

**MINUTES
BOROUGH COUNCIL MEETING
AUGUST 16, 2007**

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

President Daly called the meeting to order at 8:00 p.m. and led the salute to the flag. President Daly observed a moment of silence for the passing of Ruth Fox Ewald and James Gorbey, Jr.

Approval of the Minutes

Councilman Williamson made a motion to approve the minutes from the July 19, 2007 Public Hearing and July 19, 2007 Council meeting. Vice-President Hall seconded the motion. The motion carried unanimously.

Public Comment & 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 and they will be addressed during the meeting.

Mayor's Report – Mayor McMahan

Mayor McMahan reported the Police Department received and investigated 987 complaints during the month of July. There were no reported burglaries.

Mayor McMahan read Proclamation #2007 proclaiming September 9-15, 2007 to be Suicide Prevention Week within the Borough of Media.

Mayor McMahan mentioned that it has been arranged with WHY Y for Media to be the first venue for Ken Burns' epic on World War II. A condensed version will be shown at the Media Theatre on September 9, 2007 at 3:00 p.m., which also happens to be the Super Sunday event.

Mayor McMahan mentioned that he will attend a Tuskegee Airman convention in Dallas in the near future where the Veterans Museum will receive the Presidents Award.

Mayor McMahan noted that he will meet with Roger Staubach in the near future in order to determine his level of interest in becoming a spokesman for the Veterans Museum.

Council Committee Reports

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

Mayor McMahon swore in Jerry Duffy and William Thompson as members of the Civil Service Commission. Mr. Duffy explained the duties and responsibilities of the Civil Service Commission.

Councilman Derrickson made a motion to adopt Ordinance No. 1036, accepting a Deed of Dedication for Taylor Street. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Derrickson made a motion to award the joint de-icing salt contract to Eastern Salt in order to purchase up to 200 tons of salt on an as needed basis in the amount of \$49.60 per ton. Vice-President Hall seconded the motion. The motion carried unanimously.

Councilman Derrickson announced that the NAACP Health Fair will be held on October 6, 2007 from 11:00 a.m.-4:00 p.m. at Campbell AME Church, 3rd & Olive Streets. This event is free and open to the public.

Councilman Derrickson noted that the Borough contracts with four (4) towing contractors and rotates their services. The companies are: Luongo's Towing, Lampert's Auto, Dean Keyes Towing and Media Auto Service. Each contractor provides towing services to the Borough one (1) week per month. The Public Safety Committee had concerns regarding the possible merger of Media Auto Service and Dean Keyes Towing. Peter Jensen, owner of Media Auto Service and Matt Hannah, Attorney, were present for the discussion. Mr. Hannah reported that Dean Keys Towing and Media Auto Service have not merged companies. Mr. Hannah also mentioned that Media Auto Service meets the criteria set forth in the towing contract with the Borough. Mr. Hannah also mentioned that Mr. Jensen has two (2) tow trucks and a flat bed onsite. Mr. Jensen also has a tow truck on order, which is expected to arrive in September or October. Mr. Hannah reiterated that the companies have not merged and Media Auto Service is a separate corporation whereby Mr. Jensen is the principal and he receives a significant amount of money from his towing business. Mr. Jensen inquired about a sign issue. Councilman Williamson responded that he should contact the Code Enforcement Department. President Daly inquired about the number of employees at Media Auto. Mr. Jensen responded that he currently employs himself, a mechanic and a secretary. He also subcontracts approximately three (3) to four (4) towers. Mr. Hannah mentioned that Mr. Jensen has combined efforts with Dean Keyes, however, Mr. Jensen owns Media Auto. Councilman Derrickson mentioned concerns regarding both companies being on the same insurance. Mr. Jensen mentioned that he is not aware of this and will follow-up with appropriate documentation. Councilman Tyson questioned the motive behind the request to remove Media Auto Service. Councilman Alyanakian mentioned that it is unclear as to why this is before Council when an agreement to renew the contract with all of the towers was signed and executed on June 21, 2007. Councilman Alyanakian also mentioned that this issue has been discussed many times over the last few months, however, it is apparent to him that it has been resolved this evening. Councilman Derrickson made a motion to remove Media Auto Service from the towing rotation. Councilman Williamson seconded the motion. Vice-President Hall made a motion to table the motion to remove Media Auto from the rotation. The motion to table failed for

a lack of a second. The original motion to remove Media Auto Service from the towing rotation was defeated 6-1.

