

**MINUTES**  
**BOROUGH COUNCIL MEETING**  
**December 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, Krull and Tyson. Also present were Borough Manager Smith, Solicitor Middlebrooks, Engineer Mulvena and Treasurer Gioggia.

President Hagan called the meeting to order at 8:00 p.m. and led the salute to the flag. President Hagan observed a moment of silence for the Alyanakian family, Grimditch family and Beaumont family for the recent passing of their loved ones.

**Approval of the Minutes**

Vice-President Robinson made a motion to approve the November 17, 2005 Council Meeting minutes, November 30, 2005 Special Meeting minutes and December 13, 2005 CDBG Public Hearing minutes. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

**Privilege of the Floor**

Vice-President Robinson introduced Rita Jordan Keller and Dawn Patterson from the Delaware County Road Runners Association. Ms. Patterson presented two (2) checks in the amount of \$3,253.83 each to the Media Fire Company Media-Upper Providence Library on behalf of the Delaware County Road Runners Association. Ed Gibson accepted on behalf of the Fire Company and John Kennedy on behalf of the Library. Both recipients thanked the Delaware County Road Runners Association for their generous donation.

**Presentation of Checks**

Councilman Tyson presented a donation check to Vince Gorman of the Media Historic Society and noted that the Society does a great job in preserving Media's rich history.

Councilwoman Whitaker presented a donation check to Mercy Home Health Care, which was accepted on behalf of the group by Corrine Shipley.

Vice-President Robinson presented a donation check to Hans Dietze of the Center for Resolutions. Mr. Dietze graciously accepted the donation and thanked Borough Council for their continued support. Mr. Dietze also mentioned that next year will be the Center's 25<sup>th</sup> anniversary and they most recently had the privilege of attending mediation training in Taiwan.

Although the Fellowship House was unable to have a representative present, Councilman Sherwin mentioned the organization would receive a donation check from the Borough. Councilman Sherwin announced the Fellowship House will host the 17<sup>th</sup> Annual Martin Luther King, Jr. Birthday Celebration on Sunday, January 15, 2006, 2:30 p.m. at the First United Methodist Church. Arturo Bagley, Dr. King's nephew, will be the featured speaker.

Councilwoman Krull presented Dick Weathers a donation check for the Media Archives Commission. Mr. Weathers thanked Council for their continued support and mentioned they recently provided the Pennsylvania Liquor Control Board with enlarged historic photos of Media, which can be viewed at the new Wine & Spirits Shoppe.

Councilman Alyanakian presented a donation check to the Delaware County SPCA, which was accepted by Bill Vernon on behalf of the group. Mr. Vernon thanked Council for their generous donation and mentioned the funds will be put to good use.

Presented Hagan thanked the Media Fire Company for their assistance in maintaining public safety and presented a donation check, which was accepted by Ed Gibson, Fire Chief.

The Council meeting recessed for five (5) minutes.

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

Mayor McMahan reported there were 877 complaints during the month of November and no reported burglaries.

Mayor McMahan mentioned this will be the last meeting for the four (4) outgoing Council members and announced there will be a reception immediately following the meeting in the Mansion Parlor room. Mayor McMahan thanked them for their many years of service. The new Council members will be sworn in at the January 3, 2006 Reorganization meeting.

### **Council Committee Reports**

#### **Recreation, Code Enforcement & Properties** – Mr. Tyson

Councilman Tyson mentioned that he wishes the outgoing Council members all the best in their future endeavors and noted that he respected and admired their commitment to Media.

#### **Public Safety** – Ms. Whitaker

Councilwoman Whitaker made a motion to adopt Ordinance No. 1005, assessing a \$750 fee for mass gatherings, events, etc. Vice-President Robinson seconded the motion. President Hagan inquired as to whether the ordinance excludes parades. Solicitor Middlebrooks responded that there is a provision to waive the fee for parades if it's a First Amendment issue. Councilwoman Whitaker moved to amend her motion to waive the fee for parades. Vice-President Robinson seconded the amended motion. The motion carried unanimously.

