

**MINUTES  
BOROUGH COUNCIL MEETING  
MAY 17, 2007**

The Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahon, President Daly, Vice-President Hall, Councilpersons Alyanakian, Williamson, Simpson, Derrickson and Tyson. Also present were Borough Manager Smith, Engineer Walton, Solicitor Scott, Treasurer Dimond and Administrative Intern Cori Burbach.

President Daly called the meeting to order at 8:00 p.m. and led the salute to the flag. President Daly observed a moment for the passing of Bill Daniels.

**Approval of the Minutes**

Vice-President Hall made a motion to approve the minutes from the April 19, 2007 Council meeting. Councilwoman Simpson seconded the motion. The motion carried unanimously.

**Privilege of the Floor**

President Daly reminded viewers watching the meeting at home they can e-mail any questions/comments for Borough Council to [questions@mediaborough.com](mailto:questions@mediaborough.com) and they will be addressed during the meeting.

Christy Dick, 113 Pennock Place, mentioned the Zoning Hearing Board decision with regard to the Hampton Inn & Suites application. Ms. Dick noted that while asking the Borough for a copy of the decision, she was told that she could only receive an abbreviated version of the decision. Councilman Williamson explained the testimony process. Borough Manager Smith noted that it was his understanding that the Zoning Hearing Board findings of fact on this application would be forwarded to the applicant and made available at the Borough office on Friday, May 18, 2007.

Christy Dick noted that a decision was made last month regarding flying French flags along State Street in recognition of Bastille Day. Ms. Dick inquired if both American flags and French flags could be hung along State Street. Vice-President Hall responded that both flags will be hung along State Street. Councilman Alyanakian inquired as to when this decision was made, as he did not recall that intermingling the flags was part of the motion last month. President Daly noted that he did recall the decision was made to fly both flags.

Letitia Jeavons, 216 N. Monroe Street, inquired about the turnout figures for this past election. President Daly responded that the County's website lists the figures broken out by municipality.

Carol Fanelli, 34 W. State Street, mentioned that she is attending this Council meeting in order to follow-up on her noise complaint at Picasso's. Ms. Fanelli attended the March Council meeting and noted there has not been any change since then. Ms. Fanelli inquired if the Noise Ordinance, which is up for adoption this evening, will do anything to rectify the situation. Vice-President Hall noted that the ordinance will set an objective standard for noises using a decibel meter. The Police Department will be trained in using the decibel meter. Solicitor Scott noted that a fine of up to \$1,000, actual amount determined by a district justice, can be charged to those in violation of the ordinance. Ms. Fanelli inquired if any action can be taken against a proprietor who does not do what they promise to adhere to when coming into the Borough. Solicitor Scott responded that if the proprietor is in violation of an agreement, the Borough can consider taking action. Councilman Tyson inquired if a citizen has a right to complain to the Pennsylvania Liquor Control Board against that particular bar/restaurant. Solicitor Scott noted that he is not familiar with those regulations.

### **Mayor's Report** – Mayor McMahan

Mayor McMahan reported the Police Department received and investigated 848 complaints during the month of April. There were no reported burglaries.

Mayor McMahan noted that Sergeant Robert Carroll is continuing his education in the police development program. Sergeant Carroll has received a Certificate of Special Congressional Recognition for his outstanding and invaluable service to the community.

Mayor McMahan read Proclamation #2007-04 proclaiming May 14-18, 2007 to be Bike to Work Week in the Borough of Media.

Mayor McMahan announced that Treasurer Dimond is organizing the Memorial Day Parade, which will be held on Monday, May 28, 2007 at 10:00 a.m.

### **Council Committee Reports**

#### **Health, Historic Preservation & Library** – Mr. Tyson

Councilman Tyson reported on the following for Historic Preservation:

- Historic Preservation held their annual dinner a couple of weeks ago.
- The Minshall House has reopened for the season.
- Carriage rides throughout the Borough will be offered periodically.

Councilman Tyson reported on the following for the Health Department:

- The Health Department held their quarterly meeting in early April.
- The Health Department is staying on top of annual health inspections of restaurants.
- The Health Department will work closely with the County of Delaware on emergency preparedness.

Councilman Tyson noted that a newly formed Pet Friendly Committee recently held a meeting to discuss ways to foster the pet community and provide opportunity to share their common interest. The Committee will also advise Borough Council on pet-related issues. The guest speaker at the meeting was Bill Vernon, Managing Director of the Delaware County SPCA.

**Recreation, Technology, Media Business Authority & Lighting –**

Mrs. Simpson

Councilwoman Simpson announced that the Borough of Media will be featured in the July 2007 issue of the Best of Main Line Today as the best up and coming town in the area.

