

REGULAR MEETING OF THE PEABODY CITY COUNCIL
SEPTEMBER 10, 2015

PRESENT: COUNCILLORS: MOUTSOULAS, GOULD, GARABEDIAN, MCGINN, MANNING-MARTIN, OSBORNE, DRISCOLL, AND WALSH

ABSENT: COUNCILLORS: SASLAW, GRAVEL, AND SINEWITZ

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Thomas P. Walsh.

Salute to the American Flag.

P657-15 COUNCILLOR GOULD - MOVE TO receive and approve the minutes from the Regular Meeting of August 27, 2015. (Unanimous)

COUNCILLOR WALSH - 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.

P658-15 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, late communication Item 1 from His Honor the Mayor regarding submitting appointment of William A. Toomey to Council on Aging. (Unanimous)

(MAYOR BETTENCOURT APPEARED TO SPEAK REGARDING LATE COMMUNICATION ITEM 1)

P659-15 COUNCILLOR MOUTSOULAS – MOVE TO approve the appointment of William A. Toomey, 33 Abington Avenue, Peabody, MA, to the Council on Aging for a 3-Year Term to expire on September 30, 2018. (Carried 8-0; Councillor Saslaw, Councillor Gravel, and Councillor Sinewitz absent)

P660-15 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding submitting appointment of Mary C. Martin to the position of City Auditor. (Unanimous)

(MAYOR BETTENCOURT APPEARED TO SPEAK REGARDING ITEM 7-A. MS. MARY MARTIN ALSO APPEARED BEFORE THE CITY COUNCIL)

P661-15 COUNCILLOR MANNING-MARTIN – MOVE TO approve the appointment of Mary C. Martin, 18 Conant Road, Lynn, MA, as City Auditor for a 3-Year Term to expire June 1, 2016. (Carried 8-0; Councillor Saslaw, Councillor Gravel, and Councillor Sinewitz absent)

P662-15 COUNCILLOR OSBORNE – MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Essex Green Drive roadway agreement and to refer to the Legal Affairs Committee. (Unanimous)

HEARINGS

A public hearing was duly held on the application from Spofford Automotive, LLC, 55-R Walnut Street, Peabody, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P663-15 COUNCILLOR MOUTSOULAS – MOVE TO recess the public hearing on the Special Permit application from Spofford Automotive, LLC, 55R Walnut Street, Peabody, MA, until the regular City Council meeting on Thursday, September 24, 2015. (Unanimous)

P664-15 COUNCILLOR MOUTSOULAS – MOVE TO continue the public hearing on the application for a Class 2 Motor Vehicle License from Spofford Automotive, LLC, 55R Walnut Street, Peabody, MA to Thursday evening, September 24, 2015. (Unanimous)

P665-15 COUNCILLOR GOULD – MOVE TO recess the public hearing on the Special Permit application from Detour Cars, LLC, 154A Newbury Street, Peabody, MA, until the regular City Council meeting on Thursday, September 24, 2015. (Unanimous)

P666-15 COUNCILLOR GOULD – MOVE TO continue the public hearing on the application for a Class 2 Motor Vehicle License from Detour Cars, LLC, 154A Newbury Street, Peabody, MA to Thursday evening, September 24, 2015. (Unanimous)

REPORTS OF COMMITTEE

None.

MOTIONS, ORDERS AND RESOLUTIONS

P667-15 COUNCILLOR GOULD (Co-motion with Councillor Driscoll) - MOVE TO request that the Public Services Department trim a tree in front of 16 Charles Street. (Unanimous)

P668-15 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-C communication from Attorney Francis R. Powell, Nelson, Mullins, Riley & Scarborough, One Post Office Square, Boston, MA, regarding Allegations against P.K. Motor Cars, Inc., Special Permit; legal opinion regarding Special Permit application improprieties and to refer to the Legal Affairs Committee. (Unanimous)

P669-15 COUNCILLOR MANNING-MARTIN – MOVE TO request that the Community Development Department work with the golf course personnel and other interested parties in anticipation of the Senior Open coming to Peabody to promote the City of Peabody, and specifically the golf course, by putting together some packages to generate some revenue for the City. (Unanimous)

P670-15 COUNCILLOR MANNING-MARTIN – MOVE TO request that the City Council notify other city departments of the Second Annual Colton Buckley 5K Race scheduled for Sunday, November 8, 2015 at 10:00 a.m., which starts at the AOH Club, and to refer to the Ad Hoc Committee on Drug Education & Awareness. (Unanimous)

