

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**SEPTEMBER 14, 2017**

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

ABSENT COUNCILLORS: SINEWITZ

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.

P589-17 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of August 17, 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.

**HEARINGS**

A public hearing was duly held on the application from Metro Bowl, Inc., 63 Foster Street, Peabody, MA. Attorney John Keilty appeared to speak on behalf of the application. Ms. Sheila Guiney, 15 Franklin Street, Peabody, MA; Mr. Larry Compiano, 14 Franklin Street, Peabody, MA; Mr. Tony Compos, 32 Chestnut Street, Peabody, MA; and Mr. Jose Pinto, 28 Chestnut Street, Peabody, MA, appeared to speak in favor. No one appeared to speak in opposition.

P590-17 COUNCILLOR MCGINN – MOVE TO approve the application from Metro Bowl, Inc., 63 Foster Street, Peabody, MA, to amend an Entertainment License to allow for non-live entertainment Sunday through Saturday from 11:00 a.m. to 12:00 a.m. and live entertainment Sunday through Thursday from 8:00 p.m. to 11:00 p.m.; Friday and Saturday 8:00 p.m. to 12:00 a.m.; and New Year's Eve from 8:00 p.m. to 12:00 a.m., at said 63 Newbury Street, Peabody, MA, (All Sunday licenses are to be obtained from the Mayor's office), subject to all papers being in order. (Carried 10-0; Councillor Sinewitz absent)

**REPORTS OF COMMITTEE**

**AD HOC COMMITTEE ON MEDICAL MARIJUANA**  
**SEPTEMBER 14, 2017**

P591-17 COUNCILLOR SASLAW – Ad Hoc Committee on Medical Marijuana – There was a meeting of the Ad Hoc Committee on Medical Marijuana. During that meeting tonight we had a lengthy discussion starting off with the Mayor and the City Solicitor. The City Solicitor went over some of the intricacies of getting a medical marijuana permit both on a local and a state level. The council had the opportunity to address and ask questions. We closed the meeting and we are going to continue it at a later point in time. There was some discussion regarding the letters of non-opposition and the zoning area and the criteria for giving out a letter of non-opposition. So everything is still open and those discussions will be continuing. (Report received)

**MOTIONS, ORDERS AND RESOLUTIONS**

P592-17 COUNCILLOR MANNING-MARTIN – MOVE TO request that the Public Services Department install a crosswalk at 71 Lake Street. (Unanimous)

P593-17 COUNCILLOR MANNING-MARTIN – MOVE TO request that the Public Services Department repair the sidewalk at 17 Samoset Road. (Unanimous)

P594-17 COUNCILLOR GRAVEL – MOVE THAT the City Council send a thank-you letter to Mr. Warren Waugh at Lyon-Waugh Motor Group expressing our gratitude for his continued investment in the City of Peabody and particularly for those two electric police cars, as well as the \$100,000 donation that he made to the Peabody Education Foundation. (Unanimous)

P595-17 COUNCILLOR GRAVEL – MOVE TO request that His Honor the Mayor submit to the City Council his recommendations for the development of an economic vitality fund for the downtown and surrounding areas so that we would have a ready source of available funds to take advantage of opportunities that might come our way as it pertains to supporting the revitalization of the downtown. (Unanimous)

P596-17 COUNCILLOR GRAVEL – MOVE TO request that the Public Services Department repair the sidewalk at 30 Dexter Street that was uplifted by a tree. (Unanimous)

P597-17 COUNCILLOR TURCO – MOVE TO request that the Public Services Department and Finance Director update the City Council on our water usage through the MWRA, specifically regarding the difference in cost between last year and this year. (Unanimous)

P598-17 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Update regarding the ACO for the L. Fine property, 143 Lynnfield Street. (Unanimous)

P599-17 COUNCILLOR GOULD (Co-motion with Councillor Moutsoulas) – MOVE TO request that the Peabody Municipal Light Plant install a light pole at 5 Esquire Circle. (Unanimous)

P600-17 COUNCILLOR GOULD (Co-motion with Councillor Turco) – MOVE TO request that the Public Services Department install a "Caution Children Playing," sign on the corner of Holden Street and Lynch Street. (Unanimous)

P601-17 COUNCILLOR GOULD (Co-motion with Councillor Turco) – MOVE TO request that the Public Services Department adjust the handicapped parking sign at the corner of Mansfield Street and Holden Street, which is almost 10 feet high, and bring it down to its proper eye level. (Unanimous)

P602-17 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-G communication from Gallo Nero Pizzeria and Bistro, 89 Main Street, regarding Entertainment License Amendment (live music), and set up a public hearing. (Unanimous)

P603-17 COUNCILLOR WALSH – MOVE TO request that Tim Healy, Facilities Director, report to the City Council on the status and condition of all of our city-owned buildings, particularly the fire stations, and what needs to be upgraded and what the ongoing maintenance schedule is. (Unanimous)

