

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**JANUARY 27, 2022**

PRESENT COUNCILLORS: GOULD, ROSSIGNOLL, MANNING-MARTIN, PEACH, WELTON, O'NEILL, MCGINN, GAMACHE, TURCO, DAIGLE, AND MELVILLE

ABSENT COUNCILLORS:

An in-person 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 Ryan Melville.

Salute to the American Flag.

COUNCILLOR MELVILLE – 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.

P32-22 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the Regular Meeting of January 13, 2022.  
(Unanimous)

**HEARINGS**

A public hearing was duly held on the application submitted by Jermaine Anderson c/o Loyal Canines, LLC, 147 Summit Street, Unit 6 Peabody, MA. Mr. Jay Stevens and Mr. Jermaine Anderson appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P33-22 COUNCILLOR WELTON – BE IT ORDERED by the City Council of the City of Peabody that the application from Jermaine Anderson c/o Loyal Canines, LLC, 147 Summit Street, Unit 6, Peabody, MA, for a Special Permit to amend Special Permit 13-2016, 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. No more than 40 dogs to be housed overnight;
2. No more than 85 dogs on the premises at any time;
3. Any time a dog is on the property an employee must be present;
4. Dog waste is to be removed from the property on a weekly basis;
5. The outside dog play area shall be fenced and constructed in a manner as to prevent any person from placing their hand or any object through the fence;
6. Hours of operation shall be Monday through Friday 7:00 a.m. to 6:00 p.m.; Saturday and Sunday 8:00 a.m. to 10:00 a.m. and 3:00 p.m. to 5:00 p.m. or by appointment only;

7. A Kennel License shall be obtained by the applicant through the City Clerk;
  8. Any interior areas used to board animals must have floors and walls constructed of impervious and easily cleanable materials and maintained in a sanitary condition;
  9. Exterior grounds must be maintained in a sanitary condition;
  10. Applicant must ensure that solid waste is properly stored and disposed of in such a manner as to prevent the attraction of pests and the development of nuisance odors;
  11. Applicant must develop written policies and procedures for response to nuisance complaints pertaining to odor and noise;
  12. Applicant must develop written policies and procedures for sanitizing kennel, boarding areas, and equipment and for storing pet food in a manner so as not to attract pests;
  13. Applicant must maintain documentation demonstrating that all animals are properly vaccinated as a condition of enrollment; and
  14. Per Health Department, facility must be of sufficient size and design as to allow an animal to stand, sit, lie down, turn around, and make other normal postural adjustments without obstruction, interference, or impediment by the presence of food, water bowls, equipment, or other animals.
- (Carried 10-1; Councillor Manning-Martin opposed)

A public hearing was duly held on the application submitted by Eagle Point Gas Station d/b/a Wilson Square Garage, 8 Andover Street (a/k/a 2 Andover Street), Peabody, MA. Mr. Safwat Aloudat appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P34-22 COUNCILLOR PEACH – MOVE TO receive, under suspension of the rules, late communication Item 1 from Sharon Cameron, Director of Health, regarding Wilson Square Citgo Gas Station.  
(Unanimous)

P35-22 COUNCILLOR PEACH – MOVE TO recess the public hearing on the application from Eagle Point Gas Station d/b/a Wilson Square Garage, 8 Andover Street (a/k/a 2 Andover Street), Peabody, MA, until Thursday, February 10, 2022.  
(Unanimous)

A public hearing was duly held on the application submitted by Bancroft NS, LLC, d/b/a Double Bull Tap House, 210 Andover Street, Peabody, MA. Mr. Joshua Webber appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P36-22 COUNCILLOR DAIGLE – MOVE TO approve the application submitted by Bancroft NS, LLC, d/b/a Double Bull Tap House, 210 Andover Street, Peabody, MA, for an Entertainment License for non-live entertainment and live entertainment 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 submitted by Endri Kume o/b/o Albanian Community Center, c/o 125 Washington Street, Peabody, MA. Attorney John Keilty, Mr. Endri Kume, and Mr. Ardi Bocova appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P37-22 COUNCILLOR PEACH – BE IT ORDERED by the City Council of the City of Peabody that the application from Albanian Boston Community, Inc., 26 Howley Street, Peabody, MA, for a Special Permit to operate a community, cultural, and recreational center as a not-for-profit corporation in a GBD Zoning District at said 26 Howley 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. No alcohol to be sold or consumed on the premises; and
2. Hours of operation shall be Monday through Saturday from 7:00 a.m. to 1:00 a.m. and Sunday from 8:00 a.m. to 1:00 a.m.

