

REGULAR MEETING OF THE PEABODY CITY COUNCIL
JANUARY 26, 2017

PRESENT COUNCILLORS: MANNING-MARTIN, GARABEDIAN, GRAVEL, TURCO, GOULD, MCGINN, WALSH, MOUTSOULAS, CHAREST, SINEWITZ, AND SASLAW

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, Joel D. Saslaw.

Salute to the American Flag.

P44-17 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of January 5, 2017. (Unanimous)

COUNCILLOR SASLAW - 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.

P45-17 COUNCILLOR SINEWITZ – MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Appointments to the Board of Health and Conservation Commission. (Unanimous)

(MAYOR BETTENCOURT AND MR. THOMAS DURKIN APPEARED TO SPEAK BEFORE THE CITY COUNCIL REGARDING ITEM 7-B)

P46-17 COUNCILLOR SINEWITZ – MOVE TO approve the appointment of Thomas J. Durkin, III, 19 Surrey Lane, Peabody, MA, to the Board of Health (Regular Position) for a three-year term to expire 1st Mon. February 2020. (Carried 11-0)

P47-17 COUNCILLOR MANNING-MARTIN – MOVE TO approve the appointment of Stewart Lazares, 2 Upham Street, Peabody, MA, to the Conservation Commission (Regular Position) for a three-year term to expire 09/30/2017. (Carried 11-0)

HEARINGS

A public hearing was duly held on the application from Peabody Auto Collision, 9B Rear Caller Street, Peabody, MA. Mr. Florencio Rodolfo appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P48-17 COUNCILLOR MCGINN – MOVE TO approve the application from Peabody Auto Collision, 9B Rear Caller Street, Peabody, MA, for the transfer of a Class 3 Motor Vehicle License from Braz Auto Center, Inc., at said 9B Rear Caller Street, Peabody, MA, subject to the following conditions and with all papers being in order:

CONDITIONS:

1. That cars stored on the exterior of the property which are for sale, sold or not sold shall be limited to a maximum of one (1) vehicle parked in accordance with the vehicle alignment plan of land revised January 20, 2017, and signed by the property owner and that no such vehicle shall be stored on other property in the vicinity or in the interior of the building; and
2. Hours of operation shall be 8:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 12:00 p.m. Saturday.

(Carried 11-0)

P49-17 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-J communication from Albert Talarico, Building Commissioner, regarding Special Permit transfer 8-2012; to Rodolfo Florencio d/b/a Peabody Auto Collision. (Unanimous)

P50-17 COUNCILLOR MCGINN – MOVE TO approve Item 8-J communication from Albert Talarico, Building Commissioner, regarding Special Permit transfer 8-2012; to Rodolfo Florencio d/b/a Peabody Auto Collision, subject to the following conditions and with all papers being in order:

CONDITIONS:

1. That no junk cars or long term storage of cars will be on the property;
2. That cars stored on the exterior of the property which are under repair shall be limited to a maximum of eight (8) vehicles parked in accordance with the vehicle alignment plan of land revised January 20, 2017, and signed by the property owner and that no such vehicle shall be stored on any property in the vicinity;
3. That cars stored on the interior of the building which are under repair shall be limited to a maximum of seven (7) vehicles;
4. That all cars on the property which are under repair shall be allowed on the property for a maximum of 30 days;
5. That all automobile repair work take place in the interior of the building;
6. That the operator ensure appropriate ventilation and exhaust systems are in place to prevent nuisance odors and particulate emissions to abutters;
7. That spray booths, limited finishing work stations and preparation workstations conform to 527CMR 1 fire safety code 43 and that all other necessary permits are obtained from the Fire Department; and
8. Hours of operation shall be 8:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 12:00 p.m. Saturday.

(Carried 11-0)

A public hearing was duly held on the application from Not Your Average Joe's, Inc., 210 Andover Street, Peabody, MA. Appearing to speak on behalf of the application was Mr. Bruce Jangro. No one appeared to speak in favor. No one appeared to speak in opposition.

P51-17 COUNCILLOR CHAREST – MOVE TO approve the application from Not Your Average Joe's, Inc., 210 Andover Street, Peabody, MA, for an Entertainment License to allow for non-live entertainment, specifically satellite radio and televisions, at said 210 Andover Street, Peabody, MA, subject to all papers being in order. (Carried 11-0)

A public hearing was duly held on the application from Ilyria, Inc., 59 Walnut Street, Peabody, MA. Appearing to speak on behalf of the application was Mr. Fotis Emmanuel. No one appeared to speak in favor. No one appeared to speak in opposition.

