

REGULAR MEETING OF THE PEABODY CITY COUNCIL
JANUARY 14, 2021

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

ABSENT COUNCILLORS:

An in-person (City Council only) 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.

P02-21 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the special meeting of December 8, 2020, the regular meeting minutes of December 10, 2020, and the inaugural meeting minutes of January 4, 2021.
(Carried 11-0)

HEARINGS

The City Council reconvened the recessed public hearing on the application filed by Paulo Magalhaes Borges, 20 Wallis Street, Peabody, MA. Mr. Paulo Magalhaes Borges and Attorney Priscila Santos appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P03-21 COUNCILLOR MOUTSOULAS – MOVE TO approve the application filed by Paulo Magalhaes Borges, 20 Wallis Street, Peabody, for the transfer of a Class II Motor Vehicle License, subject to all papers being in order.
(Carried 11-0)

The City Council reconvened the recessed public hearing on the application filed by Scott Crooker, 145-A Summit Street, Suite 208, Peabody, MA. Mr. Scott Crooker appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P04-21 COUNCILLOR WELTON – BE IT ORDERED by the City Council of the City of Peabody that the application filed by Scott Crooker, 145-A Summit Street, Suite 208, Peabody, MA, for a Special Permit to operate a tattoo shop at 145-A Summit Street, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons and subject to the following conditions:

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.

CONDITIONS:

1. Operating hours will be by appointment only from 10:00 a.m. to 9:00 p.m., seven days a week; and
2. Per the Health Department, Establishment will require a permit from the Board of Health, as well as all body artists to be employed. Applicant to follow up with Department of Health and is subject to all Mass. COVID safety standards for close contact personal services.

(Carried 11-0)

The City Council reconvened the recessed public hearing on the application filed by John Mahoney c/o Atomic Coffee Roasters, LLC, 5 Webster Street, Peabody, MA. Mr. John Mahoney and Attorney John Keilty appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P05-21 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, Item 8-B communication from Amy Maguire, 5B Webster Street, regarding In Favor of Atomic Coffee Roasters, LLC, 5 B Webster Street.

(Carried 11-0)

P06-21 COUNCILLOR MOUTSOULAS – BE IT ORDERED by the City Council of the City of Peabody that the application filed by John Mahoney c/o Atomic Coffee Roasters, LLC, 5 Webster Street, Peabody, MA, for a Special Permit to allow use of Unit B as a food processing, wholesale, provided all work is carried on inside the building at 5 Webster Street, Peabody, MA, as filed in accordance with Sections 4.2, 4.2.6, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons and subject to the following condition:

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.

CONDITION:

1. Per the Health Department, No permit or plan review from Peabody Board of Health is required for a wholesale operation. If retail is to be added, local permit and plan review are required. An IMP (Integrated Pest Management Plan) must be implemented at the facility.

(Carried 11-0)

The City Council reconvened the recessed public hearing on the application filed by MEC Peabody Associates Limited Partnership, 635 Lowell Street, Peabody, MA. Ms. Nicole DiNapoli appeared to speak on behalf of the application. Mr. Keith Slattery, 11 Albert Road, Peabody, MA, appeared to speak in favor. No one appeared to speak in opposition.

P07-21 COUNCILLOR ROSSIGNOLL – MOVE TO receive, under suspension of the rules, the following communications:

8-E John Horgan, President, Peabody West Little League, regarding Clubhouse Protocols – December 2020

8-F John Horgan, President, Peabody West Little League, regarding Peabody West Little League Clubhouse

(Carried 11-0)

P08-21 COUNCILLOR ROSSIGNOLL – BE IT ORDERED by the City Council of the City of Peabody that the application filed by MEC Peabody Associates Limited Partnership, 635 Lowell Street, Peabody, MA, for a Special Permit to allow for indoor recreation, specifically for the Peabody West Little League to temporarily occupy Suite A-205 at 635 Lowell Street, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons:

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.

