REGULAR MEETING OF THE PEABODY CITY COUNCIL
APRIL 10, 2025

PRESENT COUNCILLORS: PEACH via remote participation, GOULD, GAMACHE, HIGGINS, WELTON, MCGINN, ROSSIGNOLL, MELVILLE, AND DAIGLE

ABSENT COUNCILLORS: TURCO AND MANNING-MARTIN

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 Julie K. Daigle.

Salute to the American Flag.

COUNCILLOR DAIGLE – 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.

P170-25 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the Regular Meeting of March 27, 2025.
(Unanimous)

(MR. LOUIS GUIFFRE APPEARED BEFORE THE COUNCIL TO SPEAK ABOUT HIS PROPOSED EAGLE SCOUT PROJECT AT PVMHS)

P171-25 COUNCILLOR ROSSIGNOLL – MOVE TO receive, under suspension of the rules, late communication Item 3 from Louis Guiffre, 163 Lynnfield Street, regarding Proposed Eagle Scout Project for: Mr. Louis Guiffre (New storage shed for PVMHS JR ROTC).
(Unanimous)

P172-25 COUNCILLOR GOULD – MOVE TO recommend the approval of the proposed Eagle Scout project from Mr. Louis Guiffre regarding a mobile storage shed for the Peabody Veterans Memorial High School JR ROTC, subject to approval and/or consultation from the Building Commissioner for setback and zoning requirements.
(Unanimous)

HEARINGS

A public hearing was duly held on the application submitted by Shoyu Holdings, LLC, d/b/a Shoyu Restaurant and Bar, 2 Central Street, Peabody, MA. Atty. John Keilty appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P173-25 COUNCILLOR MCGINN – MOVE TO approve the application submitted by Shoyu Holdings, LLC, d/b/a Shoyu Restaurant and Bar, 2 Central Street, Peabody, MA, for an Entertainment License for the use of non-live entertainment, specifically television, radio, digital music; and live entertainment, specifically live music limited to four (4) pieces/members, comedy shows, at said 2 Central Street, Peabody, MA, with the following conditions and subject to all papers being in order:

CONDITIONS:

1. Hours of non-live entertainment:
   11:00 a.m. to 1:00 a.m. Monday to Saturday
   11:00 a.m. to 1:00 a.m. Sunday (or as otherwise stipulated in Sunday license to be obtained from the Mayor's office);
2. Hours of live entertainment (up to 4 performers and up to 2 amplifiers):
   6:00 p.m. to 11:00 p.m. Monday to Wednesday
   6:00 p.m. to 12:00 a.m. Thursday to Saturday
   6:00 p.m. to 10:00 p.m. Sunday (or as otherwise stipulated in Sunday license to be obtained from the Mayor's office);

3. All entertainment to take place inside the building with windows and doors closed during any live entertainment offering;
   A muted television is permitted in the outdoor dining area during the hours for which outdoor dining is permitted; and
4. Owner(s) will make ongoing reasonable efforts to prevent noise from becoming disruptive to area residents and abutting businesses.

(Carried 9-0; Councillor Turco and Councillor Manning-Martin absent)

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P174-25 COUNCILLOR MCGINN – MOVE TO approve the application from Shoyu Holdings, LLC, d/b/a Shoyu Restaurant and Bar, 2 Central Street, Peabody, MA, for an Outdoor Dining License at said 2 Central Street, as filed in accordance with Section 5.4.6 of the Peabody Zoning Ordinance, with the following conditions and subject to all papers being in order:

CONDITIONS:

1. Permissible outdoor dining hours May 1 through September 30:
   11:30 a.m. to 11:00 p.m. Sunday through Wednesday
   11:30 a.m. to 12:00 a.m. Thursday through Saturday;
2. Owners will make ongoing reasonable efforts to prevent noise from becoming disruptive to area residents and abutting businesses;
3. Any lights in the outdoor dining area will be designed and situated such that they do not illuminate abutters' properties and all lights in the outdoor dining area will be off during times that use of the outdoor dining area is not permitted;
4. There will be no smoking of any type or vaping in the outdoor dining area;
5. Plan review must be completed with the Health Department prior to start of construction;
6. Outside dining area must be included in integrated pest management plan; and
7. In accordance with zoning ordinance Section 5.4.6, outdoor dining licenses must be renewed annually.