P52-17 COUNCILLOR MOUTSOULAS – MOVE TO approve the application from Ilyria, Inc., 59 Walnut Street, Peabody, MA, for an Entertainment License to allow for non-live entertainment, specifically internet radio and television, CD player; and live entertainment, specifically live music, at said 59 Walnut Street, Peabody, MA, subject to the following conditions and with all papers being in order:

CONDITIONS:

1. Non-live entertainment hours will be from 11:00 a.m. to 10:00 p.m. daily; and
2. Live entertainment will be from 8:00 p.m. to 1:00 a.m. on Friday and Saturday nights only.

(Carried 11-0)

A public hearing was duly held on the application from Lissette Gonzalez, 10 First Street, Salem, MA. Appearing to speak on behalf of the application was Ms. Lissette Gonzalez. No one appeared to speak in favor. No one appeared to speak in opposition.

P53-17 COUNCILLOR MCGINN – BE IT ORDERED by the City Council of the City of Peabody that the application from Lissette Gonzalez, 10 First Street, Salem, MA, for a Special Permit to operate an office for nutritional counseling at 149 Washington 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 reason 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. Hours of operation Monday through Saturday 7:00 a.m. through 7:00 p.m.
(Carried 11-0)

A public hearing was duly held on the application from Herb Chambers of Lynnfield, Inc., 47 Eastern Boulevard, Glastonbury, CT. Appearing to speak on behalf of the application was Attorney John Keilty and Mr. Paul McDaniels. No one appeared to speak in favor. Mr. Russell Donovan, 12 Quail Road, Peabody, MA, appeared to speak in opposition.

P54-17 COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody that the application from Herb Chambers of Lynnfield, Inc., 47 Eastern Boulevard, Glastonbury, CT, for a Special Permit to allow for automotive sales, storage, repair and service with all repair and service inside; automotive services and development of stormwater management facility within surface and groundwater protection district at 202 Newbury Street, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, 6.9.5(26), and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason 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. Pursuant to review and approval from the Conservation Commission up to and including a list of conditions and restrictions.
(Carried 11-0)

A public hearing was duly held on the application from Silver Star, Inc., d/b/a Herb Chambers of Peabody, 202 Newbury Street, Peabody, MA. Appearing to speak on behalf of the application was Attorney John Keilty. No one appeared to speak in favor. No one appeared to speak in opposition.

P55-17 COUNCILLOR SASLAW – MOVE TO approve the application from Silver Star, Inc., d/b/a Herb Chambers of Peabody, 202 Newbury Street, Peabody, MA, for a Class 2 Motor Vehicle License at said 202 Newbury Street, Peabody, MA, subject to the condition that the license will not be in effect until an occupancy permit has been issued by the Building Commissioner and with all papers in order.
(Carried 11-0)

A public hearing was duly held on the application from BTM Investments, LLC, Thomas McMillan, Manager, 27 Water Street, Unit 211, Wakefield, MA. Appearing to speak on behalf of the application was Attorney Athan Vontzalides and Mr. Steven Lomasney. Mayor Bettencourt appeared to speak on behalf of the City. Mr. Edward Lomasney, 7 Arnold Road, Peabody, MA; Mr. Scott Bingel, 261 Newbury Street, Peabody, MA; Mr. David Gamache, 252 Newbury Street, Peabody, MA; Mr. Mark Bettencourt, 10 Bailey Terrace, Peabody, MA; Mr. Robert John Wood, 278 Forest Street, Peabody, MA; and Ms. Kathleen Carlson, 266 Newbury Street, Peabody, MA, appeared to speak in favor. Ms. Marcia O'Leary, 278 Newbury Street, Peabody, MA; and Ms. Linda Belanger, 278 Newbury Street, Peabody, MA, appeared to speak in opposition.

