

**MINUTES
BOROUGH COUNCIL MEETING
September 15, 2005**

Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahon, President Hagan, Vice-President Robinson, Councilpersons Alyanakian, Whitaker, Sherwin and Tyson. Also present were Borough Manager Smith, Solicitor Middlebrooks, Engineer Mulvena and Treasurer Gioggia. Councilwoman Krull was absent from the meeting.

President Hagan called the meeting to order at 8:00 p.m. and led the salute to the flag. President Hagan called for a moment of silence for all victims of Hurricane Katrina along the Gulf Coast and mentioned there are local efforts underway to support people affected.

Approval of the Minutes

Vice-President Robinson motioned to approve the August 18, 2005 Council Meeting minutes. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Presentation to Media-Upper Providence Library

Councilman Alyanakian mentioned the Media Rugby Club, founded in 1978, has grown over the years and has even competed on a national level. With that said, the Media Rugby Club gives back to the community by donating the proceeds of their annual golf outing to a local organization. This year's recipient is the Media-Upper Providence Library. John Kennedy, Library Director, thanked the Media Rugby Club for their generous donation and said the funds will be put to good use. Mr. Kennedy reminded everyone about the upcoming fall book sale, which will be held on October 15-17, 2005 from 10:00 a.m.-6:00 p.m.

Privilege of the Floor

Mayor's Report – Mayor McMahon

Mayor McMahon reported there were 979 complaints in the month of August, no reported burglaries.

Council Committee Reports

Recreation, Code Enforcement & Properties – Mr. Tyson

Councilman Tyson noted that with all the construction and building renovations going on within the Borough, it has become necessary to hire a part-time Construction Inspector for the Code Enforcement Department. Councilman Tyson noted that permit fees will cover the cost to hire this individual on an as-needed basis for new construction. Councilman Tyson made a motion to advertise for the position of part-time Construction Inspector. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilman Tyson announced the Media Historic House Tour will be held on September 24, 2005. Monika Rehoric of Kenny's Flowers mentioned there are 12 houses on the tour, including Broomall's house, and that tickets are available at Borough Hall, Kenny's Flowers and Quincy's Marquet Basquet for the price of \$25 each. Ms. Rehoric also noted that they intend to have future tours around the holiday season, as the tour is very festive with the decorated houses.

Councilman Tyson mentioned that the Media Historic Preservation, Inc. is in the process of changing their name to the Media Historical Society. Councilman Tyson thanked everyone on the Society for their endeavors in preserving Media Borough's history.

Public Safety – Ms. Whitaker

Councilwoman Whitaker reported that the Chief of Police would like to remind everyone that school is back in session and to obey the speed limit as well as observe school buses picking up children. Not stopping for the bus may lead to hefty fines.

Councilwoman Whitaker mentioned that with the events surrounding Hurricane Katrina, Delaware County, the Borough of Media and surrounding communities are taking a strong look at their current evacuation plan. Although the Borough does not expect to encounter a storm surge on the level of Katrina, it is important to have an emergency management plan for all emergency possibilities. Councilwoman Whitaker mentioned if you are new to the Borough and have a disability that special concessions would be needed in the event of an evacuation, you should make yourself known to the Borough by contacting the Administration Office. Councilman Tyson inquired as to when the Emergency Management Committee met last because he believes it has been at least two (2) years. Mayor McMahan mentioned that there was an informal meeting with the Police Department recently. Councilwoman Whitaker noted that while there has not been a formal Emergency Management Committee meeting recently, the Borough stays in touch with the County and reviews emergency management procedures on a continuous basis. Councilman Tyson believes the Emergency Management Committee should meet on a regular basis. President Hagan suggested that a meeting be scheduled in the near future.

Community Development – Mr. Robinson

Vice-President Robinson made a motion to approve the final subdivision and land development application for 113-125 West Fifth Street contingent upon drainage calculations included in the plan, proper signatures obtained and an attachment of easement plans. This is in addition to all of the Planning Commission comments and the NDI review memos. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson made a motion to approve the change of use/minor land development application for 32 West Baltimore Avenue to permit the operation of a music studio. In addition, the plan includes repainting the building as well as landscaping of the area. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson mentioned that he and President Hagan have had previous discussions regarding changes in lot coverage and other zoning provisions. Vice-President Robinson will defer to President Hagan to present her ideas when she deems appropriate.