(Carried 11-0)

**REPORTS OF COMMITTEE**

**FINANCE COMMITTEE**

**JANUARY 27, 2022**

P38-22 COUNCILLOR MCGINN – Reporting for the Finance Committee – The Finance Committee of the City Council met earlier this evening. Present for the Committee were Councillors: Gamache, Gould, Manning-Martin, Turco, and myself as chair. All other councillors were present. There were two items on the agenda. The first item was a bond order for the gymnasium roof at the West Memorial School in an amount of \$688,398. This was presented to the committee by Mayor Bettencourt. Also present was the Director of Finance, Mr. Gingras, and the Purchasing Agent, Mr. Doucette. It was explained that the bond order was for the maximum amount, but there will be reimbursement and a significant percentage back to the City so that the City share will be approximately \$338,922; the balance being picked up by the MSBA. The following motion was made. (Report received)

P39-22 COUNCILLOR MCGINN – Reporting for the Finance Committee - BE IT ORDERED by the City Council of the City of Peabody that the City of Peabody appropriate the amount of Six Hundred Eighty Eight Thousand Three Hundred and Ninety Eight (\$688,398) Dollars for the purpose of paying costs of Replacement of the Gymnasium Roof at the West Memorial Elementary School, 15 Bow Street, Peabody, MA, 01960, including payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Peabody may be eligible for a grant from the Massachusetts Building Authority ("MSBA"), said amount to be expended under the direction of the City of Peabody. To meet this appropriation the City Treasurer is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority; that any premium received upon the sale of any bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44, section 20 thereby reducing the amount authorized to be borrowed to pay such costs in a like amount. The City of Peabody acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City of Peabody incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City of Peabody; provided further that any grant that the

City of Peabody may receive from the MSBA for the Project shall not exceed the lesser of (1) Fifty Four and Seventy Nine Hundredths percent (54.79%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Peabody and the MSBA; and that this order be advertised as read.

(Carried 11-0)

P40-22 COUNCILLOR MCGINN – Reporting for the Finance Committee – The second item on the agenda was a bond order for phase 2 rehabilitation of Central Street in the amount of \$1 million. As with the first item, this was presented to us by His Honor the Mayor and it was explained that this was a bond order required for phase 2 of the rehabilitation of the Central Street project, including completing 100 percent of the design and securing over 100 easements that will be needed for the project. The proposal overall received strong support by comments from Councillor Gould and others, including myself, lead to the following motion made by Councillor Gould. (Report received)

P41-22 COUNCILLOR MCGINN – Reporting for the Finance Committee – BE IT ORDERED by the City Council of the City of Peabody that the City of Peabody appropriate the amount of One Million Dollars (\$1,000,000) for the purpose of paying costs of upgrades to the Wilson Square Intersection, including the payment of all costs incidental or related thereto. To meet this appropriation the City Treasurer is authorized to borrow said amount under M.G.L. c. 44, §7(7) or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that any premium received upon the sale of any bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44, section 20 thereby reducing the amount authorized to be borrowed to pay such costs in a like amount, and that this order be advertised as read.

(Carried 11-0)

**COMMITTEE OF THE WHOLE**  
**JANUARY 27, 2022**

P42-22 COUNCILLOR MELVILLE – Reporting for the Committee of the Whole – We convened as a Committee of the Whole in Executive Session to discuss pending litigation regarding 40 Oak Street and an employee post arbitration settlement. (Report received)

**MOTIONS, ORDERS AND RESOLUTIONS**

P43-22 COUNCILLOR ROSSIGNOLL – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding In support of update to City Charter.

(Unanimous)

P44-22 COUNCILLOR ROSSIGNOLL – MOVE TO receive, under suspension of the rules, Item 8-A communication from Commonwealth of Massachusetts, Local Election Districts Review Commission c/o Elections Division, One Ashburton Place, Room 1705, Boston, regarding Re-precincting.

(Unanimous)

P45-22 COUNCILLOR ROSSIGNOLL – MOVE TO receive, under suspension of the rules, Item 8-B communication from Joe Scacchi, 1 Abby Ellen Lane, regarding 2 Years of Overreach.

(Unanimous)

P46-22 COUNCILLOR PEACH – MOVE TO receive, under suspension of the rules, Item 8-C communication from Extreme Packing Solutions, Inc., Keith D. Tobin, Pres., 7 Webster Street, Unit F, regarding Special Permit application and set up a public hearing.  
(Unanimous)

P47-22 COUNCILLOR WELTON – MOVE TO receive, under suspension of the rules, Item 8-D communication from CV 13 Corwin, LLC, c/o Cargo Ventures, 13 Corwin Street, regarding Special Permit application and set up a public hearing.  
(Unanimous)

P48-22 COUNCILLOR WELTON – MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Various appointments.  
(Unanimous)

