John Keilty on behalf of Lynnfield Street Holdings, LLC, regarding Zoning Amendment and refer to the public hearing.
(Unanimous)

P323-24 COUNCILLOR WELTON – MOVE TO recess the public hearing on Zoning Amendment - Amend Section 4.2.1 Residential under Schedule of Use Regulations by adding by Special Permit "Multi-family" in the GB Zoning District; Add a new Section 6.17 Special Regulations entitled "Multi-family dwellings" in the GB Zoning District until the next regular meeting on Thursday, July 11, 2024.
(Unanimous)

P324-24 COUNCILLOR WELTON – MOVE TO refer the proposed Zoning Amendment - Amend Section 4.2.1 Residential under Schedule of Use Regulations by adding by Special Permit "Multi-family" in the GB Zoning District; Add a new Section 6.17 Special Regulations entitled "Multi-family dwellings" in the GB Zoning District to the Industrial & Community Development Committee
(Unanimous)

REPORTS OF COMMITTEE

Municipal Safety Committee

June 27, 2024

P325-24 COUNCILLOR MANNING-MARTIN – Reporting for the Municipal Safety Committee – The Municipal Safety Committee met earlier this evening with myself as chair, joined by Councillors: Daigle, Higgins, and Rossignoll, with Councillor McGinn sitting in for Councillor Gamache. Joining us, along with several members of the public, was Captain Scott Richards from the Peabody Police Department to address one item on the agenda, which was traffic flow issues on Monroe Street and the surrounding area due to the car wash. Members of the public addressed a few of their concerns ranging from the size of a red sign on a curved street and the ensued speeding on that area, a noise alarm announcement in the mornings that was unnecessary and disturbing, and the overall hope for traffic enforcement. Councillor Peach stated that many of those issues are being addressed simultaneously, but not at this meeting, as the meeting was focused on the traffic flow, which Captain Richards suggested, with the subcommittee's endorsement, to change the direction of the traffic flow from Monroe southbound from Elm Street to Hardy to Monroe northbound from Hardy to Elm. The following motion was made. (Report received)

P326-24 COUNCILLOR MANNING-MARTIN – Reporting for the Municipal Safety Committee – MOVE TO amend Section 19-141 (33) "One-way streets enumerated" to **delete** "Munroe Street southerly from Elm Street to Hardy Street," and **insert** "Munroe Street northerly from Elm Street to Hardy Street," and that an ordinance be drafted and advertised on the same.
(Carried 11-0)

Legal Affairs Committee

June 27, 2024

P327-24 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – Legal Affairs met earlier this evening. In attendance was Councillor Turco, Councillor Melville, Councillor Higgins, Councillor Daigle, as well as other members of the City Council. There were two items on the agenda: Downtown Parking recommendation changes and the Peabody Greenway Bike Extension Project. The following motion was made. (Report received)

P328-24 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – MOVE TO receive, under suspension of the rules, the following communications:

Item 8-C Curt Bellavance, Community Development Director; Sgt. James Harkins, Police Department; Capt. Scott Richards, Police Department; Bienvenido A. De La Cruz (Nino), Parking Clerk, Police Department; and Councillor Peter McGinn regarding Downtown parking recommendations.

Item 8-D Brendan Callahan, Assistant Director of Planning, regarding Peabody Independence Greenway Bikeway Extension Project – Easements.

(Unanimous)

P329-24 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – Another motion that came out of the subcommittee for Legal Affairs, brought to us by Councillor Higgins, was to adopt the recommendations in Item 8-C regarding the feedback that was brought to the Council regarding downtown parking. I will give a brief synopsis and then leave this for the City Clerk for the exact ordinances in this.