Vice-President Robinson announced there will be a parade on Saturday, September 17, 2005 beginning at 4:00 p.m. to celebrate the 50th anniversary of the Rose Tree Colts and Cheerleading Organization. Vice-President Robinson invited everyone to come out and join the celebration as County Councilman Andy Reilly, State Representative Tom Killion, many current Rose Tree Colts players, cheerleaders and the fire company will be participating.

Personnel & Highway – Ms. Hagan

President Hagan reported the Zoning Code was updated about two (2) years ago in order to impose more strict guidelines within high-density areas. Since the adoption of the Zoning Code amendments, there has been no demolition in order to erect higher density townhomes. While we have increased our enforcement of building codes, some violators have kept the Borough in court with appeals. President Hagan mentioned she would entertain a motion to authorize the Solicitor to draft and advertise an ordinance amending the Zoning Code further to include impervious use to be calculated in maximum lot coverage and to redefine maximum building height to be calculated at the greatest exposed side. Councilman Alyanakian inquired as to why this was not discussed during the Tuesday Workshop meeting. President Hagan responded that she presented the same concept approximately two (2) months ago, but it was determined at that time the Borough did not want to spend any money on Solicitor fees to review. Councilman Tyson mentioned that he has no problem with amending the Zoning Code in this way; however, he would have liked to have some input. President Hagan noted that this is a drafting only and he and other members of Council will have a chance to make it more restrictive if they so desire. Vice-President Robinson made the motion as stated above. Councilwoman Whitaker seconded the motion. Motion carried unanimously.

President Hagan welcomed Administrative Assistant Caryn Chester back from her extended maternity leave.

President Hagan noted that there will be an update to the Traffic Ordinance in the near future as it relates to snow emergency routes. Council members with input should feel free to contact Borough Manager Smith.

President Hagan mentioned leaf collection will tentatively begin during the second week of October and run through December. The collection schedule will be based on the trash collection schedule.

Finance, Insurance & MBA – Mr. Sherwin

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

General Fund	\$ 251,414.33
Recreation Fund	\$ 5,594.24
Liquid Fuels Fund	<u>\$ 13,744.17</u>
Total	\$ 270,752.74

Councilman Sherwin motioned that bills be paid when properly approved for all funds. Vice-President Robinson seconded the motion. The motion carried unanimously.

Councilman Sherwin made a motion to reject all previous bids received for the sale of the Chevy Caprice. Vice-President seconded the motion. Motion carried unanimously. Councilman Sherwin noted that the Code Enforcement Department has requested use of the vehicle going forward.

Councilman Sherwin made a motion to adopt the 2006 Minimum Municipal Obligation (MMO) Pension Funds for Police and Non-Uniformed employees. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilman Sherwin mentioned proposals were received from two (2) lending agencies for a \$910,000 General Obligation Note. Councilman Sherwin made a motion to accept the proposal from PNC Bank for 15 years at a fixed rate of 3.92% and to authorize the advertisement of an Ordinance authorizing the incurrence of debt. Councilman Sherwin mentioned proceeds from the Note provide funds for miscellaneous 2005 capital projects, streetscape improvements, parking facility improvements, fire department capital improvements, road resurfacing and stormwater management. Councilman Alyanakian inquired as to how the Borough plans to cover the monthly payment on this note. Councilman Sherwin mentioned plans for repayment will be made during the 2006 budget discussions. Such plans include a possible millage rate increase and reductions in expenses (i.e. consultant fees), etc. Councilman Sherwin noted that the improvements previously mentioned are a necessity. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilman Sherwin mentioned that compensation amounts for legal and engineering consultants are currently being reviewed by the Borough. Recommendations to establish a monthly retainer are being reviewed. This monthly retainer for the Solicitor would include services such as attendance at three (3) meetings, phone/e-mail consultation up to five (5) hours and the preparation of monthly reports. Anything above and beyond would be billable at an approved hourly rate. Councilman Sherwin made a motion to authorize the Borough Manager to develop a monthly retainer amount. Vice-President Robinson seconded the motion. Motion carried unanimously. Vice-President Robinson noted that changes in the Municipal Planning Code will allow the Borough to recover a portion of engineering and solicitor fees, which will help offset some fees. These fees have increased greatly due to the fact that more time is spent in court with code violators; however Vice-President Robinson believes it would be a detriment to the community not to pursue code violators. While Councilman Tyson agrees on sending a strong message to code violators, he also believes it may not always be the most cost effective way to proceed. Councilman Tyson is requesting that the Borough take a good look at what is being spent on engineering and solicitor fees as he believes it to be two to three times as high as other municipalities.

