

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**DECEMBER 8, 2016**

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

ABSENT COUNCILLORS: WALSH

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Peter M. McGinn.

Salute to the American Flag.

P864-16 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from regular meeting of November 10, 2016; the last regular meeting of November 17, 2016; and the Special Meeting of December 1, 2016. (Unanimous)

COUNCILLOR MCGINN - 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.

P865-16 COUNCILLOR SINEWITZ – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Various appointments. (Unanimous)

(MAYOR BETTENCOURT APPEARED BEFORE THE CITY COUNCIL TO SPEAK REGARDING ITEM 7-A. MR. PAUL FOUKAS ALSO APPEARED TO SPEAK.)

P866-16 COUNCILLOR GOULD – MOVE TO approve the appointment of Paul A. Foukas, 40 Spencer Street, Lynn, MA, to the position of Gas & Plumbing Inspector for a one-year term to expire 12/31/2017. (Carried 10-0; Councillor Walsh absent)

P867-16 COUNCILLOR GOULD – MOVE TO approve the following appointments as submitted by His Honor the Mayor:

<b><u>NAME:</u></b>	<b><u>POSITION:</u></b>	<b><u>TERM TO EXPIRE:</u></b>
Bryan Howcroft 8 Crowninshield Street, Unit 108 Peabody, MA 01960	Conservation Commission	09/30/2017 (3-Year Term)
Melissa Feld 49 Warren Street Peabody, MA 01960	Conservation Commission	09/30/2017 (3-Year Term)
Paul Forte 7 Samos Circle Peabody, MA 01960	Conservation Commission	09/30/2017 (3-Year Term)
Stewart Lazares 2 Upham Street Peabody, MA 01960	Conservation Commission (Alternate Member)	09/30/2017 (2-Year Term)
Craig Whelton 19 Bartholomew Street Peabody, MA 01960	Conservation Commission (Alternate Member)	09/30/2017 (2-Year Term)
Barry Osborne 3 Calas Circle Peabody, MA 01960	Board of Appeals	12/31/2019 (3-Year Term)

Andrew Arnotis 13 Louis Road Peabody, MA 01960 (Carried 10-0; Councillor Walsh absent)	Board of Appeals (Alternate Position)	12/31/2018 (2-Year Term)
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P868-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, late communication Item 1 from His Honor the Mayor regarding Appointments to the Cable Commission. (Unanimous)

P869-16 COUNCILLOR GRAVEL – MOVE TO approve the following appointments to the Cable Commission as submitted by His Honor the Mayor:

<u>NAME:</u>	<u>POSITION:</u>	<u>TERM TO EXPIRE:</u>
Mick Loesher 10 Columbus Road Peabody, MA 01960	Cable Commission	12/31/2017 (3-Year Term)
Jesse Comak 17 Emily Lane Peabody, MA 01960 (Carried 10-0; Councillor Walsh absent)	Cable Commission (Alternate Member)	12/31/2017 (One-Year Term)

### HEARINGS

A public hearing was duly held on the Zoning Amendment – Various sections. Appearing to speak on behalf of the City was Building Commissioner Albert Talarico and Community Development Director Karen Sawyer Conard. No one appeared to speak in favor. Mr. Russell Donovan, 12 Quail Road, Peabody, MA, appeared to speak in opposition.

P870-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, late communication Item 2 from Planning Board regarding Zoning recommendations; various sections. (Unanimous)

P871-16 COUNCILLOR SASLAW – MOVE TO amend Section 7.1.6 by adding the following language: A temporary outdoor storage container may remain on any lot within any residential zoning district for a period not more than 90 consecutive days, which can be renewed for an additional 90 days at the discretion of the Building Commissioner. Not more than two temporary outdoor storage container permits can be issued within 365 days. (Carried 10-0; Councillor Walsh absent)

P872-16 COUNCILLOR GRAVEL – BE IT ORDERED by the City Council of the City of Peabody that the following amendments to the Peabody Zoning Ordinance Adopted on April 28, 2011 and amended through May 12, 2016, be adopted as amended and read, as follows:

**SECTION ONE:** BE IT ORDAINED by the City Council of the City of Peabody that the Zoning Ordinance of the City of Peabody entitled “City of Peabody Zoning Ordinance Adopted April 28, 2011, and Amended through May 12, 2016, is hereby further amended as follows:

**Section 1.5.1** (Nonconformance) of the City of Peabody Zoning Ordinance is hereby amended by adding the following language to the fourth paragraph at the end; “The Building Commissioner shall determine if the proposed alteration does not increase the nonconforming nature of the dwelling or if the proposed alteration or extension requires approval by the Zoning Board of Appeals only.”