The recommendations are to allow eight-hour sessions on Railroad Avenue, which is in Section 19-103, 19-103.2, and 19-103.2; to establish restrictions once per month, May through October, alternating sides north and south, to do street sweeping, that is in Section 19-108.4. Another recommendation was to continue with resident stickers, as well as business stickers. Ordinance required language for a municipal parking lot in Section 19-108.1 and 19-108.3. The following motion was made. (Report received)

P330-24 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – MOVE TO draft and advertise Chapter 19, Article IV Parking by the City Council of the City of Peabody as follows:

SECTION ONE: The Code of the City of Peabody adopted on April 11, 2024, and amended, is hereby further amended as follows:

By amending Section 19, Article IV Parking as follows:

By **DELETING** under Section 19-103. entitled Parking meter zones "(16) Municipal Parking Lot at Railroad Avenue"

By **INSERTING** a new Section 19-103.2. entitled Parking meter zones for the municipal parking lot at Railroad Avenue

No person shall park a vehicle for a period of time longer than eight hours between the hours of 8:00 a.m. and 8:00 p.m.

By **DELETING** under Section 19-107. Parking control device fees the following:

- (b) Lots. The parking control device limit at the municipal parking lots at the corner of Foster Street and Peabody Square, Central Street in Peabody Square, Railroad Avenue, Nichols Lane, and at the corner of Mill Street and Wallis Street shall not exceed four hours, and the fee at multi-space pay stations in such municipal parking lots shall be in the amount established by resolution for each 15 minutes or portion thereof, up to the four-hour limit.

and **INSERTING** in place thereof:

- (b) Lots. The parking control device limit at the municipal parking lots at the corner of Foster Street and Peabody Square, Central Street in Peabody Square, Nichols Lane, and at the corner of Mill Street and Wallis Street shall not exceed four hours, and the fee at multi-space pay stations in such municipal parking lots shall be in the amount established by resolution for each 15 minutes or portion thereof, up to the four-hour limit. The parking control device limit at the municipal parking lot at Railroad Avenue shall not exceed eight hours, and the fee at multi-space pay stations in such municipal parking lot shall be in the amount established by resolution for each 15 minutes or portion thereof, up to the eight-hour limit.

By **DELETING** under Section 19-108.1. Municipal parking lots; residential parking the following:

- (a) The provisions of section 19-103, section 19-106, section 19-107 and section 19-108 shall not apply as to motor vehicles parked within municipal parking lots where such vehicle properly displays a valid residential parking pass or electronic equivalent obtained from the city clerk and where such vehicle is parked in a space designated nonexclusively for residential parking and where such vehicle is not parked in such space for more than 48

hours. Residential parking passes are available at an annual cost in the amount established by resolution on a limited basis in a quantity determined by the city council from time to time. Residential parking passes shall not be permitted for trucks or commercial vehicles.

and **INSERTING** in place thereof:

- (a) The provisions of section 19-103, section 19-106, section 19-107 and section 19-108 shall not apply as to motor vehicles parked within municipal parking lots where such vehicle properly displays a valid residential parking pass or electronic equivalent obtained from the police department parking clerk and where such vehicle is parked in a space designated nonexclusively for residential parking and where such vehicle is not parked in such space for more than 48 hours. Residential parking passes are available at an annual cost in the amount established by resolution on a limited basis in a quantity determined by the city council from time to time. Residential parking passes shall not be permitted for trucks or commercial vehicles.

By **INSERTING** a new Section 19-108.3. Municipal parking lots; employee parking.

The provisions of section 19-103, section 19-106, section 19-107, and section 19-108 shall not apply as to motor vehicles parked within municipal parking lots where such vehicle properly displays a valid employee parking pass or electronic equivalent obtained from the police department parking clerk and where such vehicle is parked in a space designated nonexclusively for employee parking and where such vehicle is not parked in such space for more than 12 hours from 8:00 a.m. to 8:00 p.m. Employee parking passes are available at an annual cost in the amount established by resolution on a limited basis in a quantity determined by the city council from time to time.

By **INSERTING** a new Section 19-108.4. No parking to allow for street sweeping on Main Street.

It shall be unlawful for any person to park a vehicle on the north side of Main Street in the months of May through October on the first Wednesday of each month between the hours of 11:45 p.m. and 6:00 a.m. It shall be unlawful for any person to park a vehicle on the south side of Main Street in the months of May through October on the first Thursday of each month between the hours of 11:45 p.m. and 6:00 a.m.