P49-22 COUNCILLOR WELTON – MOVE TO approve the appointment of Keith Slattery, 11 Albert Road, Peabody, MA, to the Zoning Board of Appeals (Regular Position) for a one-year term to expire 12/31/2022.  
(Carried 10-1; Councillor Manning-Martin opposed)

P50-22 COUNCILLOR WELTON – MOVE TO approve the appointment of Chris Gilbert, 55 Granite Road, Peabody, MA, to the Zoning Board of Appeals (Alternate Position) for a one-year term to expire 12/31/2022.  
(Carried 10-1; Councillor Manning-Martin opposed)

P51-22 COUNCILLOR WELTON – MOVE TO approve the appointment of Amanda Green, 18 Roosevelt Avenue, Peabody, MA, to the Conservation Commission (Regular Position) for a one-year term to expire 12/31/2022.  
(Carried 11-0)

P52-22 COUNCILLOR O'NEILL – MOVE TO receive, under suspension of the rules, Item 8-E communication from Joseph Bettencourt o/b/o Mr. Michael Votto, 10 Lowell Street, regarding Proposal for Building Repositioning and refer to the Legal Affairs Committee.  
(Unanimous)

P53-22 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 7-C communication from His Honor the Mayor regarding Transfer of funds – CPC – Document Preservation Vital Records; \$33,668 and refer to the Finance Committee.  
(Unanimous)

P54-22 COUNCILLOR GAMACHE – MOVE TO receive and approve, under suspension of the rules, Item 8-F communication from Albert Talarico, Building Commissioner, regarding Transfer of Special Permit 49-2000; Armen Toukmanian, American Auto Collision d/b/a Route 1 Auto Service, 218 Newbury Street, subject to all papers being in order.  
(Unanimous)

P55-22 COUNCILLOR GAMACHE – MOVE TO request that His Honor the Mayor invite all new appointees of City boards and commissions to attend the City Council meeting on the evening the City Council votes on their appointment.  
(Unanimous)

P56-22 COUNCILLOR GAMACHE – MOVE TO receive and approve, under suspension of the rules, Item 9-A Class 2 Motor Vehicle License (2022 Renewal), subject to all papers being in order:

Boyd Cycles, 25 Walnut Street  
Louie's BMW, 260 Newbury Street

(Unanimous)

P57-22 COUNCILLOR TURCO – MOVE TO request that the Finance Director appear before the Finance Committee to provide the City Council with an overview of ARPA, an accounting of where and how much money has been spent to date, and what the city's intention is in the future; and refer to the Finance Committee.

(Unanimous)

P58-22 COUNCILLOR TURCO – MOVE TO request that all City boards and commissions update their minutes on the city web site.

(Unanimous)

P59-22 COUNCILLOR DAIGLE – MOVE TO request that the Police Department, Public Services Department, and Fire Department review the intersection of Lowell/King/Endicott and determine if the intersection can be made safer with traffic light improvements and/or signage and refer to the Municipal Safety Committee.

(Unanimous)

**COMMUNICATIONS FROM HIS HONOR THE MAYOR**

Previously received.

**COMMUNICATIONS FROM CITY OFFICERS AND OTHERS**

Previously received.

**PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

Previously received.

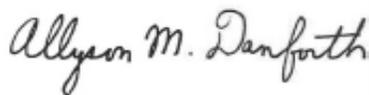
**UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 9:20 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, FEBRUARY 1, 2022

RETURNED BY HIS HONOR THE MAYOR, FEBRUARY 1, 2022



(Allyson M. Danforth, City Clerk)

**COMMUNICATIONS:**

His Honor the Mayor re: In support of update to City Charter

His Honor the Mayor re: Various appointments

His Honor the Mayor re: Transfer of funds – CPC – Document Preservation Vital Records; \$33,668  
Commonwealth of Massachusetts, Local Election Districts Review Commission c/o Elections Division,  
One Ashburton Place, Room 1705, Boston, re: Re-precincting

Joe Scacchi, 1 Abby Ellen Lane, re: 2 Years of Overreach

Extreme Packing Solutions, Inc., Keith D. Tobin, Pres., 7 Webster Street, Unit F, re: Special Permit  
application

CV 13 Corwin, LLC, c/o Cargo Ventures, 13 Corwin Street, re: Special Permit application

Joseph Bettencourt o/b/o Mr. Michael Votto, 10 Lowell Street, re: Proposal for Building Repositioning  
Albert Talarico, Building Commissioner, re: Transfer of Special Permit 49-2000; Armen Toukhmanian,  
American Auto Collision d/b/a Route 1 Auto Service, 218 Newbury Street

**CLASS 2 MOTOR VEHICLE LICENSE:** (2022 Renewal)

Boyd Cycles, 25 Walnut Street

Louie's BMW, 260 Newbury Street