**Section 2.0:** By adding definitions for Brewery, distillery or winery with tasting room, and Tasting Room.

*Brewery, distillery or winery with a tasting room:* A business located in a building where the primary use is for the production and distribution of malt, spirituous or vinous beverages with a tasting room. Any such facility that only provides samples at no charge and limited in size as set forth in M.G.L. c. 138 shall have a Commonwealth of Massachusetts issued Farmer Series License and any such facility that sells

alcoholic beverages to be consumed on the premises shall have a Commonwealth of Massachusetts issues Farmer Series Pouring License. The facility may host marketing events, special events and/or factory tours. The facility may only sell beverages produced by, and commercial goods branded by, the brewery, distillery or winery. The facility may sell permitted beverages by the bottle to consumers for consumption off the premises.

*Tasting Room:* A room attached to either a brewery, distillery or winery that allows patrons to sample or consume wine, beer and other alcoholic beverages that are produced on-site in accordance with M.G.L. c. 138. A tasting room may not be greater than 33% of the main building's gross square footage.

**Section 4.2.6** (Schedule of Use Regulations, Industrial) of the City of Peabody Zoning Ordinance is hereby amended by adding the following new row immediately following Bakery, wholesale: "Brewery, distillery or winery with tasting room by Special Permit in the GB, GBD, BR, BC, IL, IP and DDD."

**Section 5.2.2** (BC/GBD Downtown Districts Applicability) of the City of Peabody Zoning Ordinance is hereby amended by adding the following language to be inserted after the first sentence in the paragraph: "The Peabody Downtown Design Standards, created in January 2016 and as may be modified, shall apply to any new construction, exterior renovation, signage or site improvements in the BC zoning district and portions of the GB, GBD, BN, BN2, R2 and R4 zoning districts in the vicinity of the Downtown as set forth in the Main Street Subdistrict, Walnut/Foster Street Subdistrict and Washington Street Subdistrict versions of said standards. The Community Development & Planning Department, in conjunction with the Building Department, will apply said standards, and the Building Commissioner shall enforce said standards."

**Section 7.1** (Dimensional Regulations, Basic Requirements) of the City of Peabody Zoning Ordinance is hereby amended by adding the following new subsection as follows:

**Section 7.1.6:** By adding a new subsection entitled Temporary Outdoor Storage Containers.

A temporary outdoor storage container shall be properly maintained so as not to create a safety hazard to abutting properties, motorists or to the general public. A safety hazard shall be defined such as a structural deficiency or a visual obstruction that may cause an injury to a member of the general public. A temporary outdoor storage container may remain on any lot within any residential zoning district for a period not more than 90 consecutive days, which can be renewed for an additional 90 days at the discretion of the Building Commissioner. Not more than two temporary outdoor storage container permits can be issued within 365 days.

**Section 7.10** (Traffic Visibility Across Corners) of the City of Peabody Zoning Ordinance is hereby amended by (1) creating Section 7.10.1 and moving the language found in former Section 7.10 thereto; and (2) creating Section 7.10.2 to read as follows:

#### TRAFFIC VISIBILITY SETBACK FOR SIDE BY SIDE DRIVEWAYS

In residential districts where a lot line is also the boundary between two driveways, no fence, planting, wall or similar barrier shall be more than three feet high for the first sixteen feet of the fence, measured from the front lot line of the property with the driveway in question.

**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 10-0; Councillor Walsh absent)

The City Council reconvened the recessed public hearing on the application from Salem Country Club, 133 Forest Street, Peabody, MA. Appearing to speak on behalf of the application was Attorney William Sheehan. Mayor Bettencourt appeared to speak on behalf of the City. No one appeared to speak in favor. No one appeared to speak in opposition.

P873-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, late communication Item 7 from Attorney William Sheehan on behalf of Salem Country Club, 133 Forest Street, Peabody, relative to regarding 2017 U.S. Senior Open Tournament . (Unanimous)

P874-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, late communication Item 6 from Councillor David Gravel regarding List of final conditions; Salem Country Club, 133 Forest Street. (Unanimous)

