

**MINUTES
BOROUGH COUNCIL MEETING
JANUARY 15, 2004**

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

President Hagan called the meeting to order at 8:00 p.m. President Hagan led the salute to the flag.

Approval of the Minutes

Vice-President Robinson made a motion to approve the minutes of the December 16, 2003 Public Hearing (CDBG), December 18, 2003 Public Hearing (Liquor License Transfer), December 18, 2003 Public Hearing (Comcast Agreement), December 18, 2003 Council Meeting, Recessed Meeting of December 18, 2003 and January 5, 2004 Reorganization Meeting. Councilperson Krull seconded the motion. Motion carried unanimously.

Presentation of Plaque

President Hagan presented former Councilperson Todd Gibian with a plaque and gift certificate in honor of his years of dedicated service to the Borough of Media. Mr. Gibian thanked Council and mentioned that he intends to stay involved with the Borough in one capacity or another.

Mayor's Report – Mr. McMahon

Mayor McMahon reported the Police Department received and investigated 857 complaints during the month of December. There was one (1) reported burglary of an office building on December 8, 2003. The Police Department received and investigated 10,193 complaints in 2003, which was up by 1,000 from 2002.

Council Committee Reports

Recreation, Code Enforcement & Properties – Mr. Tyson

Councilperson Tyson reported that there are currently three (3) vacancies on the Recreation Commission. If anyone is interested in serving, please submit a resume and letter of interest to Borough Manager Smith. Councilperson Tyson introduced Monica Simpson as the new Recreation Commission Chairperson.

Chairperson Simpson announced the following upcoming Recreation Commission events:

- Family Dance
Sat., January 31, 5-8pm, Community Center
- Philadelphia Phantoms
Fri., February 6, 7pm, Wachovia Center
- Smucker's Stars on Ice
Fri., February 20, 7:30pm, Wachovia Center
- Mardi Gras Party
Sat., February 21, 8pm-12am, Community Center

Councilperson Tyson made a motion to table the Non-conforming Sideyards and Setback Ordinance until the February Council Meeting. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Tyson made a motion to award the Veterans Museum bid to TWF Construction in the amount of \$226,800. TWF Construction will perform work on the lower level of the Armory, which will house a Veterans Museum. Funding will come from the County of Delaware in the form of a Community Development Block Grant. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Tyson made a motion to award the new sound system bid at the Media Theatre to Best Boy Audio in the amount of \$9,200. Vice-President Robinson seconded the motion. Motion carried unanimously.

In reference to the bid award for the demolition of 15-17 E. Baltimore Avenue, Councilperson Tyson deferred to other Council members to make a motion since he has publicly stated his opposition to demolish historical homes to create parking. Councilperson Tyson noted that he is not opposed to Trader Joe's coming into the Borough, but does not agree with the demolition of this property to create additional parking. With that said, Councilperson Tyson deferred to his colleagues. Vice-President Robinson noted that if the property is not demolished, there would be no Trader Joe's. Councilperson Krull reiterated the belief that without the purchase and demolition of this property, Trader Joe's would not be possible. Vice-President Robinson reported that while the twin building is old, the PHMC did not determine this property to be of significant historical value. Vice-President Robinson made a motion to award the demolition of 15-17 E. Baltimore Avenue to Main Line Paving, Co., Inc. in the amount of \$36,400. Councilperson Krull seconded the motion. Motion carried 5-1 with Councilperson Tyson casting the dissenting vote.

Councilperson Tyson again deferred to his colleagues to make a motion to advertise the sale of items based on the reasons discussed previously. Vice-President Robinson made a motion to authorize the Borough Manager to advertise the sale of items at 15-17 E. Baltimore Avenue. Councilperson Krull seconded the motion. Motion carried 5-1, with Councilperson Tyson casting the dissenting vote.

Community Development – Mr. Robinson

Vice-President Robinson mentioned a Public Hearing was held on January 12, 2004 with at least 35 individuals present. As a result of the Public Hearing, Vice-President Robinson made a motion to incorporate the following amendments to Ordinance No. 984 related to front yard

setbacks in R-3 from 25 to 20 feet and reduced parking ratios across the board. Councilperson Krull seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to adopt Ordinance No. 984. Councilperson Krull seconded the motion. Motion carried unanimously. Vice-President Robinson reported that additional zoning ordinance amendments will be forthcoming over the next couple of months.