Councilwoman Simpson made a motion to approve an expenditure in the amount of \$4,000 for the Media Business Authority to purchase 25 banners along the business district. It was recommended that the funds for this expenditure be taken from the Mercantile Tax surplus. Vice-President Hall seconded the motion. The motion carried unanimously.

Councilwoman announced the following for the Recreation Department:

- Summer camp registration is ongoing. Walk-in registration is welcomed Monday through Wednesday from 9:00 a.m.-3:00 p.m. in the Recreation Office. Evening registration will be held on May 30 and 31, 2007 from 6:00-9:00 p.m.
- The Phillies Home Run Derby will be held on Saturday, June 2, 2007. This is a free event and open to kids of all ages.
- Adult tennis clinics will be held on Tuesdays and Thursdays from 6:00-7:30 p.m. in June. Tuesdays is for beginners and Thursdays for intermediate. Cost is \$50 for borough residents and \$55 for non-Borough residents.
- Children's tennis clinics will commence in August 2007.
- The 5 Mile Race will be held on Friday, June 15, 2007. Registration will be capped at 1,200 runners and can be completed online at [www.5milerace.com](http://www.5milerace.com). Volunteers to marshal the race are needed. The Recreation Board has addressed problems that were apparent during the last race.
- A grant has been submitted for the planning of Borough parks (i.e. Houtman Park, etc.) and the Recreation Board is currently awaiting a response on whether or not they will receive the funding.

As it pertains to technology, Councilwoman Simpson mentioned that the new format of Cable Channel 10 (Telvue) has been well received. A few individuals have expressed interest in viewing the PCN network, therefore, the Borough intends to consider modifying times in order to show PCN and Telvue.

**Code Enforcement, Media Arts Council, Streetscape & Litter Task Force –** Mr. Hall

Vice-President Hall made a motion to adopt Ordinance No. 1027 as it pertains to Noise Ordinance amendments. This ordinance shall set objective standards in order to measure a noise source. Councilman Williamson seconded the motion. The motion carried unanimously.

Vice-President Hall made a motion to award the proposal for Handicapped Accessibility Inspections/Reviews and Energy Inspections/Reviews to Robert H. Linn Architects & Associates. Councilman Williamson seconded the motion. The motion carried unanimously. Solicitor Scott will research whether or not a potential conflict of interest would apply if Bob Linn is the architect on a property that they would be inspecting.

Vice-President Hall made a motion to approve the hiring of Carl Drake as a part-time Commercial Inspector within the Code Enforcement Department. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Vice-President Hall mentioned that the mosaic at the Plum Street Mall was unveiled during the May 12, 2007 Second Saturday event. Vice-President Hall gave credit to Claire Brille and the Media Arts Council for a job well done on this project.

Vice-President Hall made a motion to approve the Mass Gathering Permit Application for the Media Arts Council Block Party event on July 14, 2007 from 3:00-11:00 p.m. with a road closure on State Street from Jackson to Olive Streets. Councilman Williamson seconded the motion. The motion carried unanimously. The organizers will perform the cleanup after the event. No police presence will be required. The \$750.00 permit application fee will be waived as this is a Media Business Authority sponsored event.

**Public Properties, Fire Committee, Personnel, Finance & Insurance** – Mr. Daly

Treasurer Dimond read the finance report. The Finance Committee reported checks drawn on the Central Disbursement account for the following funds:

General Fund	\$ 335,973.27
Recreation Fund	\$ 2,264.61
Liquid Fuels Fund	\$ 7,585.59
Capital Fund	<u>\$ 17,176.50</u>
Total	\$ 362,999.97

Treasurer Dimond motioned that bills be paid when properly approved for all funds. Councilman Alyanakian seconded the motion. The motion carried unanimously.

President Daly made a motion to adopt Ordinance No. 1028, changing Zone 1 (short-time parking) for parking meters to remove Baker and Jasper Streets. Councilman Derrickson seconded the motion. The motion carried unanimously.

**Community Development** – Mr. Williamson

Councilman Williamson made a motion to adopt Ordinance No. 1029 pertaining to Right-of-Way Ordinance amendments, establishing escrow fees for utility companies. Councilman Tyson seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to table the adoption of Ordinance No. 1030, acceptance of a Deed of Dedication for the property in the rear of Astor Square, due to the fact that the tree work has not been completed on this property and there is a legal issue still pending. Councilman Tyson seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to authorize the Solicitor to draft and advertise sign ordinance amendments as it pertains to the Plum Street Mall area. Councilwoman Simpson seconded the motion. The motion carried unanimously. Councilman Tyson inquired as to whether or not Council intends to authorize perpendicular signage in this area. Councilman Williamson responded that he intends to explore this with the Solicitor and Community Development Committee.