P875-16 COUNCILLOR GRAVEL – BE IT ORDERED by the City Council of the City of Peabody that the application from Salem Country Club, 133 Forest Street, Peabody, MA, for a Special Permit/Special Event to host the 2017 USGA Senior Open Championship at said 133 Forest Street, Peabody, MA, as filed in accordance with Sections 6.1, 6.12.1, 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. That the petitioner agrees that all incremental costs of operations reasonably incurred by the City of Peabody as a result of the conduct of this event shall be the sole responsibility of the Salem Country Club, and that no public funds from the City of Peabody are expected to be utilized to support the additional burden on City services as a result of the event being sponsored by both the Salem Country Club and USGA.
2. That the petitioner agrees at its sole expense to adhere to all instructions and requirements put forth by the Peabody Police Department to ensure both the safe conduct of the planned event as well the protection of the citizens of Peabody's rights to the quiet enjoyment of their property. This shall include but not be limited to:
  - a. The assignment of detail officers at all locations and in the quantity as reasonably specified by the Chief of Police or his designee at the sole expense of Salem Country Club at the prevailing hourly detail rates for the officers assigned from the Peabody Police Department.
  - b. That areas of protection shall include at the event site, the surrounding neighborhoods, and at all potential traffic locations, as well as the protection of the rights of commercial property for unauthorized parking. The staffing requirements and ancillary expenses shall be provided to the USGA and Salem Country Club by the Chief of Police or his designee.
  - c. Any costs associated with the requirement of the Chief of Police or his designee to engage the services of adjoining City or Town Police Departments to fully staff the requirements of the plan.
  - d. The coordination of effort of any private security group hired with the understanding that the Peabody Police requirements for access to the event and coordination of emergency efforts in the event of a disaster fall under the command of the Peabody Police Department.
  - e. That Salem Country Club, in coordination with Bruno Event Team and the USGA, will work with the Peabody Police Department on a plan to detail any and all potential disasters and the corresponding plans to mitigate risk and to provide an effective and coordinated response.

3. That the petitioner agrees at its sole expense to adhere to all instructions and requirements put forth by the Peabody Fire Department to ensure both the safe conduct of the planned event as well the protection of the citizens of Peabody and their property. This shall include but not be limited to:

- a. The assignment of Firefighters at all locations and in the quantity as specified by the Chief of the Fire Department or his designee at the sole expense of Salem Country Club at the prevailing hourly detail rates for the firefighters assigned from the Peabody Fire Department.
- b. That areas of protection shall include the event site, the surrounding neighborhoods. The staffing requirements and ancillary expenses shall be provided to the USGA and Salem Country Club by the Chief of the Fire Department or his designee.
- c. Any costs associated with the requirement of the Chief of Fire Department or his designee to engage the services of adjoining City or Town Fire Departments to fully staff the requirements of the plan.
- d. The coordination of effort of any private group hired with the understanding that the Peabody Fire Department requirements for access to the event and coordination of emergency efforts in the event of a disaster fall under the command of the City of Peabody.
- e. That Salem Country Club, in coordination with Bruno Event Team and the USGA, will work with the Peabody Fire Department on a plan to detail any and all potential disasters and the corresponding plans to mitigate risk and to provide an effective and coordinated response.
- f. That a full-time fire detail will be maintained on the event site and stationed as reasonably necessary in gathering/ticketed areas, (Club House etc.) areas to ensure that the occupancy provisions of all venues is strictly adhered.

4. That the petitioner agrees at its sole expense to adhere to all instructions and requirements as specified by the Director of Health and Human Services to ensure the safety of the participants and visitors of the event to include but not be limited to:

- a. Permitting and inspections of all food vendors, whether associated with Salem Country Club or with individual sponsors. Permit applications must be submitted to the Health Dept no later than 30 days prior to the event. Inspections will occur prior to the event (for food trucks) and during the event. Applicants must submit copies of menus and food manager certifications along with the application.
- b. Health Department staff will need unrestricted access to the food vendors and all areas of the site associated with food storage, preparation, and service, for the duration of the event. This includes access for Health Dept staff vehicles to the site.
- c. The Petitioner will pay for the cost of contracted additional inspectors as reasonably necessary for the duration of the event as well as costs for the 2 Health Department staff inspectors at their prevailing hourly pay.
- d. The Petitioner must provide an adequate number of portable toilets and adjacent portable hand wash stations to accommodate maximum crowds. Stations must be provided both at the tournament site as well as at off-site parking areas. Any vendors providing portable toilets must ensure they have an Offal Permit from the Health Department.
- e. Food waste must be removed from the premises daily or at a frequency so as to prevent nuisance odors and/or the attraction of pests. The Petitioner will also be responsible for surveying passage routes to the event on a daily basis for the purpose of removing waste left on streets and in neighborhoods from spectators attending the event (or pay for a daily DPS detail to ensure this happens).
- f. The Petitioner must provide for effective rodent control in the neighborhoods adjacent to construction activities associated with the "village."
- g. In the event that the petitioner will be offering any ancillary attractions associated with this event, the Health Department may have additional permitting and inspection functions.

