

**MINUTES
BOROUGH COUNCIL MEETING
DECEMBER 21, 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 Assistant Solicitor Scott.

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 minutes from the November 16, 2006 Council meeting minutes, December 7, 2006 CDBG Public Hearing minutes and December 7, 2006 Special Meeting minutes. Councilman Derrickson seconded the motion. The motion carried unanimously.

Announce Reason for Executive Session

President Daly mentioned that a litigation matter of 300 E. State Street and the Public Works Department and Dispatcher contract negotiations were discussed in Executive Session following the November 16, 2006 Council meeting and following the December 7, 2006 Workshop meeting.

President Daly mentioned personnel matters and a real estate matter were discussed in Executive Session following the December 18, 2006 Special Meeting.

Public Comment & Privilege of the Floor

President Daly reported that the lease agreement pertaining to the Parlor Room at the Media Municipal Center for Congressman Elect Joseph Sestak has been removed from this evening's agenda as it is off the table.

Jane Valdes Dapena, S. Jackson Street, expressed her opinion that leasing the Parlor Room to Congressman Elect Joseph Sestak is not a good idea.

Tina Mason, W. 4th Street, expressed her concerns regarding the leasing of the Parlor Room.

Leticia Jeavons, N. Monroe Street, mentioned that as a member of the League of Women Voters she believes that leasing the Parlor Room is not a good idea.

Jane Rowland, E. Second Street, inquired as to how leasing the Parlor Room to Congressman Elect Joseph Sestak came about. President Daly explained the process.

Susan Garrison, W. Front Street, expressed her concerns with leasing the Parlor Room to Congressman Elect Joseph Sestak.

Presentation of Checks

Although the Media Historic Archives was unable to have a representative present, Councilman Tyson mentioned the organization would receive a donation check from the Borough.

Councilman Tyson presented a donation check to Media Historial Society, which was accepted by Joan Sendall.

Vice-President Hall presented the Media Fire Company with a donation check, which was accepted by Councilman Tyson on behalf of the Fire Company.

Councilman Derrickson presented a donation check to Mercy Home Health Services, which was accepted by Corrine Shipley.

Councilman Derrickson presented the Delaware County SPCA with a donation check. Bill Vernon was on hand from the SPCA to accept the donation.

Although the Media Fellowship House was unable to have a representative present, Councilman Derrickson mentioned the organization would receive a donation check from the Borough.

Mayor's Report – Mayor McMahon

Mayor McMahon reported the Police Department received and investigated 845 complaints during the month of November.

Council Committee Reports

Code Enforcement and Community Development – Mr. Williamson

Councilman Williamson made a motion to approve the Preliminary/Final Land Development Application for 7-13 E. Baltimore Avenue with the appropriate Planning Commission, Borough Engineer and town planner comments. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to approve the Minor Land Development/Change of Use Application for 600 N. Jackson Street with the appropriate Planning Commission and Borough Engineer comments. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to approve the Minor Land Development/Change of Use Application for 300 W. State Street. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Williamson recommends that Borough Council not oppose the Zoning Hearing Board Application for 18 S. Orange Street.

Councilman Williamson made a motion to settle the outstanding land use appeals and mandamus action of Commonwealth Real Estate, Inc. (CREI) relating to a proposed apartment building development located on the block bounded by State Street, Manchester Avenue, Baker Street and Radnor Street pursuant to a Settlement Stipulation providing for the submission of revised plans on the following terms: (i) the number of units shall be reduced to 28; (ii) the number of curb cuts shall be reduced from three (3) to two (2), such curb cuts to be located on Baker Street and Manchester Avenue, (iii) the owner shall provide at least 46 on-site parking spaces and shall permit parking spaces at the office building located at 200 E. State Street to be available for weekend parking so long as the owner continues to own such office building; (iv) the owner shall impose regulations on tenants requiring that moving vans unload solely at the rear of the building; (v) the owner shall establish a parking sticker system for its tenants; and (vi) such other terms and conditions as are set forth in the Settlement Stipulation. Vice-President Hall seconded the motion. The motion carried 6-1, with Councilman Tyson casting the dissenting vote.

Councilman Williamson provided an update on the Zoning Hearing Board Application for 415 S. Providence Road, which will go before the Board for the third time on January 4, 2007 at 7:00 p.m.

Councilman Williamson mentioned that the Upper Providence Township Zoning Hearing Board denied the validity challenge for billboards at 721 Painter Street and 700 West Baltimore Avenue.

Highway, Recycling & Emergency Management – Mr. Derrickson

Councilman Derrickson made a motion to adopt Resolution #2006-20 endorsing the FY2007 Community Development Block Grant applications for the following improvements: various road resurfacing improvements and stormwater management enhancements in the vicinity of Olive and Jefferson Streets. Councilman Williamson seconded the motion. The motion carried unanimously.

Councilman Derrickson made a motion to adopt Ordinance No. 1014 accepting the Deed of Dedication for Parks Edge Lane. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Derrickson made a motion to regrettably accept the resignation of Don Fredericks from the Civil Service Commission. Mr. Fredericks term expires on December 31, 2008. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Shade Tree Commission & Environmental Advisory Council – Mr. Alyanakian

Councilman Alyanakian made a motion to untable the motion to authorize the drafting and advertisement of an ordinance pertaining to sex offenders living within a 500-foot radius to schools, churches, etc. Councilman Tyson seconded the motion. The motion carried 5-2, with Vice-President Hall and Councilwoman Simpson casting the dissenting votes.