P56-17 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, late communication Item 1 from BTM Investments, LLC submitting the Show Baseball & Softball Academy information.
(Unanimous)

P57-17 COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody that the application from LTD Investments, LLC, Thomas McMillan, Manager, 27 Water Street, Unit 211, Wakefield, MA, for a Special Permit to change and alter the legally existing nonconforming structure and use so as to allow for the construction of an indoor baseball/softball teaching facility to be operated by The Show Baseball & Softball Academy c/o Steve Lomasney at 274 Newbury Street, Peabody, MA, as filed in accordance with Sections 1.5, 4.2., 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason 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. No outdoor construction on Saturday; only in-door construction allowed;
2. A fence will be constructed around the entire perimeter of the property;
3. A Special Permit transfer will require a public hearing; and
4. Lighting on any signs will be turned off after hours.

(Carried 11-0)

A public hearing was duly held on the application from Group 1 Automotive, Inc., 800 Gesner Road, Suite 500, Houston, TX. Appearing to speak on behalf of the application was Attorney Athan Vontzalides and Mr. Neal Sander. Mayor Bettencourt and Ms. Lucia DelNegro, Conservation Agent, appeared to speak on behalf of the City. Mr. Brad Haskell, 6 Richartson Road, Peabody, MA; Ms. Camilla Henry, 2 Richartson Road, Peabody, MA; Mr. William Cataldo, 6 Stuart Road, Peabody, MA; and Mr. Ed Gates, 11 Mount Pleasant Drive, Peabody, MA, appeared to speak in favor. No one appeared to speak in opposition.

P58-17 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, late communication Item 2 from Attorney Athan Vontzalides, regarding Conditions and restrictions; 0 Andover Street.
(Unanimous)

P59-17 COUNCILLOR CHAREST – BE IT ORDERED by the City Council of the City of Peabody that the application from Group 1 Automotive, Inc., 800 Gesner Road, Suite 500, Houston, TX, for a Special Permit to allow for automotive storage of undamaged and operable vehicles on the property numbered 0 Andover Street, Assessors Map 39, Parcel 25, 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 reason 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. Petitioner shall provide a 100 foot wide buffer area to the residential abutters on Richartson Road and Hog Hill Road, all as shown on the submitted site plan;
2. Petitioner shall construct an 8-foot high board on board fence nearer to the parking lot abutting the properties on Richartson Road to be situated between 75 and 90 feet from the property line. The purpose for varying the distance of the fence is to protect as many trees as possible. The petitioner shall maintain and repair said fence so as to be in good condition at all times;

3. A secondary demarcation fence shall be constructed approximately 5 feet inside the property line abutting the properties on Richartson Road not to exceed 5 feet in height. Said fence to be of a split rail, wrought iron, or other style of aesthetic fence. The petitioner shall maintain and repair said demarcation fence so as to be in good condition at all times;
4. All the light poles installed within the first 120 feet of the west edge of the parking lot shall be reduced from 15 feet in height to 10 feet in height. All light poles beyond that line shall not exceed 15 feet in height. In addition, all lights shall be fully shielded/cutoff, and spill controlled. Two-thirds of the inventory lot light poles will be turned off after business hours;
5. Petitioner shall construct a pipe extending from the northwestern most basin to the right-of-way of Richartson Road for future connection by the City of Peabody to the local storm system and residential sump pumps. In addition, each residential abutter on Richartson Road shall have the right to discharge their clean sump pump drainage water directly on to the petitioner's property;
6. Petitioner shall deed to the City of Peabody that portion of the subject premises that has frontage on Richartson Road and is shown on the site plan as an unmarked lot situated in the buffer area;
7. All motor vehicles being delivered by car carrier shall be unloaded on the premises at the existing Audi Dealership at 252 Andover Street. No car carrier shall enter into the storage lot; and
8. If it becomes necessary to remove snow from the storage lot, said snow removal shall not occur earlier than 8:00 a.m. and no later than 9:00 p.m. on Monday through Friday and no earlier than 9:00 a.m. and no later than 6:00 p.m. on Saturday and Sunday.

(Carried 10-0; Councillor Garabedian absent)

P60-17 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-I communication from Albert Talarico, Building Commissioner, regarding Special Permit transfer 8-2012 from Ion the Ball, LLC, to Outfront Media, LLC, and Assignment of lease for billboard. (Unanimous)

(MR. DAVE GANNON OF ION THE BALL, LLC, AND MR. JOHN MAHONEY OF OUTFRONT MEDIA APPEARED TO SPEAK BEFORE THE CITY COUNCIL REGARDING ITEM 8-I)

P61-17 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-K communication from Attorney Michael Smerczynski, City Solicitor, regarding Special Permit #19 of 2014 Ion the Ball, LLC. (Unanimous)