Councilman Sherwin noted that the Media Business Authority has developed a Promotions Committee, which will meet regularly to discuss how to continue to improve the business climate. This is an exciting endeavor and the committee consists of many new faces.

Councilman Sherwin announced the following Media Business Authority events: Great Media Garage Sale Day on September 17, 2005 from 9:00 a.m. - 4:00 p.m. and the 25th Annual Media Food & Crafts Festival on October 2, 2005 from 10:00 a.m. – 5:00 p.m.

Recreation, Grants, Recycling & Streetscape – Mr. Robinson

In Councilwoman Krull's absence, Vice-President Robinson made a motion to award the Streetscape bid to Ramos & Associates of Philadelphia in the amount of \$1,432,580.95. Councilwoman Whitaker seconded the motion. Motion carried unanimously. Vice-President Robinson mentioned that although the amount of the bids were higher than anticipated, we obtained written confirmation that PennDOT will cover 80% of the costs. The Borough will cover 20%. Vice-President Robinson, on behalf of Councilwoman Krull, thanked everyone involved in this project, especially Borough Manager Smith for all of his hard work. Councilman Tyson noted that although he is not completely convinced that the Streetscape will bring more customers to Borough businesses, he is pleased that the project has been scaled back.

Vice-President Robinson mentioned the following Recreation events: Senior Aerobics at the Community Center every Wednesday for \$1.00 per session and a jazz event is scheduled at the Municipal Center on October 22, 2005 from 8:00 p.m. – 10:00 p.m. to coincide with the 3rd Annual Jazz by Night event. There is no cost for the jazz event and refreshments will be served.

Vice-President Robinson made a motion to adopt Resolution #2005-13 in support of PECO Energy's Green Region Open Space Grant Program for Houtman Park and Phillip Green Park restoration. Councilwoman Whitaker seconded the motion. Motion carried unanimously.

Finance, Insurance & MBA – Mr. Sherwin (cont'd)

Councilman Sherwin made a motion to adopt Resolution #2005-12 authorizing a Revenue Anticipation Note in the amount of \$500,000 from Commerce Bank to pay bills upfront associated with the Streetscape Project. The Borough anticipates having the note paid off with revenues from the Streetscape grant by December 31, 2005. Vice-President Robinson seconded the motion. Motion carried unanimously.

Health & Shade Tree Commission – Mr. Alyanakian

Councilman Alyanakian mentioned the Public Works Department is busy with fall plantings. Included in this endeavor will be the planting of more than 75 large trees throughout the Borough. Treasurer Gioggia inquired about the location of the trees. Councilman Alyanakian noted there are many target areas for the planting of the new trees throughout the Borough, including parks.

Councilman Alyanakian mentioned that the TreeVitalize Program, a partnership with the State, is holding a free training session at Ridley Creek State Park on October 11, October 18 and October 25 from 6:00 p.m. – 9:00 p.m. This training session will teach residents how to plant and care for trees.

Councilman Alyanakian mentioned the Chester Ridley Creek (CRC) Watershed will hold a public meeting to discuss the Conservation Plan on September 21, 2005, 7:00 p.m., at Delaware County Community College. The Borough is fortunate enough to have a member of the Environmental Advisory Committee who also serves on the CRC.

Privilege of the Floor

Adjournment

Vice-President Robinson motioned to adjourn the meeting at 9:00 p.m. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Respectfully submitted,

Jeffrey A. Smith
Borough Manager/Secretary