(Carried 11-0)

The City Council reconvened the recessed public hearing on the application filed by Volta, 210 Andover Street, Peabody, MA. Mr. John Lawrence, Mr. Dean Apostoleris, and Ms. Ashley Harkness appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P09-21 COUNCILLOR CHAREST – BE IT ORDERED by the City Council of the City of Peabody that the application filed by Volta, 210 Andover Street, Peabody, MA, for a Special Permit to install two (2) electric vehicle charging stations with electronic digital display messaging at 210 Andover Street in the parking lot of the existing Macy’s Department Store, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons and subject to the following conditions:

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.

CONDITIONS:

1. The applicant will allow the City to utilize their digital display messaging for emergency and municipal information; and
2. The applicant will adhere to Chapter 19 entitled Motor Vehicles and Traffic of the Code of the City of Peabody “Zero Emission Vehicle Charging Stations,” as adopted March 22, 2018.

(Carried 11-0)

The City Council reconvened the recessed public hearing on the application filed by Peter Metropolis c/o DMP Realty Trust, 484 Lowell Street, Peabody, MA. Captain Christopher Dowling, Fire Department, appeared to speak on behalf of the City. Mr. Peter Metropolis appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P10-21 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, late communication Item 1 from Captain Christopher Dowling, Peabody Fire Prevention Bureau, regarding 484 Lowell Street. (Carried 11-0)

P11-21 COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody that the application filed by Peter Metropolis c/o DMP Realty Trust, 484 Lowell Street, Peabody, MA, for a Special Permit amending Special Permit 4-1981 by changing the number of individual units in an existing building from 10 to 25 units. Said additional units shall be included in the list of approved Special Permit uses specified in said Special Permit 4-1981 at 484 Lowell, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons and subject to the following conditions:

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.

CONDITIONS:

1. The transfer of this Special Permit to a new owner will require a public hearing before the City Council;
2. Additional audio/visual alarms and illuminated exit signs are required, as requested by Captain Christopher Dowling in his email dated January 14, 2021; and
3. Updated CAD floor plans must be submitted to the City Clerk for distribution to the Fire Department and Inspection Services Department.

(Carried 11-0)

REPORTS OF COMMITTEE

None.

MOTIONS, ORDERS AND RESOLUTIONS

P12-21 COUNCILLOR MANNING-MARTIN (Co-motion with Councillor Saslaw) – MOVE TO request that Robert Labossiere, Director of Public Services, and Mr. Michael Gingras, Director of Finance, appear before the Finance Committee for an explanation of how the Water Enterprise Fund works and how it is affecting water billing.
(Carried 11-0)

P13-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, the following communications from His Honor the Mayor and refer to the Finance Committee:

7-A Transfer of Funds – Facilities Salaries Full Time - \$200,000
7-B Transfer of Funds – Library Books & Subscriptions - \$65,000; Salaries Full Time - \$74,000
(Carried 11-0)

P14-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, the following communications:

8-C Nancy (Louise) Bassett, 104 Brooksby Village Drive, Unit 519, regarding Library budget
8-D Faye Kolhonen, 198 Lowell Street, regarding Peabody Institute Library
(Carried 11-0)

P15-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive and approve, under suspension of the rules, Item 9-G Banner – North Shore Medical Center, 81 Highland Avenue, Salem, subject to all papers being in order.
(Carried 11-0)

P16-21 COUNCILLOR WELTON – MOVE TO refer the issue of traffic safety at the corner of Bartholomew Street and Lynnfield Street to the Municipal Safety Committee, to request that the Police Department and Public Services Department appear to discuss potential options to improve safety measures at that intersection, and to request that the Police Department provide a copy of the recent state-funded traffic study and a cost analysis for the installation of traffic lights.
(Carried 11-0)

P17-21 COUNCILLOR MCGINN – MOVE TO receive and approve, under suspension of the rules Item 7-C communication from His Honor the Mayor regarding the following Various Re-appointments:

<u>NAME:</u>	<u>POSITION:</u>	<u>TERM TO EXPIRE:</u>
Kevin Kelly 8 Ohio Street Wilmington, MA 01887	Asst. Director of Public Services	12/31/2021 (One-Year Term)
Fran Gallugi 582 Lowell Street Peabody, MA 01960	Zoning Board of Appeals	12/31/2023 (3-Year Term)
Julie Picardi 22 Benevento Circle Peabody, MA 01960	Zoning Board of Appeals	12/31/2023 (3-Year Term)
Edward Colbert 15 Foreza Road Peabody, MA 01960	Zoning Board of Appeals (Alternate)	12/31/2021 (One-Year Term)

Keith Slattery 11 Albert Road Peabody, MA 01960	Zoning Board of Appeals (Alternate)	12/31/2021 (One-Year Term)
Kevin Donovan 151R Lowell Street Peabody, MA 01960	Cable Commission	12/31/2023 (3-Year Term)
Mick Loescher 10 Columbus Road Peabody, MA 01960	Cable Commission	12/31/2023 (3-Year Term)
Ross Richardson 45 Glenn Drive Peabody, MA 01960	Cable Commission	12/31/2023 (3-Year Term)
Jon P. Swanson 9 Welcome Street Peabody, MA 01960	Cable Commission	12/31/2023 (3-Year Term)
Daniel Loring 32 Linden Road Peabody, MA 01960	Cable Commission	12/31/2023 (3-Year Term)
Christopher J. Morphis 14 Kittredge Street Peabody, MA 01960	City Collector	12/31/2021 (One-Year Term)
Robyn Milbury 11 Wildwood Road Peabody, MA 01960	Community Development Authority	12/31/2021 (One-Year Term)
William Woods, Jr. 4 Baldwin Street Peabody, MA 01960	Community Development Authority	12/31/2021 (One-Year Term)
Erica Barrett 16 Cedar Grove Avenue Peabody, MA 01960	Commission on Disability	12/31/2021 (One-Year Term)
Robert Caldwell 52 Catherine Drive Peabody, MA 01960	Commission on Disability	12/31/2021 (One-Year Term)
Anthony Porcello 16 Crowninshield Street Apartment 210 Peabody, MA 01960	Commission on Disability	12/31/2021 (One-Year Term)
Loretta Tenaglia 101 Brooksby Village Drive Unit 111 Peabody, MA 01960	Council on Aging	12/31/2021 (One-Year Term)
Jennifer Davis 29 Church Street Apartment 2 Gloucester, MA 01930	Director of Parks, Recreation & Forestry	12/31/2021 (One-Year Term)

Joseph Daly 3 Hood Terrace Danvers, MA 01923	Emergency Management Director	12/31/2021 (One-Year Term)
James M. Hafey 9 Andrews Street Gloucester, MA 01930	Facilities Director	12/31/2021 (One-Year Term)
Joanne Roden 27 Calumet Street Peabody, MA 01960	Farm Manager	12/31/2021 (One-Year Term)
Paul A. Foukas 40 Spencer Street Lynn, MA 01905	Plumbing & Gas Inspector	12/31/2021 (One-Year Term)
David Cronin 20 Livingston Drive Peabody, MA 01960	Historical Commission	12/31/2023 (3-Year Term)
John Andruszkiewicz 2 Perley Avenue Peabody, MA 01960	Historical Commission (Alternate)	12/31/2021 (One-Year Term)
Beth Brennan-O'Donnell 10 Michelle Road Peabody, MA 01960	Human Resources Director	12/31/2021 (One-Year Term)
Albert Talarico 157 Marble Street Stoneham, MA 02180	Building Commissioner	12/31/2021 (One-Year Term)
Mark Menard 23 Pocahontas Drive Peabody, MA 01960	Local Building Inspector	12/31/2021 (One-Year Term)
Maureen Sammon 49 Judson Street Malden, MA 02148	Outdoor Education Coordinator	12/31/2021 (One-Year Term)
Kierstin Pane 3 Garden Lane Wakefield, MA 01880	Park & Recreation Program Supervisor	12/31/2021 (One-Year Term)
Brian Grant 10 South Street Peabody, MA 01960	Superintendent of Parks & Forestry	12/31/2021 (One-Year Term)
Daniel B. Doucette 3 Essex Green Lane Peabody, MA 01960	Purchasing Agent	12/31/2021 (One-Year Term)
Robert Labossiere 160 Brady Avenue Salem, NH 03079	Public Services Director	12/31/2021 (One-Year Term)
Dianne Full 12 Sherman Street Peabody, MA 01960	Treasurer	12/31/2021 (One-Year Term)