P62-17 COUNCILLOR TURCO – MOVE TO approve the transfer of Special Permit 8-2001 from ION the Ball, LLC to Outfront Media upon the additional conditions that the transferee: (1.) maintains at its cost the existing screening designed and constructed to mitigate the ambient light of the digital billboard from interfering with the quiet enjoyment of those residents at Cedar Pond Condominium, (2.) "agrees to enhance the screening of the digital billboard by providing blockage in the form of additional trees and/or other potential barriers as outlined by the Mayor and at the sole expense of the transferee" and, (3.) execute the assignment to lease agreement as contained in the attachment provided with the special permit transfer request and adding a rider containing the agreement for maintenance of existing screening and enhancement of same, the specific language to be drafted by the Mayor, with all papers being in order and subject to the following additional conditions:

CONDITIONS:

1. Transferee will maintain at its cost the existing screening designed and constructed to mitigate the ambient light of the digital billboard from interfering with the quiet enjoyment of those residents at Cedar Pond Condominium;
2. Transferee agrees to enhance the screening of the digital billboard by providing blockage in the form of additional trees and/or other potential barriers, as outlined by the Mayor, and at the sole expense of the transferee;
3. Transferee will execute the assignment to lease agreement, as contained in the attachment provided with the Special Permit transfer request, and add a rider containing the agreement for maintenance of existing screening and enhancement of same; the specific language to be drafted by the Mayor;
4. No structural changes or changes to the existing height of the billboard; and
5. The written assignment is to be part and parcel with the lease.

(Carried 9-1; Councillor Manning-Martin opposed; Councillor Garabedian absent)

P63-17 COUNCILLOR TURCO – MOVE TO approve the request of Ion the Ball, LLC, and Outfront Media for Outfront Media to assume the obligations under the existing lease between the City of Peabody and Ion the Ball, LLC, by authorizing His Honor the Mayor to execute the proposed assignment, a copy of which has been transmitted to the Council, subject to the condition that a rider be added to said assignment requiring the new lessee at its expense to maintain the existing screening and to enhance same with reasonably available technology and expense that meets all statutory and regulatory requirements for the locus, the specific language to be drafted by the Mayor and not inconsistent with this motion or the motion for the associated Special permit transfer.

(Carried 9-1; Councillor Manning-Martin opposed; Councillor Garabedian absent)

REPORTS OF COMMITTEE

Municipal Safety Committee

January 26, 2017

P64-17 COUNCILLOR TURCO – Reporting for the Municipal Safety Committee -The Municipal Safety Committee met this evening and Chairman Garabedian and, I believe, all councillors were at one point present at the meeting. There was a discussion of the L. Fine building located at 143 Lynnfield Street owned by CommTank a/k/a 143 Lynnfield Street, LLC. The mayor addressed the council to let them know that an administrative consent order had been agreed upon by CommTank and Mass. DEP signed by both parties with specific deadlines to take action on the property. We heard from almost all city department heads, including police, fire, conservation, health, and each gave their opinions and answered questions to the council. Lastly, the mayor had agreed to Councillor Gravel's request that the City Council receive biweekly status reports on the progress of CommTank, as it relates to adhering to the ACO. The second part of the hearing was to address the 2016 public safety report with Chief Griffin. At that meeting Councillor Manning asked several very informative questions pertaining to the increase in certain crimes and the chief answered those questions to the best of his ability. The Chief also mentioned the district attorney's summer camp, which came to Peabody. Councillor Sinewitz addressed the chief regarding how the Peabody police department would work in conjunction with ICE or if they would work in conjunction with ICE. He's not sending the police to round up illegal immigrants, but what he is saying is that he's going to use their judgment to decide whether criminal activity is warranted to involve the federal government. That's a little subjective, but I think he has the best heart of this city and the safety of the residents at the forefront of everything. (Report received)

MOTIONS, ORDERS AND RESOLUTIONS

P65-17 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Parking requirements for mixed-use properties in BC zoning district and to refer to the Committee of the Whole.

