

**MINUTES  
BOROUGH COUNCIL MEETING  
MARCH 20, 2008**

The Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahon, President Daly, Councilpersons Alyanakian, Williamson, Derrickson and Cunningham. Also present were Borough Manager Smith, Treasurer Deitch, Solicitor Scott and Engineer Walton. Vice-President Hall and Councilwoman Simpson were absent from the meeting.

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

**Announce Reason for February 21, 2008 Executive Session**

President Daly mentioned that the reason for the February 21, 2008 Executive Session was to discuss a real estate matter involving Worrall Street.

**Approval of the Minutes**

Councilman Cunningham made a motion to adopt the minutes from the February 21, 2008 Council meeting. Councilman Williamson seconded the motion. The motion carried unanimously.

**Presentation to Kevin Matson**

Mayor McMahon presented Proclamation #2008-02 to Kevin Matson, P.E., recognizing him as the Pennsylvania Society of Professional Engineers' Young Engineer of the Year. Mr. Matson thanked Borough Council and noted that the Pennsylvania Society of Professional Engineers is the recognized voice and advocate of all Professional Engineers who are licensed in Pennsylvania. Its mission is to promote and defend the interest of Pennsylvania's professional engineers. The Society holds monthly meetings, promotes scholarships, etc.

**Public Comment & Privilege of the Floor**

President Daly reminded viewers watching the meeting at home they can e-mail any questions/comments to Borough Council at [questions@mediaborough.com](mailto:questions@mediaborough.com) and they will be addressed during the Public Comment & Privilege of the Floor segments of the meeting.

Jane Rowland, E. Second Street, inquired about signs placed on private property within the Borough in order to slow vehicular traffic. Borough Manager Smith responded that it is his understanding that residents have specifically requested these signs from the Media Police Department.

## **Engineer's Report**

Engineer Walton congratulated Mr. Matson on the honor of becoming the Pennsylvania Society of Professional Engineers' Young Engineer of the Year.

Engineer Walton noted that March 31, 2008 will mark the end of the five (5) year NPDES permit cycle. The Borough will put forth the best effort in an attempt to clear up any stormwater management deficiencies and encourage participation of the public on this issue. A meeting will be conducted in the future with Engineer Walton, Vice-President Hall, Councilmen Williamson and Derrickson regarding this issue.

Councilman Cunningham inquired about the CMAQ project along Baltimore Avenue and specifically requested to know the changes that will be implemented. Engineer Walton mentioned that the enhancements will provide pedestrian safety and allow for more traffic through this corridor by changing the street light cycles. Engineer Walton noted that enforcement will be a requirement once this project is completed. Engineer Walton will share drawings of the project with Councilman Cunningham so he can obtain a better understanding of the proposed enhancements.

Councilman Cunningham inquired about the status of a traffic study for the Monroe and State Street intersection. Engineer Walton mentioned that he will send a recommendation report to Borough Manager Smith. Basically, the report will include the recommendation of attempting to change the street light cycle as it has been completed at the Orange and State Street intersection.

## **Mayor's Report** – Mayor McMahan

Mayor McMahan reported the Police Department received and investigated 781 complaints during the month of February. There were no reported burglaries.

Mayor McMahan announced that The Buddy Holly Story is showing at the Media Theatre through March 30, 2008 and mentioned that this is a most entertaining show.

Mayor McMahan announced that the Pennsylvania Veterans Museum will change their World War II exhibit to a Korean War exhibit in the near future.

Mayor McMahan mentioned that the Pennsylvania Veterans Museum Spring Gala and Silent Auction event will be held on Friday, April 11, 2008 at the Springfield Country Club. The Museum will honor Governor Tom Ridge for his vision and support of the Museum's mission to educate students about the history of Pennsylvania veterans. The event will also feature a special premier of the Vietnam Humanitarian film.

## **Council Committee Reports**

### **Shade Tree Commission & Historic Preservation** – Mr. Cunningham

Councilman Cunningham made a motion to regretfully accept the resignation of Barbara Domingos from the Historical Architectural Review Board. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Cunningham made a motion to appoint Rebecca Herbert to the vacancy on the Historical Architectural Review Board to fill Ms. Domingos' unexpired term, which will expire on December 31, 2008. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Cunningham mentioned that the property owner of 112 W. Front Street submitted a request to install window boxes on this historical building. The Historical Architectural Review Board discussed the request and is recommending denial based on the fact that this does not fit in with the historic district. With that said, Councilman Cunningham made a motion to deny the window box request for 112 W. Front Street. Councilman Williamson seconded the motion. The motion carried 3-0, with President Daly and Councilman Alyanakian abstaining. Councilman Cunningham noted that the applicant is permitted to submit a request with modifications to the initial proposal.