- h. That Salem Country Club, in coordination with Bruno Event Team and the USGA, will work with the Peabody Health and Human Services Department on a plan to detail any and all potential disasters and the corresponding plans to mitigate risk and to provide an effective and coordinated response.
5. That the petitioner agrees at its sole expense to adhere to all instructions and requirements as specified by the Director of Public Services to ensure the safety of the participants and visitors of the event to include but not be limited to:
- a. Payment for any support as reasonably needed to maintain the roadways and any public parking areas free of trash and any discarded items from event visitors at their prevailing hourly pay.
  - b. Payment for any road or sidewalk improvements requested by Salem Country Club for the event
  - c. Payment for any ancillary equipment and services that may be required to meet the needs of the petitioner's event.
  - d. That Salem Country Club, in coordination with Bruno Event Team and the USGA, will work with the Peabody Public Services Department on a plan to detail any and all potential disasters and the corresponding plans to mitigate risk and to provide an effective and coordinated response.
6. Use of City parking spaces at the Peabody Veterans Memorial High School or any other school building, as well as use of any school building must be approved by the Peabody School Committee.
7. The petitioner will either post a License and Permit Bond, or add the City of Peabody as an Additional Loss Payee to its insurance policy for potential losses due to property damage. The petitioner also agrees to pay all amounts due to the city as invoiced for services incurred as a result of the above mentioned conditions.
8. There will be no administrative fee added to the manpower costs billed by the City to Salem Country Club. (Carried 10-0, 1 absent)

A public hearing was duly held on the application from Turnpike Car Wash, Inc., 80 ½ Newbury Street, Peabody, MA. Attorney John Keilty and Mr. Robert Katseff appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P876-16 COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody that the application from Turnpike Car Wash, Inc., 80 ½ Newbury Street, Peabody, MA, for a Special Permit to construct an electronic message board sign at said 80 ½ Newbury Street, Peabody, MA, as filed in accordance with Sections 11.4.8, 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. All advertising on the message board sign will pertain to the Turnpike Car Wash only. (Carried 10-0; Councillor Walsh absent)

A public hearing was duly held on the application from Normandy Peabody Acquisition, LLC, c/o Normandy Real Estate Management, LLC, 53 Maple Avenue, Morristown, NJ. Attorney Matthew Snell and Mr. Matthew Lavell appeared to speak on behalf of the application. No one appeared to speak in favor. Mr. David Farrow, 26 Quail Road, Peabody, MA, appeared to speak in opposition.

P877-16 COUNCILLOR TURCO – BE IT ORDERED by the City Council of the City of Peabody that the application from Normandy Peabody Acquisition, LLC, c/o Normandy Real Estate Management, LLC, 53 Maple Avenue, Morristown, NJ, for a Special Permit to allow for a truck terminal use at 1 Technology Drive, Peabody, MA, as filed in accordance with Sections 4.2.6, 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. Hours of operation will be from 7:00 a.m. to 12:00 midnight for business hours and 7:00 p.m. to 10:00 p.m. deliveries Monday through Friday. Saturday hours are 7:00 a.m. to 5:00 p.m. and Sunday hours are on an emergency basis only;
2. The fence on the Quail Road side of the building will remain intact;
3. According to city ordinance Section 19-94, parking is prohibited on Technology Drive both sides for its entire length during the hours of 6:00 p.m. to 8:00 a.m.;
4. Signage stating Section 19-94 to be posted at the entryway to the property and at the exit;
5. This Special Permit will apply only to the four truck bays in the 42,000 square feet of inside space requested in this application. Any modification or changes to those numbers will require a new Special Permit;
6. As requested by the Peabody Fire Department, fire protection will be provided under bay doors when in the open position; and
7. No external modifications will be made, other than the removal of the entry fence as discussed tonight. (Carried 10-0; Councillor Walsh absent)

**REPORTS OF COMMITTEE**

None.

**MOTIONS, ORDERS AND RESOLUTIONS**

P878-16 COUNCILLOR MOUTSOULAS – MOVE TO receive and approve, under suspension of the rules, Item 8-F communication from American Cancer Society-Relay for Life, 81 Highland Avenue, Salem, regarding Banner for 2017, subject to all papers being in order. (Carried 9-0, 2 absent; Councillors Walsh and Garabedian)

P879-16 COUNCILLOR SINEWITZ – MOVE TO request a status update from Peter Cronan, Director, Municipal Golf Course regarding several motion requests from November 10<sup>th</sup>. (Unanimous)

**November 10, 2016**

*P798-16 COUNCILLOR GOULD – Reporting for the Ad Hoc Committee Municipal Golf Course/Skating Rink – MOVE TO request that Mr. Peter Cronan report back to the City Council with information on the golf card program. (Unanimous)*

*P799-16 COUNCILLOR GOULD – Reporting for the Ad Hoc Committee Municipal Golf Course/Skating Rink – MOVE TO request that Mr. Peter Cronan research surrounding golf courses (Gannon, Sagamore, Beverly Golf & Tennis) and any other relevant golf courses, for the types of memberships that are offered, such as junior memberships. (Unanimous)*