Mayor McMahon mentioned his support of such an ordinance. Vice-President Hall mentioned that he believes the Borough does not need such an ordinance and continued to explain that it will not work and it may not be legal.

Councilman Alyanakian made a motion to authorize the drafting and advertisement of an ordinance pertaining to sex offenders living within a 250-foot radius to schools, churches, etc. Councilman Tyson seconded the motion. Borough Manager Smith took roll call on the motion. The motion carried 4-3, with President Daly, Vice-President Hall and Councilwoman Simpson casting the dissenting votes.

Health, Historic Preservation & Library – Mr. Tyson

Councilman Tyson made a motion to appoint Martin Sarkees to the unexpired term of David Wren on the Library Board, which expires December 31, 2008. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Recreation, Technology, Media Business Authority & Lighting –

Mrs. Simpson

Councilwoman Simpson made a motion to regrettably accept the resignation of William Lynch from the Media Business Authority, whose term will expire on December 31, 2008. Vice-President Hall seconded the motion. The motion carried unanimously.

Councilwoman Simpson made a motion to authorize the execution of an agreement for the implementation of TelVue Virtual Television Networks on Cable Channel 10. Vice-President Hall seconded the motion. The motion carried unanimously.

Councilman Alyanakian made a motion to appoint Dan Brodeur, proprietor of Brodeur's on State Street, to the Media Business Authority. Councilman Tyson seconded the motion.

Councilwoman Simpson made a motion to table the appointment of Dan Brodeur to the Media Business Authority. Vice-President Hall seconded the motion. Borough Manager Smith took roll call on the motion. The motion carried 5-2, with Councilman Alyanakian and Tyson casting the dissenting votes.

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

Vice-President Hall made a motion to approve the handicapped parking permit request for 642 N. Monroe Street, which does have off-street parking. Councilman Williamson seconded the motion. The motion carried unanimously.

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	\$ 278,506.10
Recreation Fund	\$ <u>9,374.38</u>
Total	\$ 287,880.48

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

President Daly made a motion to adopt Ordinance No. 1015 pertaining to Traffic/Parking Ordinance amendments. Councilman Williamson seconded the motion. The motion carried 5-2, with Councilmen Alyanakian and Tyson casting the dissenting votes.

President Daly made a motion to adopt Ordinance No. 1016 setting the 2007 millage rate at 2.0 mills. Councilman Williamson seconded the motion. Borough Manager Smith took roll call on the motion. The motion carried 4-3, with Councilmen Alyanakian, Tyson and Derrickson casting the dissenting votes. President Daly mentioned that the Act 511 taxes have decreased in recent years and expenditures have increased, which has caused Council to consider increasing property taxes.

President Daly made a motion to adopt the 2007 General Fund, Capital Fund, Liquid Fuels Fund and Recreation Fund budgets. Councilwoman Simpson seconded the motion. The motion carried 5-2, with Councilmen Alyanakian and Tyson casting the dissenting votes. President Daly mentioned that a newly created five (5) year Capital Improvements Program (CIP) will be established this year and will list all of the capital needs of Borough departments, boards/commissions, library, fire company, etc. and would feature input from residents. The capital fund is new this year and will include all purchases/projects that are at least \$5,000 in cost with a life expectancy of five (5) years.

President Daly made a motion to accept the Public Works Collective Bargaining Agreement. Councilman Williamson seconded the motion. The motion carried unanimously. The term of the updated employment contract for the Public Works Department is four (4) years, with salary increases as follows: 3.0% in 2007, 3.0% in 2008, 3.0% in 2009 and 3.75% in 2010. Medical co-payments for employees have increased with the new contract.

President Daly made a motion to accept the Dispatchers Collective Bargaining Agreement. Councilman Alyanakian seconded the motion. The motion carried unanimously. The term of the updated employment contract for the Dispatchers is one (1) year, with salary increases of 3.75% in 2007. Medical co-payments for employees have increased with the new contract.

President Daly made a motion to adopt Resolution #2006-19, authorizing the issuance of a Tax Anticipation Note in the amount of \$750,000 at an interest rate of 3.45% from First Keystone Bank. The loan must be repaid by the end of 2007. Councilman Alyanakian seconded the motion. The motion carried unanimously.

President Daly made a motion to authorize the Borough Manager to advertise Request for Proposals (RFP) for legal services. Councilman Alyanakian seconded the motion. The motion carried 6-1, with Councilman Derrickson casting the dissenting vote.

President Daly made a motion to authorize the filing of a Declaratory Judgment pertaining the Third Street Bridge. Councilman Derrickson seconded the motion. The motion carried unanimously with Councilman Alyanakian abstaining from the vote as a member of the Broomall's Lake Country Club.

Public Comment & Privilege of the Floor

Leticia Jeavons, 216 N. Monroe Street, applauded those Council members who voted against the Sex Offender Ordinance as she believes everyone has a right to live where they want.

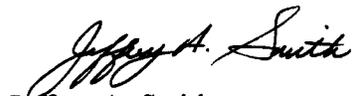
Councilman Derrickson thanked Lilli Middlebrooks for her years of service as the Borough Solicitor.

As Council adopted the 2007 millage rate at 2.0 mills this evening, Councilman Tyson noted there is no need to have a Special Meeting on December 28, 2006. Therefore, Councilman Tyson made a motion to not hold the Special Meeting. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Adjournment

Vice-President Hall motioned to adjourn the meeting at 11:05 p.m. Councilman Derrickson seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith
Borough Manager/Secretary