

**MINUTES
BOROUGH COUNCIL MEETING
AUGUST 17, 2006**

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, Simpson, Derrickson, Williamson and Tyson. Also present were Borough Manager Smith, Treasurer Dimond, Engineer Walton and Solicitor Middlebrooks.

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

Approval of the Minutes

Vice-President Hall made a motion to approve the July 20, 2006 Borough Council Meeting minutes. Councilman Derrickson seconded the motion. The motion carried unanimously.

Presentation of Donation Checks

Councilwoman Simpson mentioned that the Media 5 Mile Race was a huge success with a record-setting 1,250 runners, over 100 volunteers and the event was sponsored by over 40 businesses. Planning is already underway for next year's race, which will include the return of computer chip timing. Councilwoman Simpson mentioned it is an honor to share the proceeds of the race with various organizations. Councilwoman Simpson enlisted the help of Arthur Brown, Recreation Board member, to present donation checks from the proceeds of the Media 5 Mile Race.

Councilwoman Simpson and Mr. Brown presented a check to the Shade Tree Commission in the amount of \$100.00 in memory of Jan Nieweg, former Commission member. Jane Valdes-Dapena accepted the check on behalf of the Shade Tree Commission and thanked the Recreation Board and Council members. Mrs. Dapena mentioned that the Shade Tree Commission will be performing plantings in the fall on Borough Hall grounds in memory of Mrs. Nieweg.

Councilwoman Simpson and Mr. Brown presented a \$200.00 check to the Delaware County Institute of Science, a museum that exhibits mounted birds and animals, an herbarium of Delaware County plants, fossils, shells, and corals from all over the world, a microscope collection, and miscellaneous other collections that are also available for study. Shirley Warren, the Institute's Librarian, was on hand to accept the donation.

Councilwoman Simpson and Mr. Brown presented a check in the amount of \$300.00 to the Domestic Abuse Project. Rita Buckley Connolly, Executive Director, gratefully accepted the check noting that every contribution to the Domestic Abuse Project matters. With that said, Councilman Derrickson gave Mrs. Connolly a personal donation to the organization.

Councilwoman Simpson and Mr. Brown gave a donation check to the Media Fellowship House in the amount of \$400.00. Jerry Duffy, Executive Director, and Robin Otto, President, were on hand from the Fellowship House to accept the donation. Mr. Duffy thanked Council for their continued support. Mrs. Otto noted that interested individuals should access their website at www.mediafellowshiphouse.org.

Councilwoman Simpson mentioned that the John K. Barrall Educational Scholarship was given to Thomas Furmanak, recent Penncrest High School graduate who will be attending Ursinus College in the fall.

Councilwoman Simpson and Mr. Brown presented a check in the amount \$3,000 to the Media Fire Company. Sergio Ora, Media Fire Company Captain, gratefully accepted the donation check and thanked Council members.

Councilwoman Simpson and Mr. Brown gave a check in the amount of \$5,000 to the Media-Upper Providence Library. Michael Magoolaghan accepted the check on behalf of the Library and thanked Council members for their continued support.

Councilwoman Simpson noted that while the Recreation Board is still awaiting a couple of invoices as a result of the Media 5 Mile Race, it is anticipated that the final donation check to the Recreation Board will be in the neighborhood of \$9,000.

Public Comment & Privilege of the Floor

Bryan Wren, 608 Allen Lane, discussed the proposed hotel for 415 South Providence Road. Ms. Wren mentioned that the Media Comprehensive Plan recommends promoting the small town character of Media and this proposal violates the Plan. Ms. Wren also noted that this property is zoned Highway Business Office (HBO), which allows up to three (3) stories and not the five (5) that is proposed. Ms. Wren urged Council members not to approve this application.

Jason Miller, 114 Pennock Place, noted his objection to the proposed hotel in this location as well. Mr. Miller noted that the proposal is not in keeping with the surrounding neighborhood.

Councilman Williamson discussed the hotel proposal in detail. Councilman Williamson mentioned that the Hampton Inn & Suites has brought forth two (2) separate proposals to erect a hotel at 415 South Providence Road, which is the intersection of South Providence and Beatty Road. The first proposal was for a six (6)-story hotel and the second, and most current proposal, is for a five (5)-story hotel. The applicant will seek a zoning variance for the height of the building. This application will come before the Planning Commission meeting on September 5, 2006 and the Commission members will vote on whether to recommend Council oppose or not oppose. This application will then be informally discussed at the September 7, 2006 Workshop meeting. Borough Council will vote on the application (to oppose or not oppose) during their September 21, 2006 Council meeting. This application will go before the Zoning Hearing Board on September 28, 2006.