*P800-16 COUNCILLOR GOULD – Reporting for the Ad Hoc Committee Municipal Golf Course/Skating Rink – MOVE TO request that Mr. Peter Cronan report back to the City Council with the current greens fees and cart fees from competing golf courses. (Unanimous)*

*P801-16 COUNCILLOR GOULD – Reporting for the Ad Hoc Committee Municipal Golf Course/Skating Rink – MOVE TO request that Mr. Peter Cronan submit a recommendation to the City Council on how to increase income at the golf course by \$75,000 to \$140,000. (Unanimous)*

*P802-16 COUNCILLOR GOULD – Reporting for the Ad Hoc Committee Municipal Golf Course/Skating Rink – MOVE TO request that Mr. Peter Cronan conduct a survey of other cities that have municipal courses regarding whether or not they offer liquor licenses and, if so, whether they hire a third party to manage that liquor license. (Unanimous)*

P880-16 COUNCILLOR SINEWITZ – MOVE TO receive, under suspension of the rules, late communication Item 5 from Healthy Pets, 635 Lowell Street, regarding Special Permit application for retail pet supply store and to set up a public hearing. (Unanimous)

P881-16 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 8-A communication from Jose DaSilva, Peabody Fire Alarm, regarding timing of traffic signals at intersection of Andover Street/Violet Road. (Unanimous)

P882-16 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 8-C communication from Thodori Londi, 515 Lowell Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P883-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-J communication from Albert Talarico, Building Commissioner, regarding debris piles at 190-194 Newbury Street. (Unanimous)

P884-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, late communication Item 4 from Phalanx Properties, Michael Markos c/o Detour Cars, 154 Newbury Street (A) regarding Special Permit application; modify site plan of previously approved Special Permit and to set up a public hearing. (Unanimous)

P885-16 COUNCILLOR SASLAW – MOVE TO request that the Public Services Department replace the "Stop" sign that got knocked over at the corner of Dearborn Road and Hotel Road. (Unanimous)

P886-16 COUNCILLOR GOULD – MOVE TO request that the Public Services Department erect a blockade in front of the driveway at 2 Corwin Street to prevent access to the LL Fine Building, without being on the property. (Unanimous)

P887-16 COUNCILLOR TURCO – MOVE TO refer to the Municipal Safety Committee the contamination issue of the L.L. Fine property at 2 Corwin Street and to request that all department heads, including the Health Department, the Fire Department, the Police Department, the Conservation Commission, the City Solicitor, and the Public Services Department attend the subcommittee meeting in January. (Unanimous)

P888-16 COUNCILLOR TURCO – MOVE TO request that the Public Services Department place a "Stop" sign at Greenwood Road where it intersects with Glenway Avenue exiting on to Lynnfield Street. It's currently painted on the ground. (Unanimous)

P889-16 COUNCILLOR TURCO – MOVE TO request that the Public Services Department repair the sidewalk at 18 Diane Road. (Unanimous)

P890-16 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-H communication from Jennifer Davis, Director, Park, Recreation & Forestry Department, regarding Completed Council motions. (Unanimous)

P891-16 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, late communication Item 3 from Mass Lottery Commission regarding Notice of Keno License application; Richdale, 139 Lynnfield Street, and to request that the City Clerk send a communication to the Mass Lottery Commission that the City Council opposes this Keno license because a month ago the petitioner agreed there would be no Keno at this location. (Unanimous)

P892-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Adopt Chapter 218 of the Acts of 2016, Section 193 – reduce speed limit to 25 mph in thickly settled areas or business district and to refer to the Legal Affairs Committee. (Unanimous)

P893-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 8-L communication from Michael Gingras, Director of Finance, regarding Update on revenues and unusual spending challenges and to refer to the Finance Committee. (Unanimous)

P894-16 COUNCILLOR GRAVEL – MOVE TO request that the Public Services Department provide a status update regarding the City Council request for crossing warning lights to be mounted on the sides of the buildings at the exit from Littles Lane to Main Street. (Unanimous)

P895-16 COUNCILLOR GOULD – MOVE TO request that the City Clerk begin the process of filling the City Council Stenographer/Assistant Clerk of Committees vacant position. (Unanimous)

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

Previously received.