Councilman Williamson made a motion to authorize the Solicitor to draft and advertise revisions to the HBO Zoning District pertaining to automotive uses. Councilman Williamson explained that the area in question is the Baltimore Avenue corridor and this applies to not allowing automotive repair businesses as new uses, etc. This ordinance will not apply to existing automotive repair businesses in this vicinity. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Councilman Williamson provided an update on the Zoning Hearing Board decision for 415 S. Providence Road mentioned from last month. The Zoning Hearing Board approved the Hampton Inn & Suites application to build a four (4)-story hotel in this location and also approved the larger signage variance. Borough Council voted not to oppose the four (4)-story building, but opposed the signage. Councilman Tyson made a motion to appeal the decision of the Zoning Hearing Board. Councilman Alyanakian seconded the motion. A roll call was taken on the motion. The motion was defeated 5-2, with President Daly, Vice-President Hall and Councilpersons Simpson, Williamson and Derrickson casting the dissenting votes.

#### **Highway, Recycling, Emergency Management & Police Committee** – Mr. Derrickson

Councilman Derrickson noted the following dates/locations for household hazardous waste drop off events as sponsored by the County of Delaware:

- Saturday, June 2, 2007 – Emergency Services Training Center (Darby)
- Saturday, September 15, 2007 – Covanta Delaware Valley, LP (Chester)
- Friday, October 12, 2007 – Rose Tree Park (Media)

All events are held between 9:00 a.m.-3:00 p.m. Further information can be obtained from the household hazardous waste website at [www.co.delaware.pa.us/recycle](http://www.co.delaware.pa.us/recycle).

Councilman Derrickson noted that Handicapped Parking Permit Application for 101 Haldeman Street will be deferred until next month.

Councilman Derrickson made a motion to approve the towing agreement amendments to include changing various fees and to change the language to reflect a 24-hour period for holding vehicles (in lieu of a calendar day). Councilwoman Simpson seconded the motion. The motion carried unanimously.

Councilman Derrickson announced that another Emergency Management Tabletop Exercise will be scheduled later this summer.

**Shade Tree Commission, Homeowners Association (HOA) & Environmental Advisory Council** – Mr. Alyanakian

Councilman Alyanakian announced that Media Borough has been awarded the Governor's Award for Environmental Excellence for the year 2006. Councilman Alyanakian displayed the award and flag that the Borough received.

Councilman Alyanakian noted that the Borough is moving forward with the Energy Harvest Grant. Councilman Alyanakian thanked former Grant Administrator, Judy Fowler, and Borough Manager Smith for their efforts on the Energy Harvest Grants.

Councilman Alyanakian mentioned that the Borough in conjunction with the Environmental Advisory Council will explore the feasibility of adopting anti-idling legislation. This effort would ban vehicles from sitting and idling for more than five (5) minutes (gas stations, convenience stores, etc.). Councilman Alyanakian explained that this would not apply to commercial vehicles. This legislation would be specific to targeting individuals, school buses, etc.

Councilman Alyanakian noted that the Borough is approximately 155 residents short with regard to the Smart Power Program. Once the Borough's goal has been reached, we will receive the installation of a 1KW solar system.

**Public Comment & Privilege of the Floor**

President Daly thanked Cori Burbach for her work as the Administrative Intern for the Borough. Borough Manager Smith noted that Ms. Burbach has worked approximately two (2) days per week for the past year as the Borough's Administrative Intern. Borough Manager Smith has been extremely impressed with her work and thanked her for services. Ms. Burbach has accepted an internship/fellowship position in the mid-west.

Jane Rowland, E. Second Street, inquired about the speed timing device and who is responsible for the placement of this equipment. Councilman Derrickson mentioned that the Police Department rotates the speed-timing device periodically. Mrs. Rowland requested that the Police Department include Haldeman, Third and Front Streets in the rotation of the device.

Kitty McFarland, 332 W. State Street, requested that banners being placed on State Street extend to Lemon Street.

Letitia Jeavons, 216 N. Monroe Street, inquired about the decibel level on the noise ordinance amendments as it pertains to woodwind instruments. President Daly responded that Ms. Jeavons should feel free to discuss this issue with Vice-President Hall after the meeting.

Zubair Khan, Executive Director of the Media Business Authority, announced the following events:

- Saturday, June 3, 2007 – Bike 4 Sight Event
- Saturday, June 3, 2007 – Media Art Exhibition & Craft Fair
- Saturday, June 9, 2007 – 7<sup>th</sup> Annual State Street Blues Stroll. Obtain your tickets early, as this will be a sold out event.

### **Adjournment**

Vice-President Hall motioned to adjourn the meeting at 9:37 p.m. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Respectfully submitted,

Jeffrey A. Smith  
Borough Manager/Secretary