

REGULAR MEETING OF THE PEABODY CITY COUNCIL
JANUARY 10, 2019

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

ABSENT COUNCILLORS: None

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President Jon G. Turco.

Salute to the American Flag.

P01-19 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the special meeting of November 29, 2018, (Amended) and the regular meeting of December 13, 2018. (Unanimous)

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

HEARINGS

A public hearing was duly held on the application submitted by Gjorga, Inc., d/b/a Trackside Bar & Grill, 30 Warren Street, Peabody, MA. Attorney John Mooradian and Enkelejda Gjorga appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P02-19 COUNCILLOR MCGINN – MOVE TO approve the application from Gjorga, Inc., doing business as Trackside Bar & Grill, 30 Warren Street, Peabody, Mass., for the transfer of an Entertainment License for the use of televisions and radio/stereo for background music at said 30 Warren Street, Peabody, Mass., for the hours of non-live entertainment, as stated in the application.
(Carried 11-0)

A public hearing was duly held on the application submitted by William Skouras, R170 Lynn Street, Peabody, MA. Attorney John Keilty and Mr. William Skouras appeared to speak on behalf of the application. Mr. Mike Brown and Ms. Heidi Williams of NSCAP appeared to speak in favor. No one appeared to speak in opposition.

P03-19 COUNCILLOR ROSSIGNOLL – MOVE TO receive, under suspension of the rules, late communication Item 1 from Councillor Peter McGinn regarding Photographs of Walnut Street.
(Unanimous)

P04-19 COUNCILLOR MOUTSOULAS – BE IT ORDERED by the City Council of the City of Peabody that the application from William Skouras, R170 Lynn Street, Peabody, MA, for a Special Permit to convert the first floor restaurant/tavern to eight (8) apartments at 59-61 Walnut Street, Peabody, MA, as filed in accordance with Sections 1.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason:

Reason: The City Council has determined that the application as submitted and approved meets the general requirements of Section 6.1 of the Peabody Zoning Ordinance, specifically 6.1.2 which satisfies a desirable local need, that its design and appearance will not be injurious to the established or future character of the vicinity and the neighborhood, and that said approval is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Peabody.
(Failed 7-4; Councillor O'Neill, Councillor McGinn, Councillor Rossignoll, and Councillor Turco opposed)

P05-19 COUNCILLOR MOUTSOULAS – MOVE TO receive and approve, under suspension of the rules, late communication Item 2 from Atty. John Keilty on behalf of Patricia Flomp, Trustee, Zoning Ordinance Amendment; Walnut/Howley Street; Request to continue until February 14, 2019. (Unanimous)

REPORTS OF COMMITTEE

Industrial & Community Development Committee **January 10, 2019**

P06-19 COUNCILLOR GOULD – Reporting for the Industrial & Community Development Committee – The Industrial & Community Development Committee met this evening and, as was referenced just now, we are continuing Item 4-C, which is the discussion of rezoning parcels 136 and 127, until February 14th. The subcommittee will be meeting January 31, 2019. After hearing discussion between attorney Keilty and Community Development Director Curt Bellavance, there's going to be some changes presented to us and we'll take that on when it comes before us on January 31st. (Report received)

Committee of the Whole **January 10, 2019**

P07-19 COUNCILLOR TURCO – Reporting for the Committee of the Whole – The Committee of the Whole met this evening. All councillors were present. We had Peabody Main Streets' Deanne Healey speak to us. She fit a lot of information in approximately 15 to 20 minutes regarding the great work that Peabody Main Streets is doing. She referenced the pop-up pub that will be held March 2nd. She also referenced a direction of additional advertising and map project that Peabody Main Streets will be doing with the city, which will include the pop-up children's museum and the Lease it Local program, which is giving out \$27,000 in grants. Councillor Gould, Councillor McGinn, Councillor Charest, and Councillor Gravel all spoke glowingly about the program and the work that they've completed over the last several years. Also Councillor Manning-Martin had mentioned a great idea about beautifying some of the underpasses or overpasses, we'll call them, around the city. She mentioned one in particular on Lowell Street that we may be able to do a mural on the inside of that overpass to beautify it. (Report received)

P08-19 COUNCILLOR TURCO – Reporting for the Committee of the Whole – MOVE TO receive, under suspension of the rules, late communication Item 3 from Deanne Healey, Peabody Main Streets, regarding Peabody Main Streets Handout. (Unanimous)

MOTIONS, ORDERS AND RESOLUTIONS

P09-19 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 8-E communication from Minas Dakos, 1 Keys Drive, Apt. #7, regarding Thank-you letter. (Unanimous)