#### **COMMUNICATIONS FROM CITY OFFICERS AND OTHERS**

P896-16 COUNCILLOR CHAREST – MOVE TO receive a communication from Chief Thomas Griffin, Police Department, regarding Letters of thanks. (Unanimous)

P897-16 COUNCILLOR SINEWITZ – MOVE TO receive a communication from Albert Talarico, Building Commissioner, regarding 21 Herold Road – blowing leaves in public way. (Unanimous)

P898-16 COUNCILLOR GOULD – MOVE TO receive and approve a communication from St. John the Baptist School, 19 Chestnut Street, regarding Banner for 2017, subject to all papers being in order. (Unanimous)

P899-16 COUNCILLOR GOULD – MOVE TO receive a communication from David Terenzoni, Director, Public Services Department, regarding Completed Council motions. (Unanimous)

P900-16 COUNCILLOR GOULD – MOVE TO receive a communication from Planning Board regarding Minutes and Agenda. (Unanimous)

P901-16 COUNCILLOR GOULD – MOVE TO receive a communication from Albert Talarico, Building Commissioner, regarding Removal of free-standing signs on public property. (Unanimous)

P902-16 COUNCILLOR GOULD – MOVE TO receive a communication from Animal Umbrella, Inc., 65 Hemenway Road, Framingham, MA, regarding Special Permit for 150R Main Street and to set up a public hearing. (Unanimous)

#### **PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

P903-16 COUNCILLOR GOULD – MOVE TO receive and approve Class 1 Motor Vehicle License (Renewal for 2017) Audi Peabody, 252 Andover Street, subject to all papers being in order. (Unanimous)

P904-16 COUNCILLOR GOULD – MOVE TO receive and approve the following Class 2 Motor Vehicle License (Renewal for 2017), subject to all papers being in order:

222 Newbury Street, 222 Newbury Street  
 AC Auto Sales, 3A Bourbon Street  
 Alex Auto Sales, 480 Lowell Street  
 Allen's Auto Trim, Inc., 27 Howley Street  
 Auto Choice of Peabody, Inc., 249 Andover Street  
 Auto Graphics and Sales, 220B Newbury Street  
 Auto Mall Collection, 218 Andover Street  
 Bill's Auto Sales, Inc., 256 Newbury Street  
 C & C Auto, 180 Newbury Street  
 Century Tire Co Inc. of Peabody, 53 Walnut Street  
 Country Club Motors, 90 Margin Street  
 D & D Auto Sales, 36 Walnut Street  
 D & R Auto Sales & Repair, 100 Birney Street  
 Desi's Used Cars, 108 Newbury Street  
 Elite Pre-Owned Auto, 153 Newbury Street  
 Four Star Service, Inc., 134R Newbury Street  
 Louie's BMW Specialist, Ltd, 260 Newbury Street  
 King Motors, Inc., 1R Newbury Street, Suite 102  
 Mario's Used Cars, 245 Andover Street  
 Michael's Motors LLC, 1 Sylvan Street  
 North Shore Auto Sales, 218B Newbury Street  
 PK Motor Cars, Inc., 195 Washington Street  
 Prestige Auto Sales, 288 Newbury Street  
 Prestige Motors of Peabody, 257 Andover Street  
 Russ' Used Cars, 20 Wallis Street  
 Saco's, 119-121 Lynn Street  
 Summit Auto Sales, 14 Newbury Street  
 Unlimited Sales, 3 Birney Street  
 USA Speedy Auto, 108 Newbury Street  
 Wilson Square Auto Sales, 2 Andover Street  
 (Unanimous)

P905-16 COUNCILLOR GOULD – MOVE TO receive and approve Class 3 Motor Vehicle License (Renewal for 2017) Peterson's Automotive, Inc., 114 Newbury Street, subject to all papers being in order. (Unanimous)

P996-16 COUNCILLOR GOULD – MOVE TO receive and approve the following Entertainment Licenses (Renewal for 2017), subject to all papers being in order:

Azorean Brotherhood Holy Ghost, 20 Howley Street  
 Bertucci's Restaurant Corp., 15 Newbury Street  
 Brodie's Pub, 10 ½ Lowell Street  
 Burton's Grill of Peabody, LLC, 210 Andover Street  
 Cabaret Enterprises, Inc., 96 Newbury Street  
 Capone's, Inc., 147 Summit Street  
 Carrabba's Italian Grill, LLC, 1 Newbury Street  
 Century House of Peabody, 235 Andover Street  
 Champions Pub, 114 Foster Street  
 Golden Banana, 151R Newbury Street  
 Holiday Inn Peabody, 1 Newbury Street  
 Jade's Restaurant, LLC, 4 Bourbon Street  
 Kelley Square Pub II, 135 Washington Street  
 Knights of Columbus Leo 508, 96 Main Street  
 Legal Sea Foods, LLC, 210 Andover Street