Community Development – Mr. Williamson

Councilman Williamson mentioned that a Public Hearing was held earlier this evening to discuss HBO Zoning District Ordinance amendments. Councilman Williamson made a motion to adopt Ordinance No. 1034 pertaining to HBO Zoning District Ordinance amendments with regard to automotive uses. Councilman Derrickson seconded the motion. The motion carried unanimously.

Councilman Williamson mentioned that a Public Hearing was held earlier this evening to discuss Sign Ordinance amendments. Councilman Williamson made a motion to adopt Ordinance No. 1035 pertaining to Sign Ordinance amendments at the Plum Street Mall. Councilman Tyson seconded the motion. The motion carried unanimously.

Councilman Williamson recommends Council not oppose the Zoning Hearing Board application to rebuild a garage at 19 ½ feet at 217 E. Fourth Street.

Councilman Williamson made a motion to approve the Minor Land Development/Change of Use Application for 132 E. Baltimore Avenue contingent upon the recommendations of the Code Enforcement Director and Borough Engineer with regard to a dumpster, stormwater management and landscaping, etc. Councilman Derrickson seconded the motion. The motion carried unanimously. Councilman Alyanakian mentioned that he views the Minor Land Development/Change of Use requirements as burdensome and costly for the applicant.

Recreation, Technology, Media Business Authority & Lighting – Mrs. Simpson

In Councilwoman Simpson's absence, Vice-President Hall reported on the following Recreation and Media Business Authority events/announcements:

- September 9, 2007 – Super Sunday (rain date September 16th)
- September 15-16, 2007 – Great Media Garage Sale Days. This is a two (2) day event from 9:00 a.m. – 4:00 p.m. Please submit an application to get your house on the map.
- September 17, 2007 – Tai Chi classes begin. \$50 for Borough residents and \$55 for non-Borough residents.
- September 18, 2007 – Yoga classes begin. \$50 for Borough residents and \$55 for non-Borough residents.
- September 29, 2007 – Spirit of Philadelphia Bus Trip. \$55 per ticket.
- November 19, 2007 – Holiday Show Bus Trip. Details to follow.
- The Recreation Board is looking for Playroom volunteers. Please call Paula Tenaro, Recreation Office Manager, at 610-566-5210, ext. 255 for information.
- The Media Business Authority is seeking a part-time Administrative Assistant. All those interested are welcome to apply. Councilman Alyanakian inquired about a previous stipulation for the MBA to hire an Administrative Assistant when they received an estimated \$90,000 of Mercantile Tax proceeds. Vice-President Hall noted that Councilwoman Simpson may provide an update at the next meeting.

- The Media Business Authority installed new banners along State Street within the business district.
- Anyone interested in volunteering for the Food Festival on October 7, 2007 should contact the MBA office at 610-566-5039.
- The Jazz by Night event will be held on October 20, 2007 from 7:30 p.m. – 1:00 a.m. throughout the business district.
- The last Outdoor Movie Night of the summer will be held on August 18, 2007.

Vice-President Hall mentioned that Ikea held a film contest promoting various communities and Media Borough was highlighted through a video prepared by Rich Hoffman. Vice-President Hall recommends viewing the Ikea website and placing a vote for Media.

Vice-President Hall made a motion to appoint Larry Johnson to the Recreation Board to fill the unexpired term of Ayse Kouroutzh on the Recreation Board. Mr. Johnson's term will expire on December 31, 2010. Councilman Williamson seconded the motion. The motion carried unanimously.

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

Vice-President Hall made a motion to adopt Ordinance No. 1033 pertaining to a Hotel/Motel Ordinance, which would limit an individual's stay to no more than 30 days, etc. Councilman Tyson seconded the motion. Louis Kodumal, Attorney, spoke on behalf of Media Real Estate against adoption of this ordinance. Jeffrey Cadorette, Media Real Estate, indicated that some of the language in the ordinance overreaches its intent. Mr. Kodumal mentioned that the language is a strong disincentive for contractors, consultants, etc. to stay in the Borough and work in the area. Media Real Estate fully endorses the ordinance so as not to allow a hotel/motel to become a permanent residence for an individual or family; however, they would like the ordinance to be tailored for contractors. Councilman Tyson inquired about the difference between hotels and motels. Mr. Cadorette noted that hotels generally have a kitchen. Vice-President Hall mentioned that perhaps the ordinance should indicate an exception rather than adjusting the length of stay. Mr. Cadorette suggested a partnership between county and local government. Councilman Tyson made a motion to table Ordinance No. 1033 until the language is revised. Councilman Williamson seconded the motion. The motion carried unanimously.