P10-19 COUNCILLOR MOUTSOULAS – MOVE THAT the City Council send a communication to Mr. Minas Dakos thanking him for his many years of service. (Unanimous)

P11-19 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-J communication from Ruggiero Family Memorial Home, Inc., 10 Chestnut Street, regarding Special Permit application and to set up a public hearing for Thursday, February 28, 2019. (Unanimous)

P12-19 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 9-C Class 2 Motor Vehicle License (Transfer) Mike's Custom Autobody, Inc., 100 Birney Street, and to set up a public hearing. (Unanimous)

P13-19 COUNCILLOR ROSSIGNOLL – MOVE TO receive and approve, under suspension of the rules, Item 9-A Use of the Wiggin Auditorium, Peabody High School Vocal Music – February 13, 2019, subject to all papers being in order. (Unanimous)

P14-19 COUNCILLOR ROSSIGNOLL – MOVE THAT the Conservation Commission provide the City Council with an opinion regarding placing a black mesh-type barrier on the bottom half of the guardrail with stakes in the ground surrounding Crystal Lake to prevent any debris or runoff going into Crystal Lake. (Unanimous)

P15-19 COUNCILLOR MANNING-MARTIN – MOVE THAT the City Council release all Executive Session minutes for the past year where the confidential nature of the meetings has expired. (Unanimous)

P16-19 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 4-1981; Huyen Susan Thu Le, 484 Lowell Street, Unit LL-B4, subject to all papers being in order. (Unanimous)

P17-19 COUNCILLOR SASLAW – MOVE TO receive and approve, under suspension of the rules, Item 8-B communication from Albert Talarico, Building Commissioner, regarding Transfer of Special Permit 4-1981; Justin W. Brown, 484 Lowell Street, Unit LL-A6, subject to all papers being in order. (Unanimous)

P18-19 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-H communication from Cynthia Landry, P.O. Box 9120, Chelsea, regarding Elite Pre-Owned Auto, 153 Newbury Street, and send to Elite-Pre-Owned Auto, 153 Newbury Street. (Unanimous)

(COUNCILLOR SASLAW – “I’d like to acknowledge and celebrate the life of Sam Berns, who made a huge impact not just in Peabody, but in the world. As many of you know, Peabody is the world headquarters of the Progeria Research foundation. The face of that foundation is Sam Berns, the nephew of Audrey Gordon, who’s the director of that worldwide organization. Today is the anniversary of Sam’s passing and I just mention it because sometimes we forget. But if you ever have a chance, Google “Sam Berns TED Talk” or “Life According to Sam HBO,” spend a few minutes and watch it and I think it will give you a different perspective on the world. He was a phenomenal human being who can teach many of us life lessons.”)

P19-19 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 8-C communication from Captain Scott Richards, Police Department, regarding Response to Council Motion P623-18. (Unanimous)

P20-19 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Request to accept MGL Chapter 32B, Section 20 – “Other Postemployment Benefits Liability Trust Fund” (OPEB) and to refer to the Finance Committee. (Unanimous)

P21-19 COUNCILLOR TURCO – MOVE TO request that the Public Services Department provide the City Council with the booklet of information regarding the updated snow removal ward captains and contact numbers. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P22-19 COUNCILLOR MOUTSOULAS – MOVE TO receive a communication from Planning Board regarding 26 Howley Street – Proposed Zoning Amendment. (Unanimous)

P23-19 COUNCILLOR MOUTSOULAS – MOVE TO receive a communication from Stephen & Wendy Thomas, 10 Westview Circle, regarding 8 Westview Circle; Sump Pump Discharge and to refer to the Municipal Safety Committee. (Unanimous)

P24-19 COUNCILLOR MOUTSOULAS – MOVE TO receive a communication from Nutre, LLC, 23 Upton Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P25-19 COUNCILLOR MELVILLE – MOVE TO receive a communication from Jennifer Davis, Dir., Park Dept., regarding Response to Motion P865-18. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P26-19 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Taxi/Limousine Driver's License, subject to all papers being in order:

Shane Kieran – License 52
Michelle Callahan – License 53
(Unanimous)

P27-19 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Class 2 Motor Vehicle License (2019 Renewal), subject to all papers being in order:

222 Newbury Motors, 222 Newbury Street
Allen's Auto Trim, 27 Howley Street
American Auto Export, 484 Lowell Street
Auto Graphics & Sales, 220B Newbury Street
Auto Transporters of New England, Rear 55 Lynnfield Street
Bill's Auto Sales, 256 Newbury Street
D&R Auto, 100 Birney Street
Elite Motor Cars, 93 Lynn Street
Legacy Auto Sales, 92 Foster Street
Louie's BMW, 260 Newbury Street
Mallia's Towing, Inc., 161-163 Washington Street
North Shore Auto Sales, 218 Newbury Street
Prestige Motors, 288 Newbury Street
R&A Automotive, 26 Lake Street
Tri City Services, 55R Walnut Street
(Unanimous)

P28-19 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Entertainment License (2019 Renewal), subject to all papers being in order:

Carrabba's Italian Grill, 1A Newbury Street
Greg's Lounge, 50 Walnut Street
Legal Sea Foods, 210 Andover Street
Sylvan Street Grille, 12 Sylvan Street
(Unanimous)

P29-19 COUNCILLOR GRAVEL – MOVE TO receive and approve the following General Licenses (2019 Renewal), subject to all papers being in order:

Innholder License-SpringHill Suites Marriott, 43 Newbury Street
Limousine License-Michael's Limousine, 161 Lynn Street
Limousine License-Tri City Services, 55R Walnut Street
Taxi License-Sunshine Taxi, 153 Newbury Street
Taxi License-Tri City Services, 55R Walnut Street
(Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

P30-19 COUNCILLOR GRAVEL – MOVE TO request that the Council President dissolve the Ad Hoc Committee on Municipal Consolidation & Efficiency. (Unanimous)

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 9:25 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, JANUARY 14, 2019
RETURNED BY HIS HONOR THE MAYOR, JANUARY 14, 2019

ATTEST



(Timothy E. Spanos, City Clerk)

COMMUNICATIONS:

His Honor the Mayor re: Request to accept MGL Chapter 32B, Section 20 – “Other Postemployment Benefits Liability Trust Fund” (OPEB)

Albert Talarico, Building Commissioner, re: Transfer of Special Permit 4-1981; Huyen Susan Thu Le, 484 Lowell Street, Unit LL-B4

Albert Talarico, Building Commissioner, re: Transfer of Special Permit 4-1981, Justin W. Brown, 484 Lowell Street, Unit LL-A6

Captain Scott Richards, Police Department, re: Response to Council Motion P623-18

Planning Board re: 26 Howley Street – Proposed Zoning Amendment

Minas Dakos, 1 Keys Drive, Apt. #7, re: Thank-you letter

Stephen & Wendy Thomas, 10 Westview Circle, re: 8 Westview Circle; Sump Pump Discharge

Nutre, LLC, 23 Upton Street, re: Special Permit application

Cynthia Landry, P.O. Box 9120, Chelsea, re: Elite Pre-Owned Auto, 153 Newbury Street

Jennifer Davis, Dir., Park Dept., re: Response to Motion P865-18

Ruggiero Family Memorial Home, Inc., 10 Chestnut Street, re: Special Permit application

USE OF THE WIGGIN AUDITORIUM:

Peabody High School Vocal Music – February 13, 2019

TAXI/LIMOUSINE DRIVER’S LICENSE:

Shane Kieran – License 52

Michelle Callahan – License 53

CLASS 2 MOTOR VEHICLE LICENSE: (Transfer)

Mike’s Custom Autobody, Inc., 100 Birney Street

CLASS 2 MOTOR VEHICLE LICENSE: (2019 Renewal)

222 Newbury Motors, 222 Newbury Street

Allen’s Auto Trim, 27 Howley Street

American Auto Export, 484 Lowell Street

Auto Graphics & Sales, 220B Newbury Street

Auto Transporters of New England, Rear 55 Lynnfield Street

Bill’s Auto Sales, 256 Newbury Street

D&R Auto, 100 Birney Street

Elite Motor Cars, 93 Lynn Street

Legacy Auto Sales, 92 Foster Street

Louie’s BMW, 260 Newbury Street

Mallia’s Towing, Inc., 161-163 Washington Street

North Shore Auto Sales, 218 Newbury Street

Prestige Motors, 288 Newbury Street

R&A Automotive, 26 Lake Street

Tri City Services, 55R Walnut Street

ENTERTAINMENT LICENSE: (2019 Renewal)

Carrabba’s Italian Grill, 1A Newbury Street

Greg’s Lounge, 50 Walnut Street

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GENERAL LICENSES: (2019 Renewal)

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Limousine License-Michael's Limousine, 161 Lynn Street

Limousine License-Tri City Services, 55R Walnut Street

Taxi License-Sunshine Taxi, 153 Newbury Street

Taxi License-Tri City Services, 55R Walnut Street