Mike & Lill's Black Sheep Tavern, 5 Central Street  
 P.F. Chang's China Bistro, Inc., 210 Andover Street  
 Paddy Kelly's Restaurant & Bar, 154 Washington Street  
 Peabody/Lynn Elks 1409, 40 Oak Street  
 Peabody Marriott, 8A Centennial Drive  
 Portuguese Benefit Society/Our Lady of Help, 61 Northend Street  
 Reds Kitchen & Tavern, 131 Newbury Street  
 Salem Country Club, 133 Forest Street  
 Santarpio's Pizza, Inc., 71 Newbury Street  
 Seawitch Restaurant, 203 Newbury Street  
 Spinelli's Function Facility, 10 Newbury Street  
 Stonewood Tavern, 139 Lynnfield Street  
 Sugar Cane, LLC, 106 Main Street  
 Sylvan Street Grille, 12 Sylvan Street  
 (Unanimous)

P907-16 COUNCILLOR GOULD – MOVE TO receive and approve the following General Licenses (Renewal for 2017), subject to all papers being in order:

Bowling Alley License – Metro Bowl, 63 Foster Street  
 Fortune Teller License – Mario Sabatine, 245 Andover Street  
 Fortune Teller License – Mrs. Russell's Psychic Studio, 259 Andover Street  
 Innholder License --Holiday Inn Peabody, 1 Newbury Street  
 Innholder License - Homewood Suites, 57 Newbury Street  
 Innholder License – Peabody Marriott, 8A Centennial Drive  
 Limousine License – Greenway Transportation, 145A Summit Street  
 Lodging House License –Skalkos Brothers RT, 14 Foster Street  
 Outdoor Dining License- Azorean Holy Ghost, 20 Howley Street  
 Pool & Billiard License – Metro Bowl, 63 Foster Street  
 Taxi Cab License – Sunshine Car Service LLC, 153 Newbury Street  
 (Unanimous)

P908-16 COUNCILLOR GOULD –MOVE TO receive Entertainment License (Transfer) – CLT Newbury, LLC, d/b/a Green Tea, 126 Newbury Street, and to set up a public hearing. (Unanimous)

P909-16 COUNCILLOR GOULD – MOVE TO receive and approve Taxicab License Transfer – Tri City Services, Inc., 55R Walnut Street License #7, subject to all papers being in order. (Unanimous)

P910-16 COUNCILLOR GOULD – MOVE TO receive and approve the following Taxi/Limousine Driver Licenses (Renewal for 2017), subject to all papers being in order:

John Minchello – License 59  
 Darryl Fanning – License 60  
 Marc Birmingham – License 61  
 (Unanimous)

#### **UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

{10-A 7 Carlton Street}

P911-16 COUNCILLOR GRAVEL – 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)

{10-B Gedney Drive @ Bartholomew Street}

P912-16 COUNCILLOR GOULD – BE IT ORDERED by the City Council of the City of Peabody that An Ordinance Amending Section 19-26 Obedience to Isolated Stop Signs of the Code of the City of Peabody be adopted as advertised and read. (Unanimous)

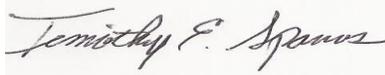
{10-C Building Department}

P9133-16 COUNCILLOR GOULD – BE IT ORDERED by the City Council of the City of Peabody that An Ordinance Amending Article III – Departments by Adding Division 7 Building Department of the Code of the City of Peabody be adopted as amended and read. (Unanimous)

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 10:10 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, DECEMBER 14, 2016

RETURNED BY HIS HONOR THE MAYOR, DECEMBER 14, 2016

ATTEST   
(Timothy E. Spanos, City Clerk)

**COMMUNICATIONS:**

His Honor the Mayor re: Various appointments

His Honor the Mayor re: Adopt chapter 218 of the Acts of 2016, Section 193 – reduce speed limit to 25 mph in thickly settled areas or business district

Joe DaSilva, Peabody Fire Alarm re: Timing of traffic signals at intersection of Andover Street/Violet Road

Chief Thomas Griffin, Police Department re: Letters of thanks

Thodori Londi, 515 Lowell Street re: Special permit application

Albert Talarico, Building Commissioner re: 21 Herold Road – blowing leaves in public way

St. John the Baptist School, 19 Chestnut Street re: Banner for 2017

American Cancer Society-Relay for Life, 81 Highland Avenue, Salem re: Banner for 2017

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

Jennifer Davis, Director, Park, Recreation & Forestry Department re: Completed Council motions

Planning Board re: Minutes and Agenda

Albert Talarico, Building Commissioner re: Debris piles at 190-194 Newbury Street

Albert Talarico, Building Commissioner re: Removal of free standing signs on public property

Michael Gingras, Director of Finance re: Update on revenues and unusual spending challenges