President Daly noted that he received an e-mail from Carla Drake, 120 Pennock Place, asking Council members on a scale of 1-10 how important they feel the Comprehensive Plan is to Media Borough. President Daly responded on behalf of Council that the Comprehensive Plan is very important to the Borough and is used as a guideline for future development.

Joe D'Antonio, 122 Pennock Place, inquired as to whether or not a traffic study was completed regarding the intersection of Providence Road, Beatty Road and East Jefferson Street as it pertains to the hotel application. Solicitor Middlebrooks mentioned that the applicant will be required to do a traffic study as part of their Zoning Hearing variance. President Daly noted that the proposal indicates no entrance/exit to the hotel on Providence Road. President Daly also indicated that a \$700,000 Congestion Mitigation Air Quality (CMAQ) grant for traffic signal enhancements has been awarded to the Borough for improvements to the traffic signals on Baltimore Pike and Providence Road. The improvements include a closed loop system that will allow the signals to interact with each other as opposed to each signal operating on its own. President Daly anticipates that once this project is completed, it will alleviate some traffic issues. Mr. D'Antonio inquired if the traffic study will be made available for viewing. President Daly noted that this will be a public document.

Christy Dick, 113 Pennock Place, urged Council to not forget the residents when making a decision on the hotel application. Ms. Dick is opposed to the application and noted that the decision made on this will change the lives of the residents going forward.

Cheryl Hollis, 601 Allen Lane, thanked President Daly for personally coming to her neighborhood to investigate what she and her neighbors would be viewing if the five (5)-story hotel was erected in the proposed location. Ms. Hollis urged Council to oppose this application and adhere to the three (3)-story zoning that is currently in place for this location.

Rose Mary Chambers, 426 E. Jefferson Street, mentioned that there is a tremendous amount of traffic in her neighborhood, and in particular her block, as it is and is opposed to this application. She asked Council to consider the neighborhood with regard to the hotel.

Councilman Derrickson mentioned that he lives in the 300 block of East Jefferson Street, which also is subject to heavy traffic coming from all neighboring communities. Councilman Derrickson indicated that Council is taking the residents' complaints and concerns seriously as it pertains to this application.

Mayor's Report – Mayor McMahon

Mayor McMahon reported the Police Department received and investigated 876 complaints during the month of July. There were no reported burglaries during the month of July.

Mayor McMahon mentioned the Media Theatre and the Veterans Museum have partnered to show a play for Constitution Day in September. The play will run for students starting September 18, 2006 for three (3) days. There will be two (2) shows in

the morning of September 18th, two (2) shows in the morning of September 19th and one (1) show on September 20th. Over 400 students have signed up to participate in the play.

Mayor McMahan announced the showing of Philly Fan at the Media Theatre on September 13-16, 2006. The Bruce Graham play, featuring Thomas McCarthy, is about a disgruntled Philadelphia sports fan and lasts for one (1) hour. The opening day of the play will feature a tailgate party in the parking lot next to the Media Theatre prior to the show.

Council Committee Reports

Health, Historic Preservation & Library – Mr. Tyson

Councilman Tyson reported that the Media-Upper Providence Library is featuring a Making Music concert for children on August 23, 2006 at 11:00 a.m. Please contact the Library for reservations.

The Media-Upper Providence Library is sponsoring a special book sale due to an inventory surplus on August 26, 2006 from 10:00 a.m. – 6:00 p.m.

Councilman Tyson inquired about the status of the installation of a satellite antenna on the roof of the Delaware County Court House. Solicitor Middlebrooks indicated that the application is in the hands of Delaware County's legal counsel.

Councilman Tyson noted there was a gas leak/fire recently in the vicinity of 6th & Monroe Streets. As a result of this incident, neighbors have been inquiring about emergency management procedures. Councilman Tyson indicated that the Emergency Management Committee meets to discuss such issues and he hopes to have a status report in the future.

Councilman Tyson mentioned the notification process for larger scale applications coming before the Planning Commission, Borough Council and Zoning Hearing Board (i.e. hotel application). Councilman Tyson suggested that perhaps the Borough should consider taking the extra step to notify a larger range of residents. Councilman Tyson also indicated that our Zoning Code reflects what is currently in a location as opposed to what the Borough would like to have in the location. Councilman Tyson stated that he believes the Borough should consult with Tom Comitta, Town Planner and creator of the Comprehensive Plan, on enhancing our Zoning Code. Councilman Williamson mentioned that the Comprehensive Plan Task Force has been meeting since last winter to study the Comprehensive Plan and begin to implement the recommendations within the plan. Councilman Williamson indicated that Mr. Comitta is currently focusing on implementing the recommendations within the Plan as it pertains to 1) the Baltimore Avenue corridor and 2) set backs and building coverage in the residential districts. These are the main two (2) priorities at this time. Councilman Tyson added that he believes the Planning Commission and Comprehensive Plan Task Force do an excellent job and that we have people who are committed to Media.