Stephen J. Patten Veterans Agent 12/31/2021
 4 Clinton Road (One-Year Term)
 Peabody, MA 01960

Shawn M. Mahoney Wire Inspector 12/31/2021
 17 Ethel Avenue (One-Year Term)
 Peabody, MA 01960
 (Carried 11-0)

P18-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-A communication from PERAC, 5 Middlesex Avenue, Suite 304, Somerville, regarding Appropriation for Fiscal Year 2022.
 (Carried 11-0)

P19-21 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, Item 8-H communication from Atty. John Keilty on behalf of Wilson Square Auto Sales, 2 Andover Street, regarding Class 2 MV License – Wilson Square Auto Sales and refer to the Show Cause hearing and also refer to the Building Commissioner and City Solicitor for comment.
 (Carried 11-0)

P20-21 COUNCILLOR MOUTSOULAS – MOVE TO receive and approve, under suspension of the rules, Item 8-G communication from Albert Talarico, Building Commissioner, regarding Transfer of Special Permit 25-2011; Jorgo Qipo, 7C Webster Street, subject to all papers being in order.
 (Carried 11-0)

P21-21 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, the following 2021 Renewals, subject to all papers being in order:

9-A **CLASS 1 MOTOR VEHICLE LICENSE:**
 Tesla Motors, 210 Andover Street

9-B **CLASS 2 MOTOR VEHICLE LICENSE:**
 American Auto Export, 484 Lowell Street
 Auto Transporters of New England, R55 Lynnfield Street
 JRM Auto Sales, 80 Newbury Street
 Legacy Auto Sales, 92 Foster Street
 Louie's BMW, 260 Newbury Street
 Mallia's Towing, 161-163 Washington Street
 R&A Automotive, 26 Lake Street
 Tremont Auto Sales, 97 Tremont Street
 Tri City Services, 55R Walnut Street
 USA Speedy Auto, 108 Newbury Street
 Walnut Street Auto Sales, 55-57 Walnut Street

9-C **CLASS 3 MOTOR VEHICLE LICENSE:**
 Gurrisi Brothers Auto, 0 Corwin Street
 (Carried 11-0)

P22-21 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, the following Item 9-D Entertainment License (Renewal for 2021), subject to all papers being in order:

Brothers Restaurant, 11 Main Street
 D&R Roadhouse Pub, 55 Pulaski Street
 Daniella's Ristorante, 41 Cross Street
 (Carried 10-0; Councillor Charest absent)

P23-21 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, the following Item 9-E General License (Renewal for 2021), subject to all papers being in order:

- Limousine License-Road House Limousine, 55 Pulaski Street
- Limousine License-Tri City Services, 55R Walnut Street
- Limousine License-Sir Charles Limousine, 200 Lake Street
- Pool & Billiard License-Metro Bowl, 63 Foster Street
- Taxicab License-Tri City Services, 55R Walnut Street

(Carried 11-0)

P24-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 9-F Class 2 Motor Vehicle License (Transfer) Broadway Motors, 288 Newbury Street, and set up a public hearing. (Carried 11-0)

P25-21 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, the following Item 9-H Innholders License (Renewal for 2021), subject to all papers being in order:

- Boston Marriott Peabody, 8A Centennial Drive
- Extended Stay America #9666, 200 Jubilee Drive
- Hampton Inn Boston/Peabody, 59 Newbury Street
- Homewood Suites Boston/Peabody, 57 Newbury Street
- Springhill Suites Marriott, 43 Newbury Street

(Carried 11-0)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

Previously received.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

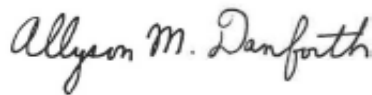
Previously received.