P66-17 COUNCILLOR GRAVEL (Co-motion with Councillor Gould) – MOVE TO receive and approve, under suspension of the rules, Item 9-A, Application for Use of the Wiggin Auditorium – Peabody Education Foundation for May 18, 2017, subject to all papers being in order. (Unanimous)

P67-17 COUNCILLOR GRAVEL – MOVE TO request that a portrait of Councillor Robert Driscoll be hung in the Wiggin Auditorium in memory of his service. (Unanimous)

P68-17 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-A communication from 535 Lowell Street Peabody, LLC, 535 Lowell Street, regarding Modify approved site plan regarding Special Permit 9-2016, and to set up a public hearing. (Unanimous)

P69-17 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-D communication from David Terenzoni, Director, Public Services Department, regarding Completed Council motions. (Unanimous)

P70-17 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-F communication from Attorney Michael Smerczynski, City Solicitor, regarding Bell Atlantic Mobile of Massachusetts Corp. (Verizon) lawsuit. (Unanimous)

P71-17 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-G communication from Timothy Spanos, City Clerk, regarding Michael's Limousine Company, 161 Lynn Street - Motion P43-17. (Unanimous)

P72-17 COUNCILLOR TURCO – MOVE TO refer to Industrial & Community Development Committee the issue of hours of operation for construction. (Unanimous)

P73-17 COUNCILLOR GOULD (Co-motion with Councillor Moutsoulas) – MOVE TO request that the Public Services Department place a "Dead end, No trucks" sign on North Central Street from Pound Lane going up to the dead end of North Central Street. (Unanimous)

P74-17 COUNCILLOR GOULD – MOVE TO request that Susan Antonellis and the Assessor's office come to the next Legal Affairs Committee meeting to educate the City Council as to how they do appraisals related to the tax increase. (Unanimous)

P75-17 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-B communication from Adriano Taugino, 98 Main Street, regarding Special Permit application and to set up a public hearing for the regular meeting of Thursday, February 23, 2017. (Unanimous)

P76-17 COUNCILLOR WALSH – MOVE TO refer to the Finance Committee the issue of our insurance coverage as a city. (Unanimous)

P77-17 COUNCILLOR WALSH – MOVE TO refer to the Industrial & Community Development Committee the issue of the billboard moratorium. (Unanimous)

P78-17 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, late communication Item 1 from Holly Leonard, 56 Pulaski Street submitting a Special Permit application, and a public hearing be scheduled on the same. (Unanimous)

P79-17 COUNCILLOR MOUTSOULAS – MOVE TO request that the Parks, Recreation & Forestry Department inspect a tree in front of 28 Sabino Farm Road to determine if the tree should be cut down. (Unanimous)

P80-17 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 8-E communication from Attorney Athan Vontzalides, 27 Lowell Street, regarding Site plan; Group 1 Automotive, 0 Andover Street. (Unanimous)

P81-17 COUNCILLOR CHAREST – MOVE TO request that the Peabody Municipal Light Plant add a streetlight pole to Essex Center Green in front of the Lahey crosswalk. (Unanimous)

P82-17 COUNCILLOR CHAREST – MOVE TO request that the Peabody Municipal Light Plant add a streetlight to pole number 128 on Columbus Road towards Lowell Street. (Unanimous)

P83-17 COUNCILLOR SINEWITZ – MOVE TO request that His Honor the Mayor and/or Community Development Department provide the City Council with the new proposed parking regulations one week before the Committee of the Whole meeting on February 23, 2017. (Unanimous)

P84-17 COUNCILLOR SINEWITZ – MOVE TO request that the Essex North Shore Tech provide the City Council with information on how much their health insurance plan costs increased this year. (Unanimous)

P85-17 COUNCILLOR SASLAW – MOVE TO request that the Peabody Municipal Light Plant add a streetlight pole on the easterly side of Goodale Street approximately 60 feet from the intersection of Goodale Street and Lowell Street. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P86-17 COUNCILLOR WALSH – MOVE TO receive a communication from Jennifer Davis, Director, Park & Recreation Department, regarding Completed Council motion P638-16. (Unanimous)

P87-17 COUNCILLOR GRAVEL – MOVE TO receive the communication from Timothy Spanos, City Clerk, regarding submission of the 2017 Municipal Election calendar. (Unanimous)

P88-17 COUNCILLOR GRAVEL – MOVE TO approve the 2017 Municipal Election Calendar as submitted by the City Clerk. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P89-17 COUNCILLOR GRAVEL – MOVE TO receive Class 2 Motor Vehicle License (Amendment) Elite Pre Owned Cars, 153 Newbury Street, and to set up a public hearing. (Unanimous)