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

Councilwoman Simpson gave a special thanks to the Public Works Department, Recreation Board, Police Department (particularly Lieutenant Johnson) and the Fire Department. The Media 5 Mile Race would not have been successful without the help of these departments.

Councilwoman Simpson reported on the following for the Recreation Board:

- The Outdoor Movie Night was held last Saturday, which turned out to be a big success with approximately 200 people in attendance. The Recreation Board intends to schedule the same type during the summer of 2007.
- The children tennis classes are ongoing. There are over 70 children and teens registered.
- Senior Aerobics are held every Wednesday at 1:00 p.m. in the Community Center at a cost of \$1.00 per session.
- An adult dance party will be held on Saturday, September 16, 2006 from 8:00 p.m. – 12:00 midnight in the Community Center featuring the music of SoulFuego. Tickets are \$20.00 in advance and \$25.00 at the door.

Councilwoman Simpson reported on the following items for the Media Business Authority:

- The Fall Super Sunday event will be held on Sunday, September 10, 2006 and is sponsored by the Town Talk.
- The Great Media Garage Sale Day will be held on Saturday, September 16, 2006 from 8:00 a.m. – 4:00 p.m. Please visit www.mediabusinessauthority.com for more information.
- The Media Food and Craft Festival will be held on Sunday, October 1, 2006 from 12:00 noon – 5:00 p.m.

Councilwoman Simpson mentioned that the Lighting Committee has nothing to report at this time. They will be working to identify areas within the Borough that are in need of some work as it pertains to lighting issues, but will begin doing so when it starts to get darker earlier in the evening.

Public Safety, Media Arts Council & Streetscape – Mr. Hall

Vice-President Hall mentioned that the Media Arts Council has proposed creating a mosaic on a blank concrete wall by the Plumstead Inn, which is owned by the Borough. The mosaic will feature colored handprints. Vice-President Hall made a motion to approve a mosaic at the Plum Street Mall contingent upon the Engineer inspecting the wall and Council's approval of the final design. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Vice-President Hall made a motion to approve a Mass Gathering Permit Application for a Media Theatre fund raising event on September 13, 2006 and to waive the application fee. This event is a tailgate party that will take place in the parking lot prior to the

opening of the Philly Fan plan at the Theatre from 5:00 – 7:00 p.m. Councilman Derrickson seconded the motion. The motion carried unanimously.

Vice-President Hall announced there will be a Community Day on October 14, 2006 featuring a Red Ribbon Cutting Ceremony for the Streetscape Project, which will coincide with the Media Arts Council Second Saturday event. Details to follow.

Personnel, Public Properties, 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	\$ 385,475.51
Recreation Fund	\$ 9,210.08
Liquid Fuels Fund	\$ 14,586.03
Total	\$ 409,271.62

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 #2006-13 pertaining to the 2006 mid-year budget update. Councilman Alyanakian seconded the motion. The motion carried unanimously.

President Daly made a motion to regretfully accept the resignation of Nancy Furmanak from the Records Clerk position within the Borough Administration Office. Councilwoman Simpson seconded the motion. The motion carried unanimously.

President Daly made a motion to hire Margaret Thomas as the Borough's new Records Clerk. Councilwoman Simpson seconded the motion. The motion carried unanimously. Borough Manager Smith mentioned the position was created to spearhead the electronic scanning of documents within the Borough.

President Daly mentioned the Society for the Performing Arts has presented a plan to perform lobby renovations at the Media Theatre. Borough Manager Smith explained that a color rendering will be submitted to Council and this plan will be discussed at the September Workshop meeting.

President Daly noted that construction on the Iron Hill Brewery outdoor dining may begin next week.

Code Enforcement and Community Development – Mr. Williamson

Councilman Williamson made a motion to approve the final subdivision and land development application for 404-406 Taylor Street (twins), featuring parking in the rear of the twins and a waiver of the front sidewalk. Councilman Derrickson seconded the motion. The motion carried unanimously.