(Carried 9-0; Councillor Turco and Councillor Manning-Martin absent)

REPORTS OF COMMITTEE

Finance Committee
April 10, 2025

P175-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – The Finance Committee met earlier this evening. Present for the committee were Councillors: Gamache and Gould; sitting in for Councillor Manning-Martin was Councillor Rossignoll; and sitting in for Councillor Turco was Councillor Melville. I was there as chair, and we were also joined by Councillors: Peach, Daigle, and Higgins. We had three items on the agenda. The first item was Peabody Veterans Memorial High School Feasibility study in an amount of $8,000,000. This was presented to us by His Honor the Mayor. There were two late communications that were associated with this item. The following motion was made. (Report received)

P176-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO receive, under suspension of the rules, late communication Item 2 from His Honor the Mayor regarding Eligibility Period Schedule of Deliverables.
(Unanimous)

P177-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO receive, under suspension of the rules, late communication Item 1 from PVMHS School Building Committee regarding Funding for PVMHS Feasibility Study $8,000,000.00.
(Unanimous)

P178-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – The Mayor stepped us through the contents of late communication 2, which was a schedule of deliverables through the eligibility period and the various milestones that need to take place that includes the vote for the funding for the feasibility study. There was comments made in support by several councillors. Councillors: Rossignoll, Welton, Gamache, and Peach all commented on this. In response to a question from Councillor Welton, the Mayor said that he anticipates the high school -- without being held to a firm timeline -- should be looking at a four-to-five-year horizon for construction. Also present were several members of the School Building Committee, including the principal of the school, Brooke Randall; Herb Levine; and present for the School Committee was School Committee member Jarrod Hochman. The Mayor also pointed out that there are four members of the City Council on the School Building Committee: Councillors: Gamache, Daigle, Peach, and Gould. Councillor Gamache commented that he was very pleased with the composition of the School Building Committee, that he thought it was a talented group, cross-section of the community, and thought it would be a very strong group in helping to lead this initiative forward. The Mayor reiterated the importance of this preliminary step to essentially fund the feasibility study. With that as explanation, there was a motion made by Councillor Melville. Motion was made in a manner that was a little unusual because of some critical timing on the MSBA submittals. The Council had previously taken action to draft and advertise this bond order. The following motion was made. (Report received)

P179-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve a favorable recommendation to the City Council for the Bond Order regarding Peabody Veterans Memorial High School Feasibility Study in the amount of $8 million ($8,000,000.00) dollars.
(Carried 9-0; Councillor Turco and Councillor Manning-Martin absent)

P180-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – The second item on the agenda was a transfer request, transfer of funds, building demolition in the amount of $170,979. This was presented to us by His Honor the Mayor. This is some additional money that is needed for the demolition of two city buildings on Berry Street that are in much need of removal. This is some incremental funding that was needed because of some issues that were encountered on the site with contamination, which need to be addressed. The funding would come from some interest on ARPA funds that we had, and the communication from His Honor the Mayor indicated that this project does meet ARPA guidelines for outdoor spaces and neighborhood cleanup. The following motion was made.
(Report received)

P181-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve the following transfer, as submitted by His Honor the Mayor, under date of March 18, 2025:

FROM:		**TO:**	
ARPA Funds - Interest		Building Demolition	
250-05900-34812-2021	$170,979.00	300-0000-58729-2025	$170,979.00

(Carried 9-0; Councillor Turco and Councillor Manning-Martin absent)