Animal Umbrella Inc., 65 Hemenway Road, Framingham, MA re: Special Permit for 150R Main Street

**CLASS 1 MOTOR VEHICLE LICENSE:** (Renewal for 2017)

Audi Peabody, 252 Andover Street

**CLASS 2 MOTOR VEHICLE LICENSES:** (Renewal for 2017)

222 Newbury Street, 222 Newbury Street

AC Auto Sales, 3A Bourbon Street

Alex Auto Sales, 480 Lowell Street

Allen's Auto Trim, Inc., 27 Howley Street

Auto Choice of Peabody, Inc., 249 Andover Street

Auto Graphics and Sales, 220B Newbury Street

Auto Mall Collection, 218 Andover Street

Bill's Auto Sales, Inc., 256 Newbury Street

C & C Auto, 180 Newbury Street

Century Tire Co Inc. of Peabody, 53 Walnut Street

Country Club Motors, 90 Margin Street

D & D Auto Sales, 36 Walnut Street

D & R Auto Sales & Repair, 100 Birney Street

Desi's Used Cars, 108 Newbury Street

Elite Pre-Owned Auto, 153 Newbury Street

Four Star Service, Inc., 134R Newbury Street

Louie's BMW Specialist, Ltd, 260 Newbury Street

King Motors, Inc., 1R Newbury Street

Mario's Used Cars, 245 Andover Street

Michael's Motors LLC, 1 Sylvan Street

North Shore Auto Sales, 218B Newbury Street  
 PK Motor Cars, Inc., 195 Washington Street  
 Prestige Auto Sales, 288 Newbury Street  
 Prestige Motors of Peabody, 257 Andover Street  
 Russ' Used Cars, 20 Wallis Street  
 Saco's, 119-121 Lynn Street  
 Summit Auto Sales, 14 Newbury Street  
 Unlimited Sales, 3 Birney Street  
 USA Speedy Auto, 108 Newbury Street  
 Wilson Square Auto Sales, 2 Andover Street  
**CLASS 3 MOTOR VEHICLE LICENSE:** (Renewal for 2017)  
 Peterson's Automotive, Inc., 114 Newbury Street  
**ENTERTAINMENT LICENSES:** (Renewal for 2017)  
 Azorean Brotherhood Holy Ghost, 20 Howley Street  
 Bertucci's Restaurant Corp., 15 Newbury Street  
 Brodie's Pub, 10 ½ Lowell Street  
 Burton's Grill of Peabody, LLC, 210 Andover Street  
 Cabaret Enterprises, Inc., 96 Newbury Street  
 Capone's, Inc., 147 Summit Street  
 Carrabba's Italian Grill, LLC, 1 Newbury Street  
 Century House of Peabody, 235 Andover Street  
 Champions Pub, 114 Foster Street  
 Golden Banana, 151R Newbury Street  
 Holiday Inn Peabody, 1 Newbury Street  
 Jade's Restaurant, LLC, 4 Bourbon Street  
 Kelley Square Pub II, 135 Washington Street  
 Knights of Columbus Leo 508, 96 Main Street  
 Legal Sea Foods, LLC, 210 Andover Street  
 Mike & Lill's Black Sheep Tavern, 5 Central Street  
 P.F. Chang's China Bistro, Inc., 210 Andover Street  
 Paddy Kelly's Restaurant & Bar, 154 Washington Street  
 Peabody/Lynn Elks 1409, 40 Oak Street  
 Peabody Marriott, 8A Centennial Drive  
 Portuguese Benefit Society/Our Lady of Help, 61 Northend Street  
 Reds Kitchen & Tavern, 131 Newbury Street  
 Salem Country Club, 133 Forest Street  
 Santarpio's Pizza, Inc., 71 Newbury Street  
 Seawitch Restaurant, 203 Newbury Street  
 Spinelli's Function Facility, 10 Newbury Street  
 Stonewood Tavern, 139 Lynnfield Street  
 Sugar Cane, LLC, 106 Main Street  
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 Fortune Teller License – Mrs. Russell's Psychic Studio, 259 Andover Street  
 Innholder License --Holiday Inn Peabody, 1 Newbury Street  
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 Pool & Billiard License – Metro Bowl, 63 Foster Street  
 Taxi Cab License – Sunshine Car Service LLC, 153 Newbury Street  
**ENTERTAINMENT LICENSE:** (Transfer)  
 CLT Newbury, LLC d/b/a Green Tea, 126 Newbury Street

**TAXICAB LICENSE:** (Transfer)

Tri City Services, Inc., 55R Walnut Street, License #7

**TAXI/LIMOUSINE DRIVER LICENSE:**

John Minchello – License 59

Darryl Fanning – License 60

Marc Birmingham – License 61