Councilwoman Whitaker introduced Ed Gibson, Fire Chief. Chief Gibson reminded everyone to check their heaters, replace smoke detector batteries and be mindful not to overload circuits. Chief Gibson also reminded everyone to water their Christmas trees and dispose of them properly. The Fire Company is looking for volunteers.

**Community Development** – Mr. Robinson

Vice-President Robinson mentioned there was a Public Hearing at 7:00 p.m. to receive public comments regarding Ordinance No. 1006, zoning ordinance amendments to include new definitions of basement, building coverage, floor, grade impervious surfaces, and story. This also provides a new definition for building height and remove automotive uses as a use-by-right in the HBO district. Vice-President Robinson noted that after reviewing the ordinance amendments, it is the opinion of the Planning Commission that it may be too restrictive. Vice-President Robinson is requesting that the incoming Council members review the ordinance amendments. With that, Vice-President Robinson made a motion to defeat Ordinance No. 1006. Councilwoman Whitaker seconded the motion. The motion carried 5-2, with Councilmen Alyanakian and Tyson casting the dissenting votes.

Vice-President Robinson made a motion to approve the zoning map amendment, which changes a portion of Baltimore Avenue (in the vicinity of Brooke Street) from Industrial “I” to Highway Business Office “HBO.” Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson made a motion to adopt Resolution #2005-16, increasing review fees for subdivision and land development applications as follows: Residential-\$750, Minor Commercial-\$2,000 and Major Commercial-\$4,000. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson made a motion to adopt Resolution #2005-17 pertaining to the sewer module for 312-314 N. Orange Street. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson mentioned the Planning Commission recommends not opposing the Zoning Hearing Board application for a sign at 448 E. Baltimore Avenue (NOVA Savings Bank). Vice-President Robinson made a motion that the Zoning Hearing Board formally enter into the record that Borough Council recommends not opposing the Zoning Hearing Board application for a sign at 448 E. Baltimore Avenue (NOVA Savings Bank) with the stipulation that there will be no other signs allowed on the rear of this property (southern side of building). Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson mentioned the Planning Commission recommends not opposing the Zoning Hearing Board application for a sign on the easterly side of 313 W. Baltimore Avenue (Wine & Spirits Shoppe). Vice-President Robinson made a motion that the Zoning Hearing Board formally enter into the record that Borough Council recommends not opposing the Zoning Hearing Board application for a sign on the easterly side of 313 W. Baltimore Avenue with the stipulation that the applicant agree that there will be no free standing signs on either property. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson made a motion to approve the final subdivision and land development application for 27-35 E. Baltimore Avenue (USB Savings Bank). Councilwoman Whitaker seconded the motion. The motion carried unanimously.

On a separate issue, Vice-President Robinson mentioned the USB Savings Bank building is being constructed at a 45-degree angle and the applicant is requesting the Baltimore Avenue side be considered the front of the building for sign purposes. Vice-President Robinson made a motion to allow the frontage of the building to be calculated on the Baltimore Avenue side, which would allow for a 50 square foot sign. Although the applicant will install a smaller sign than allowed and it will be aesthetically pleasing. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Vice-President Robinson made a motion to approve the minor land development application for 300 W. State Street, which will change the property from Business “B” to Mercantile “M” in order to include retail (Orvis Sporting Gentlemen) on the first floor. Councilwoman Whitaker seconded the motion. The motion carried unanimously. Vice-President Robinson mentioned he is proud of Media’s thriving business district. Councilwoman Krull echoed Vice-President Robinson’s comment and also noted that it is nice to see property owners expanding retail in the Borough.

**Personnel & Highway** – Ms. Hagan

President Hagan mentioned she would accept a motion to adopt Ordinance No. 1007 pertaining to solid waste ordinance amendments. Vice-President Robinson made a motion to adopt Ordinance No. 1007, assessing a \$150 annual fee for commercial trash removal and to remove food establishments from municipal trash collection. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

President Hagan mentioned she would accept a motion to adopt Resolution #2005-18. Vice-President Robinson made a motion to adopt Resolution #2005-18, pertaining to the Community Development Block Grant Application for 2006 to include road resurfacing improvements and stormwater management enhancements at Olive and Jefferson Streets.