SECTION TWO: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION THREE: This ordinance shall take effect as provided by law.

(Carried 11-0)

P331-24 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – Regarding the extension of the Peabody Greenway, there was a presentation by Mr. Callahan, as well as His Honor the Mayor, to extend the bike path basically through the mall and ending on Endicott Street. The following motion was made. (Report received)

P332-24 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – MOVE TO authorize His Honor the Mayor to take such actions as are necessary to acquire easements or acquire property through granting of a deed in Peabody, Essex County, Massachusetts, described in an Order of Taking, including a Schedule A (List of Owners) and Schedule B (Compensation Awards) presented this

day by Counsel, to effectuate the Peabody Greenway Project and to award a total of One Hundred Fifty-Three Thousand Seven Hundred Dollars (\$153,700) as damages for said taking of land affected by said taking, in accordance with the Compensation Awards set forth in the said taking.
(Carried 11-0)

P333-24 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – MOVE, under suspension of the rules, to withdraw Motion P191-22 from the Legal Affairs Committee:

“P191-22 COUNCILLOR ROSSIGNOLL – MOVE TO refer an ordinance change regarding limitation of sign size for lawns to the Legal Affairs Committee.
(Unanimous)”

(Unanimous)

MOTIONS, ORDERS AND RESOLUTIONS

P334-24 COUNCILLOR WELTON – MOVE TO receive and approve, under suspension of the rules, Item 9-A Block Party - Rockdale Avenue/Woodlawn Avenue, subject to all papers being in order.
(Unanimous)

P335-24 COUNCILLOR WELTON (Co-motion with Councillor Manning-Martin) – Whereas an emergency condition 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 the sidewalk at 103 Lynn Street.
(Emergency Preamble - Carried 11-0)
(Unanimous)

P336-24 COUNCILLOR GAMACHE – MOVE TO amend Section 19-93 Restricted Parking-Generally by adding No parking in front of 1 Nancy Avenue and 2 Nancy Avenue from April 15th to July 1st.
(Unanimous)

{10-A}

P337-24 COUNCILLOR GAMACHE – BE IT ORDERED by the City Council of the City of Peabody that An Ordinance Amending Section 19-48 entitled "Car Carrier by Motor Vehicle" of the Code of the City of Peabody be adopted as advertised and read.
(Carried 11-0)

P338-24 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, Item 8-A communication from Thomas St. Pierre, Building Commissioner, regarding Swimming pool; Response to Motion P217-24 - 2 Linda Jean Lane.
(Unanimous)

P339-24 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-E communication from Michael J. Gingras, Director of Finance, regarding Moody's Report.
(Unanimous)

P340-24 COUNCILLOR GOULD (Co-motion with Councillor Peach) – MOVE TO **delete** the following under Section 19-81 "Parking Prohibited, Disabled Zone:"

(29) Endicott Street: in front of and along the property line of 10 Endicott Street
(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 7:55 p.m.

SUBMITTED TO HIS HONOR THE JULY 2, 2024

RETURNED BY HIS HONOR THE JULY 2, 2024



ATTEST: _____
(Allyson M. Danforth, City Clerk)

COMMUNICATIONS:

Thomas St. Pierre, Building Commissioner, re: Swimming pool; Response to Motion P217-24 – 2 Linda Jean Lane

Atty. John Keilty on behalf of Lynnfield Street Holdings, LLC, re: Request to amend Zoning Ordinance – Section 4.2.1

Curt Bellavance, Community Development Director; Sgt. James Harkins, Police Department; Capt. Scott Richards, Police Department; Bienvenido A. De La Cruz (Nino), Parking Clerk, Police Department; and Councillor Peter McGinn re: Downtown parking recommendations

Brendan Callahan, Assistant Director of Planning, re: Peabody Independence Greenway Bikeway Extension Project – Easements

Michael J. Gingras, Director of Finance, re: Moody’s Report

BLOCK PARTY:

Rockdale Avenue/Woodlawn Avenue