Vice-President Hall made a motion to adopt Resolution #2007-04 increasing the fee from \$2.00 to \$4.00 on each construction or building permit issued as per the Commonwealth of Pennsylvania Uniform Construction Code. Councilman Derrickson seconded the motion. The motion carried unanimously.

Vice-President Hall noted that additional cigarette butt receptacles have been installed throughout the Borough. As mentioned last month, the Borough received a grant to conduct a study with regard to the effect that cigarette butts have on litter.

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

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

General Fund	\$ 292,586.92
Recreation Fund	\$ 16,379.42
Liquid Fuels Fund	\$ 14,298.18
Capital Fund	<u>\$ 1,864.81</u>
Total	\$ 325,129.33

President Daly motioned that bills be paid when properly approved for all funds. Councilman Derrickson seconded the motion. The motion carried unanimously.

President Daly made a motion to adopt Resolution #2007-05 pertaining to the mid-year budget update. Councilman Derrickson seconded the motion. The motion carried unanimously.

President Daly made a motion to authorize the Solicitor to draft and advertise amendments to the Pension Ordinance. Councilman Derrickson seconded the motion. The motion carried unanimously.

President Daly made a motion to authorize the Solicitor to draft and advertise an amendment to the Emergency and Municipal Services Tax Ordinance. Councilman Williamson seconded the motion. The motion carried unanimously.

President Daly made a motion to authorize the Borough Manager to advertise a Request for Proposals (RFP) for parking consultant services. President Daly noted that the Borough received a grant from the Delaware Valley Regional Planning Commission to perform a thorough parking study throughout the Borough. Councilman Williamson seconded the motion. The motion carried unanimously.

President Daly mentioned that the Strategic Finance Committee has been meeting on monthly basis since March 2007 on the second Wednesday of each month. The Committee is comprised of Finance Committee members and residents. Topics of discussion are the operating budget, creation of a Capital Improvements Program (CIP), etc. The group will wrap up in the October/November timeframe and present their recommendations to Council.

Health, Historic Preservation & Library – Mr. Tyson

Councilman Tyson mentioned the recent fire in Parkside and the firefighters that were severely injured in the blaze. Councilman Tyson noted that Media Fire Company also responded to this fire call.

Councilman Tyson referenced a recent incident at Conoco Phillips involving an employee. Members of the Media Police Department were responders during the incident. Councilman Tyson commended Sergeant Robert Carroll on the tactical team and Officer Nicole Koban as part of the team.

As a follow-up to previous information on the PhillyCarShare Program, the Borough needs 50 members to sign up. Councilman Tyson mentioned that anyone interested should feel free to register online at www.phillycarshare.org or retrieve a brochure from the Media-Upper Providence Library.

Councilman Tyson announced that Robin Beaver is the new Media-Upper Providence Library President. Councilman Tyson also noted that the Friends of the Library are looking for new members.

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

Councilman Alyanakian announced that a memorial garden dedication in honor Jan Nieweg will be held on August 20, 2007, 5:30 p.m., at the Borough Hall. Mrs. Nieweg was an active and dedicated member of the Shade Tree Commission.

Councilman Alyanakian read Proclamation #2007-06 urging Congress to support federal authorization and funding of Kindergarten through twelfth grade green school demonstration projects throughout the country as well as commit additional research funding to evaluate, understand and enhance the environmental, economic and health benefits of green schools.

Councilman Alyanakian mentioned that Mr. Hoffman's video in the Ikea film contest captures what Media has to offer and commends Mr. Hoffman for his exceptional work.

Public Comment & Privilege of the Floor

Robert Green, 40 E. Jefferson Street, inquired about the status of the Hampton Inn & Suites project. Councilman Williamson mentioned that the Zoning Hearing Board heard months of testimony on this application and voted to allow the variances. Since neighbors and Nether Providence Township have filed an appeal, it may be a while before this issue is resolved. President Daly mentioned that the applicant acquired the property and may present a by-right plan in the near future.

Adjournment

Vice-President Hall motioned to adjourn the meeting at 9:55 p.m. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Respectfully submitted,

Jeffrey A. Smith
Borough Manager/Secretary