Councilman Cunningham discussed historic ordinances and the fact that the Pennsylvania Historic Museum Commission may not have ratified any ordinances that were adopted by the Borough after 1975. Therefore, Councilman Cunningham is recommending that the Borough repeal amendments to the following Ordinances: 657, 686, 719, 843, 872, 873 and 874. With that said, Councilman Cunningham made a motion to draft and advertise an ordinance repealing the above referenced ordinances. Councilman Alyanakian seconded the motion. The motion carried 4-0, with Councilman Derrickson abstaining.

Councilman Cunningham mentioned that Ordinance No. 638-B describes three (3) historic districts throughout the Borough and that this ordinance has been ratified by the state. Councilman Cunningham noted that a 1990 Planning Commission study indicates approximately 180 locations/buildings, etc. within the Borough that have been deemed historic, but that they may not necessarily be located within the three (3) districts outlined in the ordinance. Councilman Cunningham reported that he has performed research on this matter and is suggesting that a historic overlay district ordinance be created. Councilman Cunningham will submit his research/notes to Solicitor Scott to review.

Councilman Cunningham inquired about the status of tree trimming within various locations throughout the Borough. Borough Manager Smith responded that George Smith has the list of trees and will be performing these services in the future.

Councilman Cunningham congratulated Mr. Matson on receiving the Young Engineer of the Year award.

### **Recreation, Technology & Media Business Authority – Mrs. Simpson**

In Councilwoman Simpson's absence, President Daly announced the following for the Media Business Authority:

- The Americana Roots Ramble will be held on Saturday, April 12, 2008 from 7:30 p.m.-1:00 a.m. throughout the business district.
- A Town Meeting will be held on Wednesday, April 2, 2008 at 7:00 p.m. to discuss business promotions during the spring/summer 2008. Specifically, a visitor business card promotional program will be discussed.
- Councilman Derrickson added that the Media Business Authority in conjunction with Riddle Hospital promoted no smoking in bars and restaurants one (1) Wednesday each month, which has been successful.

In Councilwoman Simpson's absence, Councilman Williamson reported on the following for the Recreation Board:

- The Easter Luncheon has been rescheduled for March 22, 2008 at the Community Center.
- A survey will arrive with the spring newsletter regarding Houtman and Philip Green parks. The survey is requesting feedback from residents regarding the future use of the parks. A landscape architect has been hired in order to move forward with this project.

**Code Enforcement, Environment Advisory Council, Media Arts Council, Streetscape, Lighting & Litter Task Force** – Mr. Hall

In Vice-President Hall's absence, Councilman Williamson mentioned that an amendment to the Fireworks Ordinance is up for adoption this evening. Solicitor Scott explained that this ordinance is necessary to bring the Borough into compliance with the state code. Councilman Williamson made a motion to adopt Ordinance No. 1043 pertaining to amendments to the Fireworks Ordinance. Councilman Cunningham seconded the motion. The motion carried unanimously.

Councilman Williamson noted that the Borough has explored adoption of a Hotel/Motel Ordinance, which will limit a stay to no more than 30 days. Several meetings were held including motel owners and their long-term residents. It was determined that the current long-term residents should be grandfathered into this ordinance. Councilman Cunningham inquired about the issue, which prompted discussion on such an ordinance. Councilman Williamson mentioned that one (1) item was the fact that the motel rooms are not equipped with a kitchen. Solicitor Scott mentioned that studies have shown that a concentration of people living in cramped areas have been proven to consume police services. With that said, Councilman Williamson made a motion to authorize the Solicitor to draft and advertise a Hotel/Motel Ordinance. Councilman Derrickson seconded the motion. The motion carried 3-2, with Councilmen Cunningham and Alyanakian casting dissenting votes.

Councilman Williamson made a motion to authorize the Solicitor to draft and advertise amendments to the Sidewalk Construction and Maintenance Ordinance. Councilman Derrickson seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to approve the installation of Community Action Agency flags along State Street. Councilman Derrickson seconded the motion. The motion carried unanimously. Councilman Alyanakian inquired as to why Borough Council is approving such requests. President Daly noted that Borough Council should only approve new applications going forward. Councilman Cunningham is recommending that recurring applications should be approved and this should be added to the Flag Flying Policy. Councilman Cunningham made a motion to amend the Flag Flying Policy as noted above. Councilman Alyanakian seconded the motion. The motion carried unanimously.