In a separate motion related to the same topic, Vice-President Robinson made a motion to approve the zoning map amendments for the creation of an R-4 District. Councilperson Krull seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to authorize additional revisions to the zoning map. Councilperson Krull seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to approve the final subdivision and land development application for 400 N. Orange Street contingent upon agreement to the stipulations in the NDI memos of December 31, 2003 & January 15, 2004 and the January 13, 2004 GS Architects rendering pertaining to the variation in setbacks of the townhouses. Councilperson Krull seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to deny the preliminary subdivision and land development application for the 300 block of E. State Street. The decision to deny the plans was based on the fact that it does not meet the Borough's parking requirements, pending zoning ordinance amendments, which was subsequently adopted this evening, and the Subdivision and Land Development Ordinance. The Borough Engineer and Planning Commission also recommended denial of this application. Councilperson Krull seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to reject the proposed Cable Franchise Agreement with Comcast, Inc. and authorize the Solicitor to draft a letter to Comcast mentioning the rejection of this agreement and desire not to automatically renew the agreement based on the fact that language with regard to "gross receipts" needs to be resolved. Councilperson Sherwin seconded the motion. Motion carried unanimously.

It was with great regret that Vice-President Robinson made a motion to accept the resignation of Richard Lockwood from the Zoning Hearing Board due to a job transfer. Councilperson Krull seconded the motion. Motion carried unanimously. Vice-President Robinson mentioned if anyone is interested in serving; please submit a letter of interest and resume to Borough Manager Smith.

Vice-President Robinson congratulated Mayor McMahan on the birth of his grandson, Patrick McMahan.

Personnel & Highway – Ms. Hagan

President Hagan mentioned she would accept a motion to adopt an ordinance pertaining to residential parking. Vice-President Robinson made a motion to adopt Ordinance No. 985 pertaining to the creation of residential parking spaces along the 100 block of E. Third Street. Councilperson Krull seconded the motion. Motion carried unanimously.

President Hagan reported that letters were distributed to affected residents and a Public Hearing was held to discuss speed humps on Jefferson Street. All feedback received was in support of these speed humps on Jefferson Street (between Providence Road and Vernon Street) to slow traffic. Councilperson Krull made a motion to install two (2) speed humps in the above referenced location in the spring of 2004. Vice-President Robinson seconded the motion. Motion carried unanimously.

Finance & Insurance – Mr. Sherwin

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

General Fund	365,763.67
Liquid Fuels Fund	<u>6,524.33</u>
Total	372,288.00

Councilperson Krull seconded the motion. Motion carried unanimously.

Councilperson Sherwin made to authorize the Borough Manager to advertise insurance bids for the Borough. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Sherwin announced the Media Fellowship House will hold a Martin Luther King, Jr. Day celebration on Sunday, January 18, 2004 and encouraged everyone to attend.

MBA, Grants & Recycling – Mrs. Krull

Councilperson Krull announced the MBA reorganized their officers as follows:
John McCarrin – President, Chris Pavlou – Vice-President, Chris Mourse – Treasurer and William Lynch – Secretary.

Councilperson Krull announced the Chinese New Year Parade will be held on Saturday, January 24, 2004 in front of Peking Restaurant on State Street.

Health & Shade Tree Commission – Mr. Alyanakian

Councilperson Alyanakian announced the opening of the new Subway Restaurant at 208 W. State Street.

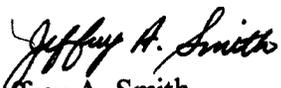
Councilperson Alyanakian reminded everyone to look out for the elderly during cold/inclement weather. Contact the Police Department if you suspect someone does not have heat in their home and the Borough will help provide shelter.

Councilperson Alyanakian announced nominations for the Workforce Investment Council are due prior to February 20, 2004. Please contact Borough Manager Smith for further information.

Adjournment

Vice-President Robinson made a motion to adjourn the meeting at 8:40 p.m. Councilperson Krull seconded the motion. Motion carried unanimously.

Respectfully submitted,


Jeffrey A. Smith
Borough Manager/Secretary