P604-17 COUNCILLOR WALSH – MOVE TO request that the Public Services Department advise the City Council as to the status of the catch basin cleanings, the usage frequency of the city's vector truck, and the city-wide cleaning schedule. (Unanimous)

P605-17 COUNCILLOR CHAREST – MOVE TO request that the Police Department provide the City Council with a recommendation for "No Parking" signs on the bottom of Wheatland Avenue, which is a very narrow street. (Unanimous)

P606-17 COUNCILLOR CHAREST – MOVE TO request that State Representative Walsh seek a sign for the on-ramp at Route 128/Lowell Street that notifies drivers of the accelerated lane. (Unanimous)

P607-17 COUNCILLOR CHAREST – MOVE to receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Appointment of Beverly Ann Griffin Dunne as Peabody's Representative to the Essex North Shore Agricultural and Technical School District. (Unanimous)

{Item 10-A Shamrock Street and 5 Dobbs Road}

P608-17 COUNCILLOR CHAREST – BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 19-81 Parking Prohibited Handicap Zone of the Code of the City of Peabody be adopted as advertised and read. (Unanimous)

### **COMMUNICATIONS FROM HIS HONOR THE MAYOR**

Previously received.

**COMMUNICATIONS FROM CITY OFFICERS AND OTHERS**

P609-17 COUNCILLOR GOULD – MOVE TO receive a communication from Atty. John R. Keilty, 40 Lowell Street, on behalf of Cy Tenney Residences, LLC, regarding 194 Rear Newbury Street and to refer to the Legal Affairs Committee. (Unanimous)

P610-17 COUNCILLOR WALSH – MOVE TO receive a communication from All Saints Episcopal Church, 46 Cherry Street, Danvers, regarding Hosting Community Dialogue Sessions. (Unanimous)

P611-17 COUNCILLOR GOULD – MOVE TO receive a communication from A Mom’s Village, LLC, 635-637 Lowell Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P612-17 COUNCILLOR MANNING-MARTIN – MOVE TO receive a communication from Board of Assessors regarding Motion P562-17; Information of Available Property Tax Exemptions and to refer to the Finance Committee. (Unanimous)

P613-17 COUNCILLOR GOULD – MOVE TO receive a communication from Michael T. Smerczynski, City Solicitor, regarding Legal Opinion; Motions P580-17 & P584-17. (Unanimous)

P614-17 COUNCILLOR GOULD – MOVE TO receive a communication from Joseph Cerniglia, Trustee, One Roosevelt Trust, One Roosevelt Avenue, regarding Site Plan Review Application. (Unanimous)

**PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

P615-17 COUNCILLOR GRAVEL – MOVE TO receive and approve Block Party – 5-8 Glen Drive, September 17, 2017, subject to all papers being in order. (Unanimous)

P616-17 COUNCILLOR GRAVEL – MOVE TO receive and approve Use of the Wiggin Auditorium, Peabody Recreation Parks and Forestry – November 3, 2017, subject to all papers being in order. (Unanimous)

P617-17 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Taxicab License (Transfer), subject to all papers being in order:

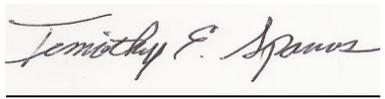
Sunshine Taxi, 153 Newbury Street – License 36  
Sunshine Taxi, 153 Newbury Street – License 39  
(Unanimous)

**UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

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

SUBMITTED TO HIS HONOR THE MAYOR, SEPTEMBER 18, 2017

RETURNED BY HIS HONOR THE MAYOR, SEPTEMBER 18, 2017

ATTEST   
(Timothy E. Spanos, City Clerk)

**COMMUNICATIONS:**

His Honor the Mayor re: Update regarding the ACO for the L. Fine property, 143 Lynnfield Street  
His Honor the Mayor re: Appointment of Beverly Ann Griffin Dunne as Peabody’s Representative to the Essex North Shore Agricultural and Technical School District  
Atty. John R. Keilty, 40 Lowell Street, on behalf of Cy Tenney Residences, LLC, re: 194 Rear Newbury Street  
All Saints Episcopal Church, 46 Cherry Street, Danvers, re: Hosting Community Dialogue Sessions

A Mom's Village, LLC, 635-637 Lowell Street, re: Special Permit application  
Board of Assessors re: Motion P562-17; Information of Available Property Tax Exemptions  
Michael T. Smerczynski, City Solicitor, re: Legal Opinion; Motions P580-17 & P584-17  
Joseph Cerniglia, Trustee, One Roosevelt Trust, One Roosevelt Avenue, re: Site Plan Review Application  
Gallo Nero Pizzeria and Bistro, 89 Main Street, re: Entertainment License Amendment (live music)

**BLOCK PARTY:**

5-8 Glen Drive, September 17, 2017

**USE OF THE WIGGIN AUDITORIUM**

Peabody Recreation Parks and Forestry – November 3, 2017

**TAXICAB/LIMOUSINE DRIVER LICENSE:** (New)

Sunshine Taxi, 153 Newbury Street – License 36

Sunshine Taxi, 153 Newbury Street – License 39