**Properties, Personnel, Finance & Insurance** – Mr. Daly

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

General Fund	\$ 252,357.91
Recreation Fund	\$ 3,227.29
Liquid Fuels Fund	\$ 0.00
Capital Fund	\$ <u>2,397.00</u>
Total	\$ 257,982.20

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

President Daly noted that Borough Council should consider execution of a Memorandum of Agreement with the Public Works Department (Sanitation employees). Borough Manager Smith explained that previously Borough Council authorized Sanitation employees to work a four (4) day workweek. Borough Manager Smith further explained that Council should formally accept the Personnel Committee's recommendation to enter into a Memorandum of Agreement with Local 473 in regard to whenever Sanitation employees are called in to work on either a Wednesday or a Saturday. President Daly made a motion to execute the Memorandum of Agreement. Councilman Williamson seconded the motion. The motion carried unanimously.

President Daly mentioned that the Finance Committee met earlier this evening. A presentation was made by the Central Tax Bureau with regard to tax revenue, which appears to have increased this year due to tighter controls and heightened awareness of occupants within the business district. Proposed legislation has been introduced with the possibility of a county-wide tax collector, which could cause problems for municipalities such as the Borough.

President Daly mentioned that the Strategic Finance Committee will begin to make recommendations on long-term financial planning of the Borough.

Councilman Cunningham recommends installing two (2) benches at the Veterans Memorial area, 1 W. State Street, in order to make the area more inviting.

**Community Development** – Mr. Williamson

Councilman Williamson reported that the applicant for city block of 306 E. Baltimore Avenue has agreed to 15 of the 16 conditions of their Preliminary Approval and Subdivision Land Development Application as described during the January 2008 Council meeting. The applicant objected to assuming responsibility for paving/plowing of Worrall Street. It was determined by the Planning Commission that this one (1) item was not enough to deny their application as they could take the Borough to court on this matter. Councilman Williamson made a motion to drop the last condition that states the applicant shall assume paving/plowing of Worrall Street and grant the request for Preliminary Approval and Subdivision Land Development for 306 E. Baltimore Avenue with the first 15 conditions. Councilman Derrickson seconded the motion. The motion carried 3-1, with President Daly casting the dissenting vote and Councilman Alyanikian abstaining.

Councilman Cunningham inquired how we can be assured that the applicant will work with the Borough on the abandonment of Worrall Street. Councilman Williamson responded that the applicant has a strong interest in constructing a pedestrian bridge and feels the Borough has leverage to work out the matter of Worrall Street.

Councilman Williamson will refrain from discussion on the Zoning Hearing Board Application for 2 S. Orange Street as he is a customer of the applicant. Councilman Cunningham mentioned the Zoning Hearing Board Application for 2 S. Orange Street in order to perform some façade enhancements and install additional signage. The majority of the Planning Commission voted that this application has merit and is recommending that Council not oppose, as this is an unusual situation with the location of the property. Councilman Cunningham recommends that Council not oppose this application with the condition that the applicant install shade trees and extend the Streetscape enhancements along Front and Orange Streets. Councilman Williamson will convey this information to the Zoning Hearing Board.

Councilman Williamson mentioned the Zoning Hearing Board Application for 504 N. Orange Street for two (2) variances. Councilman Williamson mentioned that the Planning Commission recommends that Borough Council not oppose this application and he concurs with their recommendation.

Councilman Williamson noted that the Delaware Valley Regional Planning Commission (DVRPC) has created a regional community marketing and assistance program known as Classic Towns of Greater Philadelphia. To be considered a Classic Town, the municipality must meet certain criteria: 1) medium or high transit score, 2) designated main street, and 3) designated core city or center. It was determined that Media Borough desires to apply to become a Classic Town of Greater Philadelphia and will apply by adopting a resolution. Councilman Williamson made a motion to adopt Resolution #2008-02 – DVRPC Classic Towns of Greater Philadelphia. Councilman Alyanakian seconded the motion. Councilman Cunningham noted that he will vote against this as it is his belief that the DVRPC has become a development organization and questions their long-range plans. The motion carried 4-1, with Councilman Cunningham casting the dissenting vote.

Councilman Cunningham noted his concern regarding residential zones backing up to non-residential zones and the loss of valuable shade trees, etc. Councilman Cunningham would like to present the Solicitor with a sketch amendment to the Zoning Code including a 50 foot landscape setback, trees over 30 inches in diameter should be saved, trees over 16 feet in height should be saved, etc. President Daly inquired if this matter has been brought before the Community Development Committee. Councilman Cunningham responded that he believes Council should take immediate action on this matter. President Daly mentioned that the Community Development Committee should review, but there are no objections with forwarding to the Solicitor. Councilman Alyanakian recommended taking a look at implementing a fund for the replenishment of trees, extension of Streetscape, open space, etc., which would be funded by developers of new/redevelopment projects. Solicitor Scott noted that the Borough could require that a developer plant trees, etc. elsewhere if the particular site doesn't work.