P671-15 COUNCILLOR MANNING-MARTIN – MOVE TO request that the City Council send a letter of support to Sheriff Cousins for his initiative to create a 42-bed detox facility at the Essex County Correctional Facility to help fight drug addiction. (Unanimous)

(COUNCILLOR MCGINN INFORMED THE CITY COUNCIL THAT THE PROGERIA RESEARCH FOUNDATION'S 14TH ANNUAL INTERNATIONAL RACE FOR RESEARCH TAKES PLACE ON SATURDAY, SEPTEMBER 12, 2015, AT 9:00 A.M. FROM THE LEATHER CITY COMMON)

P672-15 COUNCILLOR MANNING-MARTIN – MOVE TO send a letter of thanks to Chief Griffin for his efforts in getting the Overdose Prevention Committee to support Sheriff Cousins in his initiative to create a 42-bed detox facility at the Essex County Correctional Facility. (Unanimous)

P673-15 COUNCILLOR OSBORNE - MOVE TO request that the Police Department perform some speed enforcement and provide visibility, possibly in the form of a message board, on Bartholomew Street, for speeding. Now that the street is done it's very appealing to speed. (Unanimous)

P674-15 COUNCILLOR OSBORNE – MOVE TO receive, under suspension of the rules, Item 8-A communication from Jennifer Davis, Director, Parks, Recreation & Forestry, regarding Completion of motion P430-15; 3 Gemma Drive; and to send a letter of thanks to Ms. Davis. (Unanimous)

P675-15 COUNCILLOR OSBORNE – MOVE TO receive, under suspension of the rules, Item 8-B communication from Robert Langley, Director, Public Services Department, regarding Completion of motion P427-15; 432-15; 545-15; 552-15; 560-15; 561-15; and to send a letter of thanks to Mr. Langley. (Unanimous)

P676-15 COUNCILLOR OSBORNE – MOVE TO receive, under suspension of the rules, Item 8-D communication from Planning Board regarding August 20th agenda/August 6th Minutes. (Unanimous)

P677-15 COUNCILLOR DRISCOLL (Co-motion with Councillor Moutsoulas) - MOVE TO receive, under suspension of the rules, Item 8-E communication from 60 Pulaski Street, LLC, 60 Pulaski Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P678-15 COUNCILLOR MANNING-MARTIN (Tri-motion with Councillor Driscoll and Councillor Moutsoulas) - MOVE TO request that the Park, Recreation & Forestry Department cut back the brush at the main entrance to Farnham Park on Andover Street. (Unanimous)

P679-15 COUNCILLOR WALSH – MOVE TO send a correspondence from the City Council to Salem City Councillor Joseph O’Keefe wishing him speedy recovery. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

Previously received.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P680-15 COUNCILLOR GOULD – MOVE TO receive and approve Utility Contractors License – The Dow Company, 1112 Broadway Road, Dracut, MA, subject to all papers being in order. (Unanimous)

P681-15 COUNCILLOR OSBORNE – MOVE TO receive and approve the following Taxi/Limousine Driver License, subject to all papers being in order:

Kevin Dunn – License 73
Richard Lohnes – License 74
(Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 7:55 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, SEPTEMBER 16, 2015
RETURNED BY HIS HONOR THE MAYOR, SEPTEMBER 16, 2015

ATTEST 
(Timothy E. Spanos, City Clerk)

COMMUNICATIONS:

His Honor the Mayor re: Submitting the appointment of Mary C. Martin to the position of City Auditor

His Honor the Mayor re: Essex Green Drive roadway agreement

Jennifer Davis, Director, Park, Recreation & Forestry Department re: Completion of motion P430-15; 3 Gemma Drive

Robert Langley, Director, Public Services Department re: Completion of motions P427-15; 432-15; 545-15; 552-15; 560-15; 561-15

Attorney Francis R. Powell, Nelson, Mullins, Riley & Scarborough, One Post Office Square, Boston, MA re: Allegations against P.K. Motor Cars, Inc. Special Permit; legal opinion regarding Special Permit application improprieties

Planning Board re: August 20th agenda/August 6th Minutes

60 Pulaski Street LLC, 60 Pulaski Street re: Special permit application

UTILITY CONTRACTORS LICENSE:

The Dow Company, 1112 Broadway Road, Dracut, MA

TAXI/LIMOUSINE DRIVER LICENSES:

Kevin Dunn – License 73

Richard Lohnes – License 74