

REGULAR MEETING OF THE PEABODY CITY COUNCIL
OCTOBER 14, 2021

PRESENT COUNCILLORS: GOULD, MANNING-MARTIN, SASLAW, WELTON, CHAREST, MCGINN, MOUTSOULAS, TURCO, ROSSIGNOLL, MELVILLE, AND O'NEILL

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 Mark J. O'Neill.

Salute to the American Flag.

COUNCILLOR O'NEILL – 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.

P554-21 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of September 9, 2021, and the regular meeting September 23, 2021.
(Unanimous)

HEARINGS

None.

REPORTS OF COMMITTEE

Finance Committee
October 14, 2021

P555-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The Finance Committee met earlier this evening, October 14th. Present for the committee were Councillor Gould, Councillor Manning-Martin, Councillor Rossignoll, Councillor Turco, and myself as chair. Also present for the meeting were Councillors: Charest, Saslaw, O'Neill, and Melville. There were three items on the agenda. The first item was a transfer of funds: CPC – Old South Burial Grounds in an amount of \$22,680. That was presented to the committee by Director of Finance Mr. Gingras and the following motion was made by Councillor Gould. (Report received)

P556-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve the following transfer, as submitted by His Honor the Mayor, under date of September 16, 2021:

FROM:

CPC – Historic Preservation \$22,680.00
270-0000-33022
(Carried 11-0)

TO:

CPC – Old South Burial Grounds Repairs \$22,680.00
270-1811-58563-2022-00-0394

P557-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item on the agenda was an ordinance amendment – Section 18-20 “Schedule of compensation for part-time positions” and Section 18-21 “Rates of compensation full-time positions not subject to collective bargaining.” There was a presentation made to us by His Honor the Mayor. The first portion of the presentation dealt with the emergency management function. The intent of the change is to adjust the current structure, which is where the emergency management positions resides on an individual, who is the fire chief, and distribute that function amongst the fire chief and some emergency management assistants and that would be up to it appears three, which is what the Mayor has in mind at the moment and that would be in addition to the fire department, representation from the police department, IT, and the health department. This has been budgeted at the amounts that the Mayor has suggested in this ordinance change. There was a question as to whether, if the Mayor opted to hire somebody that was not currently a city employee, if that would trigger benefits. The answer to that question is that it would, however, that is not the Mayor’s intent and there would be the ability for the Council to catch that because any such appointment would have to come back to the Council for consideration. After the debate on the topic, the following motion was made by Councillor Gould. (Report received)

P558-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO amend Section 18-20 entitled “Schedule of Compensation for Part-time Positions,” of the Code of the City of Peabody and to advertise as read.
(Carried 10-1; Councillor Saslaw opposed)

P559-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next portion of the request from the Mayor was to deal with four specific positions: Golf course facilities manager, assistant golf course facilities manager, farm manager, and veterans agent. After some debate on the topic the following motion was made by Councillor Gould. (Report received)

P560-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO amend Section 18-21 entitled “Rates of Compensation for Full-time Positions Not Subject to Collective Bargaining,” of the Code of the City of Peabody and to advertise as read.
(Carried 10-1; Councillor Saslaw opposed)

P561-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The third item on the agenda was a Resolution adopting tax incremental financing agreement and submission to the Economic Assistance Coordinating Council for the Farm Street Real Estate, LLC, 2 Washington. The Mayor brought this back to us from the meeting that occurred on September 9th because subsequent to that meeting it was discovered that what had been brought to us in the form of a special tax assessment should have been brought to us in the form of a tax incremental financing agreement. So the documentation was revised to reflect that and reflect what has been processed by the State and subsequently approved. The Mayor apologized for the administrative error up front so this is a bit of housekeeping to basically get the documents corrected. (Report received)

P562-21 COUNCILLOR MCGINN – MOVE TO APPROVE THE RESOLUTION ADOPTING TAX INCREMENT FINANCING AGREEMENT and SUBMISSION TO THE ECONOMIC ASSISTANCE COORDINATING COUNCIL FOR FARM STREET REAL ESTATE, LLC

WHEREAS, the City of Peabody is part of the designated Peabody Economic Target Area and FARM STREET REAL ESTATE, LLC, a company currently located in Peabody, and is redeveloping their property; and

WHEREAS, a Tax Increment Financing plan has been prepared in accordance with Massachusetts General Laws, Chapter 23A, Section 3E and 402 CMR 2.00; and

WHEREAS, there is strong support for economic development and the use of Tax Increment Financing as an economic development tool to encourage business expansion for FARM STREET REAL ESTATE, LLC, and the businesses at that property;

NOW THEREFORE BE IT ORDAINED By the City Council of the City of Peabody that:

1. The Tax Increment Financing be adopted as is which has been substantially submitted. A copy of said Tax Increment Financing Plan is included in the FARM STREET REAL ESTATE, LLC, application and is hereby made a part of this Resolution;
2. The area to be designated as a Tax Increment Financing Zone is defined as the following property known as City of Peabody, 2 Washington Street (TAX ID 085-089);
3. The maximum time period for a Tax Increment Financing agreement for FARM STREET REAL ESTATE, LLC shall be ten (10) years;
4. The City of Peabody has authorized the creation of a Tax Increment Financing Negotiation and Administration Committee (TIFNAC) to negotiate tax incentive agreements for projects. The TIFNAC is composed of the Mayor, City employees, and the Chairman of the City Council Finance Committee;
5. The maximum Tax Increment Financing exemption for each project shall be negotiated by the TIFNAC. At no time shall the exemption exceed 100%;
6. All Tax Increment Financing Agreements negotiated by the TIFNAC shall be made part of the Tax Increment Financing Plan by a vote of the City Council;
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7. The Tax Increment Financing agreement shall be binding on all subsequent owners of the property certified by the Economic Assistance Coordinating Council (EACC). The City of Peabody reserves the right to review and renegotiate the Tax Increment Financing Agreement and seek decertification of the project by the EACC if the business activity ceases to be fully operational during the life of the Tax Increment Financing agreement or upon failure of the owner to fulfill its material obligations as specified in the Tax Increment Financing Agreement;
8. A copy of the adopted Tax Increment Financing Plan shall be forwarded to the Massachusetts Economic Assistance Coordinating Council for its approval;
9. The effective date of the Tax Increment Financing Plan shall be October 14, 2021; and
10. The City Council President is hereby authorized to execute and implement the Tax Increment Financing Plan.

(Carried 11-0)

P563-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – And then to finalize that, we needed to actually formally under Provision 6 of the Resolution, “All Tax Incremental Financing Agreements negotiated by the TIFNAC shall be made part of the Tax Increment Financing Plan by a vote of the City Council.” The following motion was made by Councillor Turco. (Report received)

P564-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve the Tax Increment Financing Agreement of the City of Peabody, Massachusetts, to Farm Street Real Estate, LLC, in the form as attached to a communication from His Honor the Mayor dated September 16, 2021.

(Carried 11-0)

MOTIONS, ORDERS AND RESOLUTIONS

P565-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Transfer of Funds – Municipal Code Services – Code Recodification; \$15,900.00 and refer to the Finance Committee.

(Unanimous)

P566-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Appropriation – Ride Share Transportation Enhancement Trust; \$16,468.60 and refer to the Finance Committee.

(Unanimous)

P567-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive and approve, under suspension of the rules, the following Item 9-A Entertainment License (Renewal for 2021) AOH Division #11, 58 Lowell Street, subject to all papers being in order.

(Unanimous)

P568-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-D communication from Dianne Marchese, Peabody Fire Prevention Bureau, regarding Motion P310-21; Aggregate Blasting Complaints.

(Unanimous)

P569-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 9-C Outdoor Dining License (New) Farm Street Realty Group, LLC, 2 Washington Street, and set up a public hearing.

(Unanimous)

P570-21 COUNCILLOR MCGINN – MOVE TO request a handicapped sign in front of and along the property line of 17 Calumet Street, and that an ordinance be drafted and advertised on the same.

(Unanimous)

P571-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-A communication from Drew Donarumo Plumbing and Heating, Inc., 82 Margin Street, regarding Special Permit application and set up a public hearing.

(Unanimous)

P572-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-C communication from Massachusetts State Lottery Commission regarding KENO monitor; Newbury Street Sunoco, 144 Newbury Street.

(Unanimous)

P573-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 9-B Class 2 Motor Vehicle License (Transfer) Auto Choice of Peabody, Inc., 249 Andover Street, and set up a public hearing.

(Unanimous)

P574-21 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, Item 8-B communication from Allyson M. Danforth, City Clerk, regarding Election Warrant for November 2, 2021.

(Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

P575-21 COUNCILLOR TURCO – MOVE TO receive and approve a communication from His Honor the Mayor regarding Appointment of Chris Marcotullio, 42 Murdock Drive, Peabody, MA, to the Peabody Cable Television Commission (Alternate Member) for a two-year term to expire 12/31/2023.
(Unanimous)

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

Previously received.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

Previously received.

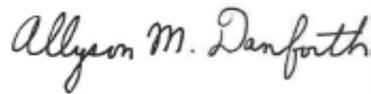
UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 8:30 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, OCTOBER 20, 2021

RETURNED BY HIS HONOR THE MAYOR, OCTOBER 20, 2021



(Allyson M. Danforth, City Clerk)

COMMUNICATIONS:

His Honor the Mayor re: Transfer of Funds – Municipal Code Services – Code Recodification; \$15,900.00

His Honor the Mayor re: Appropriation – Ride Share Transportation Enhancement Trust; \$16,468.60

His Honor the Mayor re: Appointment – Chris Marcotullio, 42 Murdock Drive, Peabody Cable Television Commission (Alternate Member)

Drew Donarumo Plumbing and Heating, Inc., 82 Margin Street, re: Special Permit application

Allyson M. Danforth, City Clerk, re: Election Warrant for November 2, 2021

Massachusetts State Lottery Commission re: KENO monitor; Newbury Street Sunoco, 144 Newbury Street

Dianne Marchese, Peabody Fire Prevention Bureau, re: Motion P310-21; Aggregate Blasting Complaints

ENTERTAINMENT LICENSE: (Renewal for 2021)

AOH Division #11, 58 Lowell Street

CLASS 2 MOTOR VEHICLE LICENSE: (Transfer)

Auto Choice of Peabody, Inc., 249 Andover Street

OUTDOOR DINING LICENSE: (New)

Farm Street Realty Group, LLC, 2 Washington Street