Councilman Williamson noted that a neighborhood meeting was held on Tuesday evening regarding the Zoning Hearing Board application (hotel) for 415 South Providence Road. Residents voiced their concerns to the Community Development Committee, consisting of Vice-President Hall and Councilmen Williamson and Tyson. The primary issues of concern were the height of the proposed building at 51 feet, parking, impact on property values and traffic in this area. The intersection of Providence Road, Beatty Road and East Jefferson Street is believed to be the worst intersection in the Borough. Councilman Tyson mentioned that a nice hotel would be good for Media, however he believes the size and location of this application may not be appropriate.

Councilman Williamson provided an update on the Upper Providence Township Zoning Hearing Board application pertaining to billboards at 721 Painter Street and 700 West Baltimore Avenue. Councilman Williamson reported that the Borough has entered an appearance before the Upper Providence Zoning Hearing Board as a party to the process and has teamed up with Middletown Township in opposition. Both municipalities have engaged the services of Mark Damico, Esq. Councilman Williamson plans on attending the August 23, 2006 Upper Providence Zoning Hearing Board meeting.

Highway, Recycling & Emergency Management – Mr. Derrickson

Councilman Derrickson reported that Aqua Pennsylvania, Inc. will continue to repair the roads within the Borough that were disturbed during their infrastructure improvement work.

Councilman Derrickson made a motion to approve the installation of up to two (2) speed humps on East Front Street in front of Media Elementary School contingent upon the results of the traffic study by the Borough Engineer. Engineer Walton does not believe any parking spaces will be lost due to the installation of the speed humps. Councilman Derrickson mentioned that the approximate cost of each speed hump is \$4,500. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Derrickson announced that the Delaware County Chapter of the NAACP will host a health fair on October 14, 2006 from 11:00 a.m. – 3:00 p.m. in the Community Center.

Shade Tree Commission & Environmental Advisory Council – Mr. Alyanakian

Councilman Alyanakian mentioned that the Environmental Advisory Council is applying for it's fifth Energy Harvest Grant with the Department of Environmental Protection for solar energy on five (5) additional buildings within the Borough.

Councilman Alyanakian noted that requests to have Borough-owned trees trimmed should be submitted to the Shade Tree Commission as soon as possible.

Councilman Alyanakian wished everyone a happy and safe Labor Day holiday.

Public Comment & Privilege of the Floor

Veronica Barbardo, Fifth Street, inquired if Bill Tyson, during his committee report was making a motion to extend the footage of the notification process for Planning Commission/Zoning applications. Councilman Tyson mentioned that it was not an official motion, but he would like to consult with the Community Development Committee to create a policy.

Bryan Wren, 608 Allen Lane, noted that the property at 415 S. Providence Road is considered a gateway property and mentioned that the Comprehensive Plan indicates that gateways should be treated as properties that enhance Media. Ms. Wren does not feel the hotel will enhance the area.

Donna Elcock, 447 E. Jefferson Street, inquired if there has been a study completed pertaining to the effect a hotel in this area will have on real estate, the effect on the quality of life of the residents and the character of the town. President Daly replied that if this application does go before the Zoning Hearing Board, the burden of proof will be on the applicant as to why they should be approved a variance.

Jane Valdes-Dapena expanded on Councilman Alyanakian's report to mention that the Shade Tree Commission also performs plantings as well as addresses tree-trimming requests.

As a former Tree Warden, Councilman Williamson mentioned that the Shade Tree Commission does a great job around town and has added a variety of plants/trees to the Borough over the years.

Jim Keller, 442 E. Jefferson Street, indicated that he does not believe financial reasons are grounds for a hardship in allowing the applicant to erect the hotel at 415 South Providence Road.

Hans Fremuth, 102 Pennock Place, mentioned that the hotel proposal is close to the gateway into Media and abuts a residential neighborhood. Mr. Fremont displayed a mock-up of before and after pictures of the view from his residence to 415 South Providence Road. Mr. Fremont inquired about the importance of the Comprehensive Plan. President Daly replied that he answered this question earlier in the meeting noting that the Comprehensive Plan is very important and is the foundation for the Zoning Code. Mr. Fremont created a website on this topic www.preservemedia.org.

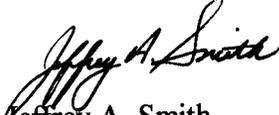
Treasurer, Bob Dimond, urged everyone to see the upcoming Philly Fan play at the Media Theatre as Tom McCarthy does a great job.

Treasurer, Bob Dimond, announced the Veterans Day Parade will be held on November 11, 2006 at 11: 00 a.m.

Adjournment

Vice-President Hall motioned to adjourn the meeting at 9:30 p.m. Councilman Derrickson seconded the motion. The motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey A. Smith". The signature is written in a cursive style with a large initial "J".

Jeffrey A. Smith
Borough Manager/Secretary