P182-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – The last item on the agenda was 2 Benevento Circle, a deed in lieu of payment. This item was presented to us by the City Treasurer, Mr. Ross Titelbaum, and he explained that this is a property that's an unbuildable lot that has a significant past due taxes situation, however, it's an estate situation and a trust where all of the trustees and associated parties are no longer living. So in order to settle this, the attorney is hoping to sign over the deed to the property, which is valued at somewhere in the ballpark of $6,500 to address a significant back tax bill of $101,000. Mr. Titelbaum assured us that there was nowhere else to turn on this. The following motion was made. (Report received)

P183-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO accept the recommendation of the City Treasurer to accept the deed in lieu of payment for 2 Benevento Circle, Parcel 011-065 and refer to the City Solicitor.
(Carried 9-0; Councillor Turco and Councillor Manning-Martin absent)

MOTIONS, ORDERS AND RESOLUTIONS

P184-25 COUNCILLOR PEACH – MOVE TO receive, under suspension of the rules, Item 8-B communication from Curt T. Bellavance, Dir., Community Development Department, regarding Proposed Zoning Amendment for Accessory Dwelling Units (ADU) and refer to the Industrial & Community Development Committee.
(Unanimous)

P185-25 COUNCILLOR GAMACHE – MOVE TO receive and approve, under suspension of the rules, Item 8-A communication from Thomas St. Pierre, Building Commissioner, Transfer of Special Permit 4-2022; Katie L. Smith, 474 Lowell Street, subject to all papers being in order.
(Unanimous)

P186-25 COUNCILLOR GAMACHE – MOVE TO receive and approve, under suspension of the rules, the following Item 9-A Junk Dealers License (Renewal for 2025), subject to all papers being in order:

Bill's Salem Music & Fofo's, 136 Main Street
Cash Call, 161 Main Street
Kay Jewelers #1244, 210 Andover Street
Long's Jewelers, 35 Cross Street
Martoni & James, Ltd., 215 Newbury Street, Suite 206
The Velvet Elvis, 101 Lynn Street

(Unanimous)

{10-A Public Works Foreman Water}
P187-25 COUNCILLOR GAMACHE – BE IT ORDERED by the City Council of the City of Peabody that An Ordinance Amending Section 18-21 entitled "Rates of Compensation for Full-time Positions Not Subject to Collective Bargaining" of the Code of the City of Peabody be adopted as advertised and read.
(Carried 9-0; Councillor Turco and Councillor Manning-Martin absent)

P188-25 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 7-A Transfers of Funds - Snow Removal Services $1,065,000; Sand & Road Salt $485,000 and refer to the Finance Committee.
(Unanimous)

P189-25 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 7-B Transfer of Funds - Cemetery - Capital Improvement $132,744 and refer to the Finance Committee.
(Unanimous)

P190-25 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 7-C Amend Section 18-21 entitled "Rates of Compensation for Full-time Positions Not Subject to Collective Bargaining" (Public Works Foreman Motor Equipment) and refer to the Finance 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 8:15 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, APRIL 15, 2025
RETURNED BY HIS HONOR THE MAYOR, APRIL 15, 2025

ATTEST: Allyson M. Danforth
(Allyson M. Danforth, City Clerk)

COMMUNICATIONS:
His Honor the Mayor re: Transfers of Funds – Snow Removal Services $1,065,000
Sand & Road Salt $485,000
Transfer of Funds – Cemetery – Capital Improvement $132,744
Amend Section 18-21 entitled "Rates of Compensation for Full-time Positions Not Subject to Collective Bargaining" (Public Works Foreman Motor Equipment)
Thomas St. Pierre, Building Commissioner, Transfer of Special Permit 4-2022; Katie L. Smith, 474 Lowell Street
Curt T. Bellavance, Dir., Community Development Department, re: Proposed Zoning Amendment for Accessory Dwelling Units (ADU)
JUNK DEALERS LICENSE: (Renewal for 2025)
Bill's Salem Music & Fofo's, 136 Main Street
Cash Call, 161 Main Street
Kay Jewelers #1244, 210 Andover Street
Long's Jewelers, 35 Cross Street
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