President Hagan noted she would accept a motion to authorize the hiring of Peggy Green as a part-time Records Maintenance Specialist. Vice-President Robinson made a motion to authorize the hiring of Peggy Green for this position. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

**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	\$ 239,427.16
Recreation Fund	\$ 8,866.44
Liquid Fuels Fund	<u>\$ 7,914.94</u>
Total	\$ 256,208.54

Councilman Sherwin motioned that bills be paid when properly approved for all funds. Councilwoman Krull seconded the motion. The motion carried unanimously.

Councilman Sherwin made a motion to adopt Ordinance No. 1008, setting the real estate tax millage rate at 1.0 mills. Councilwoman Krull seconded the motion. The motion carried 5-2, with Councilmen Alyanakian and Tyson casting the dissenting votes. Vice-President Robinson noted that while Council did not want to raise taxes, they recognize the need to establish a positive cash flow. Councilman Whitaker noted that taxes have not been raised for many years and the Borough offers many services, which are included in the property tax assessment. President Hagan gave credit to Treasurer Gioggia for the fact that property taxes were not raised for many years. President Hagan also noted that money spent over the last few years on large Borough projects will have a positive impact for years to come.

As a follow-up to setting the property tax millage rate at 1.0 mills, Councilman Sherwin made a motion to adopt the 2006 final General Fund, Recreation Fund and Liquid Fuels Fund Budgets. Vice-President Robinson seconded the motion. The motion carried 5-2, with Councilmen Alyanakian and Tyson casting the dissenting votes.

### **Recreation, Grants, Recycling & Streetscape** – Mrs. Krull

Councilwoman Krull noted that with the resignation of Linda Gibian, the Recreation Board is looking for a volunteer to fill the vacancy. Interested individuals should send a letter of interest to Borough Manager Smith.

Councilwoman Krull wished her daughter Lydia a very happy ninth birthday.

### **Health & Shade Tree Commission** – Mr. Alyanakian

Councilman Alyanakian mentioned the Shade Tree Commission is still looking for volunteers to fill a vacancy. Anyone interested should send a letter of interest and resume to Borough Manager Smith.

Councilman Alyanakian reported that the installation of solar panels at the Media-Upper Providence Library will be completed this week.

Councilman Alyanakian thanked the outgoing Council members for their service and dedication and noted that he learned a lot from each and every one of them.

### **Privilege of the Floor**

Councilman Sherwin wished the outgoing Council members well in their future endeavors and thanked them for their service.

Councilwoman Whitaker noted that she is truly thankful to have served on Media Borough Council.

Vice-President Robinson mentioned it has been an honor to service on Media Borough Council and thanked Borough Manager Smith and his staff, the Police Department, the Fire Department and Ralph DeRosa and his team for their help over the years.

Councilwoman Krull mentioned it was a pleasure serving on Media Borough Council and noted that everyone she worked with was an inspiration to her. She especially thanked Vice-President Robinson for his help over the years.

President Hagan thanked the following individuals: Chet Cotton, Jumbo Johnson, Art Smith, Jim Loughran, Gordon Grimditch, Fran Marabella, Borough Manager Smith and Barry Gibbons, among others. President Hagan also thanked her mother and sister, Nancy for their support over the years.

President Hagan mentioned that she truly admired Mayor McMahon's efforts and dedication to the Borough over the years.

Mayor McMahon thanked all four (4) outgoing Council members for their service: President Joan M. Hagan, Vice-President Paul M. Robinson, Councilwoman Gail Whitaker and Councilwoman Deborah Krull.

### **Adjournment**

Vice-President Robinson motioned to recess the meeting at 8:50 p.m. until January 3, 2006 at 7:00 p.m. Councilwoman Whitaker seconded the motion. The motion carried unanimously.

Respectfully submitted,

Jeffrey A. Smith  
Borough Manager/Secretary