P90-17 COUNCILLOR GRAVEL– MOVE TO receive and approve the following Taxi/Limousine Driver License (Renewal for 2017), subject to all papers being in order:

Keith Jackson – License 65
Christopher Waisanen – License 67
Daniel Ward – License 68
(Unanimous)

P91-17 COUNCILLOR GRAVEL – MOVE TO receive and approve Taxicab License (Transfer) Tri City Services, Inc., 55R Walnut Street regarding Licenses 9 & 10, subject to all papers being in order. (Unanimous)

P92-17 COUNCILLOR GRAVEL –MOVE TO receive and approve the following Class 2 Motor Vehicle License (Renewal for 2017), subject to all papers being in order:

Elite Motor Cars, 93 Lynn Street
Mallia Towing, Inc., 161-163 Washington Street
Mike's Auto Sales, 100 Birney Street
Palmetto Motor Sales, 98 Foster Street
Tri State Auto Sales, 248 Newbury Street
Oasis Auto & Truck Center, 7 ½ Mason Street
(Unanimous)

P93-17 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Class 2 Motor Vehicle License (Renewal for 2017) Pinto Recycling, Inc., 147 Summit Street, Building 3D, subject to all papers being in order. (Unanimous)

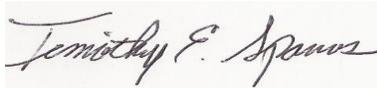
P94-17 COUNCILLOR GRAVEL – MOVE TO receive and approve Limousine License (Transfer) Michael's Limousine Co., Inc., 161 Lynn Street, License 203 & 205, subject to all papers being in order. (Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 11:40 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, FEBRUARY 2, 2017
RETURNED BY HIS HONOR THE MAYOR, FEBRUARY 2, 2017



ATTEST

(Timothy E. Spanos, City Clerk)

COMMUNICATIONS:

His Honor the Mayor re: Parking requirements for mixed use properties in BC zoning district
 His Honor the Mayor re: Appointments to the Board of Health and Conservation Commission
 535 Lowell Street Peabody, LLC, 535 Lowell Street re: Modify approved site plan regarding special permit
 9-2016

Adriano Taugino, 98 Main Street re: Special Permit application

Jennifer Davis, Director, Park & Recreation Department re: Completed Council motion P638-16

David Terenzoni, Director, Public Services Department re: Completed Council motions

Attorney Athan Vontzalides, 27 Lowell Street re: Site plan; Group 1 Automotive, 0 Andover Street

Attorney Michael Smerczynski, City Solicitor re: Bell Atlantic Mobile of Massachusetts Corp (Verizon) law
 suit

Timothy Spanos, City Clerk re: Michael's Limousine Company, 161 Lynn Street – Motion P43-17

Timothy Spanos, City Clerk re: 2017 Election Calendar

Albert Talarico, Building Commissioner re: Special Permit transfer 19-2014 from Ion the Ball, LLC to
 Outfront Media, LLC, and Assignment of lease for billboard

Albert Talarico, Building Commissioner re: Special Permit transfer 8-2012; to Rodolfo Florencio d/b/a
 Peabody Auto Collision

Attorney Michael Smerczynski, City Solicitor re: Special Permit #19 of 2014 Ion the Ball, LLC (“Ion”)

USE OF THE WIGGIN AUDITORIUM:

Peabody Education Foundation for May 18, 2017

CLASS 2 MOTOR VEHICLE LICENSE: (Amendment)

Elite Pre Owned Cars, 153 Newbury Street

TAXI/LIMOUSINE DRIVER LICENSE: (Renewal for 2017)

Keith Jackson – License 65

Christopher Waisanen – License 67

Daniel Ward – License 68

TAXICAB LICENSE: (Transfer)

Tri City Services, Inc., 55R Walnut Street re: Licenses 9 & 10

CLASS 2 MOTOR VEHICLE LICENSE: (Renewal for 2017)

Elite Motor Cars, 93 Lynn Street

Mallia Towing, Inc., 161-163 Washington Street

Mike's Auto Sales, 100 Birney Street

Palmetto Motor Sales, 98 Foster Street

Tri State Auto Sales, 248 Newbury Street

CLASS 3 MOTOR VEHICLE LICENSE: (Renewal for 2017)

Pinto Recycling, Inc., 147 Summit Street, Building 3D

LIMOUSINE LICENSE: (Transfer)

Michael's Limousine Co. Inc., 161 Lynn Street – License 203 & 205