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 9:30 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, JANUARY 21, 2021
RETURNED BY HIS HONOR THE MAYOR, JANUARY 21, 2021



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

COMMUNICATIONS:

- His Honor the Mayor re: Transfer of Funds – Facilities Salaries Full Time - \$200,000
- His Honor the Mayor re: Transfer of Funds – Library Books & Subscriptions - \$65,000; Salaries Full Time - \$74,000
- His Honor the Mayor re: Various Reappointments
- PERAC, 5 Middlesex Avenue, Suite 304, Somerville, re: Appropriation for Fiscal Year 2022

Amy Maguire, 5B Webster Street, re: In Favor of Atomic Coffee Roasters, LLC, 5 B Webster Street
 Nancy (Louise) Bassett, 104 Brooksby Village Drive, Unit 519, re: Library budget
 Faye Kolhonen, 198 Lowell Street, re: Peabody Institute Library
 John Horgan, President, Peabody West Little League, re: Clubhouse Protocols – December 2020
 John Horgan, President, Peabody West Little League, re: Peabody West Little League Clubhouse
 Albert Talarico, Building Commissioner, re: Transfer of Special Permit
 25-2011; Jorgo Qipo, 7C Webster Street
 Atty. John Keilty on behalf of Wilson Square Auto Sales, 2 Andover Street, re: Class 2 MV License –
 Wilson Square Auto Sales

CLASS 1 MOTOR VEHICLE LICENSE: (2021 Renewal)

Tesla Motors, 210 Andover Street

CLASS 2 MOTOR VEHICLE LICENSE: (2021 Renewal)

American Auto Export, 484 Lowell Street

Auto Transporters of New England, R55 Lynnfield Street

JRM Auto Sales, 80 Newbury Street

Legacy Auto Sales, 92 Foster Street

Louie's BMW, 260 Newbury Street

Mallia's Towing, 161-163 Washington Street

Mario's Auto Sales, 245 Andover Street

R&A Automotive, 26 Lake Street

Tremont Auto Sales, 97 Tremont Street

Tri City Services, 55R Walnut Street

USA Speedy Auto, 108 Newbury Street

Walnut Street Auto Sales, 55-57 Walnut Street

CLASS 3 MOTOR VEHICLE LICENSE: (Renewal for 2021)

Gurrisi Brothers Auto, 0 Corwin Street

ENTERTAINMENT LICENSE: (Renewal for 2021)

Brothers Restaurant, 11 Main Street

D&R Roadhouse Pub, 55 Pulaski Street

Daniella's Ristorante, 41 Cross Street

GENERAL LICENSES: (Renewal for 2021)

Bowling Alley License-Metro Bowl, 63 Foster Street

Limousine License-Road House Limousine, 55 Pulaski Street

Limousine License-Tri City Services, 55R Walnut Street

Limousine License-Sir Charles Limousine, 200 Lake Street

Pool & Billiard License-Metro Bowl, 63 Foster Street

Taxicab License-Tri City Services, 55R Walnut Street

CLASS 2 MOTOR VEHICLE LICENSE: (Transfer)

Broadway Motors, 288 Newbury Street

BANNER:

North Shore Medical Center, 81 Highland Avenue, Salem

INNHOLDER LICENSE: (Renewal for 2021)

Boston Marriott Peabody, 8A Centennial Drive

Extended Stay America #9666, 200 Jubilee Drive

Hampton Inn Boston/Peabody, 59 Newbury Street

Homewood Suites Boston/Peabody, 57 Newbury Street

Springhill Suites Marriott, 43 Newbury Street