**Highway, Recycling, Emergency Management & Police Committee** – Mr. Derrickson

Councilman Derrickson thanked everyone for caring thoughts and support with regard to the fallen firefighter in Upper Chichester Township.

Councilman Derrickson made a motion to approve a Mass Gathering Permit Application for Iron Hill Brewery's Brandywine Valley Craft Brewers Festival on Saturday, May 17, 2008. Councilman Alyanakian seconded the motion. The motion carried unanimously. Borough Manager Smith added that letters were sent to neighboring businesses. No businesses expressed any concerns regarding the event. Danielle Friel, Marketing and Event Coordinator for Iron Hill, mentioned that this event brought in approximately \$17,000 last year and was subsequently donated back to the Media Youth Center, etc. as they believe it is important to keep youth activities well funded. Councilman Cunningham inquired if there is extra police coverage needed for this event. It was determined that Iron Hill pays for the extra police coverage and also hires two (2) undercover police officers for the event.

Councilman Derrickson noted that the Media Fire Company is always looking for new members to compliment their current staff. If you have any interest in being a firefighter, providing emergency medical services or just have a skill that you can provide, please contact the firehouse.

Councilman Cunningham mentioned that David Daniel has expressed interest in serving on the Emergency Management Committee. Councilman Derrickson will take this information back to the committee.

Councilman Cunningham mentioned that State Representative Tom Killion may be interested in supporting Media Borough's attempt to lower the speed limit along State Street from 25 miles per hour to 15. Although the state motor vehicle code will not allow a speed limit less than 25 miles per hour unless in a school zone, Representative Killion has expressed that he would consider assisting urban municipalities with unique downtown traffic problems. As a result, Councilman Cunningham is suggesting that the Borough forward a letter of request for support to Representative Killion.

Councilman Cunningham mentioned his belief that 35 miles per hour along Providence Road is too fast and would like to petition the Pennsylvania Department of Transportation (PennDOT) on the feasibility of lowering the speed limit on this roadway. Engineer Walton reported that there is a fast track procedure through PennDOT for such requests and that he will provide Councilman Cunningham with an outline on how to proceed.

Councilman Cunningham inquired who is responsible to maintain the crosswalks along Baltimore Avenue. It was determined that the Borough maintains and that the crosswalks will be enhanced with the implementation of the CMAQ project. Councilman Cunningham inquired what can be accomplished in advance of the CMAQ project to make the crosswalks more visible. Engineer Walton will follow-up and provide feedback on this matter.

**Health, Library & Homeowners Association (HOA) – Mr. Alyanakian**

Councilman Alyanakian announced the Friends of the Media-Upper Providence Free Library will present the Buddy Holly Story on March 30, 2008, 3:00 p.m., at the Media Theatre. A portion of the proceeds will go to the Friends of the Media Upper Providence Library.

Councilman Alyanakian announced that a Penncrest High School football team reunion from 1976, 1977 and 1987 will be held at Sligo's on April 5, 2008.

**Adjournment**

Councilman Cunningham motioned to adjourn the meeting at 9:50 p.m. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith  
Borough Manager/Secretary



## YEAR 2008 ROLL CALL

MOTION:   Disapprove Widow Boxes at 112 W. Front Street  

DATE OF MEETING:   March 20, 2008 Council Meeting  

COUNCILPERSON	YES	NO
CUNNINGHAM	X	
SIMPSON – ABSENT		
HALL - ABSENT		
WILLIAMSON	X	
DERRICKSON	X	
ALYANAKIAN	ABSTAIN	
DALY	ABSTAIN	

**3-0 to disapprove**

\*Council President should be last during roll call.\*







MEDIA BOROUGH COUNCIL  
ABSTAIN FROM VOTE

COUNCIL MEMBER: Pete Alyan

DATE OF MEETING: March 20, 2008

MOTION ON THE TABLE (Please describe): Abandonment of Wonell ST

REASON FOR ABSTAINING: Tenant of Applicant

SIGNATURE: [Signature]  
Council Member

SIGNATURE: [Signature]  
Borough Manager



MEDIA BOROUGH COUNCIL  
ABSTAIN FROM VOTE

COUNCIL MEMBER: *John A. Smith*

DATE OF MEETING: March 20, 2008

MOTION ON THE TABLE (Please describe): *Abandonment of Warnell St*

\_\_\_\_\_

\_\_\_\_\_

REASON FOR ABSTAINING: *Interest of Applicant*

\_\_\_\_\_

\_\_\_\_\_

SIGNATURE: *[Signature]*  
Council Member

SIGNATURE: *[Signature]*  
Borough Manager