

**MINUTES
BOROUGH COUNCIL MEETING
AUGUST 21, 2003**

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 Gibian, Whitaker, Alyanakian, Krull and Sherwin. Also present were Borough Manager Smith, Administrative Assistant Chester, Treasurer Gioggia, Engineer Renard and Solicitor Middlebrooks.

President Hagan called the meeting to order at 8:00 p.m. President Hagan led the salute to the flag. President Hagan observed a moment of silence for the passing of Charles Maris, who served the Borough for many years and was an Upper Providence Township Police Officer, and Nicole Eisenberg, a former Borough resident.

Approval of the Minutes

Vice-President Robinson made a motion to approve the July 17, 2003 Council meeting minutes, August 6, 2003 Public Hearing minutes and August 6, 2003 Special Meeting minutes. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Privilege of the Floor

Paul Cavanaugh inquired on the process and procedures to open a paper street or if someone would like it vacated. Mr. Cavanaugh is specifically interested in the paper street at Fifth and Olive Streets. Vice-President Robinson noted he would work with the Code Enforcement Officer and Borough Manager to pull information regarding this paper street. He also noted procedures to open or vacate a paper street will require a petition and notification to neighbors.

Shelby Charles, 435 E. Franklin Street, mentioned there has been an abundance of trash on Baltimore Pike between Burger King and Dunkin Donuts. She also mentioned foul language is being used by individuals congregating on street corners. She inquired as to whether signs could be placed to deter these actions. President Hagan responded that the Borough would look into the ability to place such signage.

Monica Simpson, 502 N. Orange Street, mentioned the speed-timing device placed at the intersection of Fifth and Orange Streets is having a positive impact on the speeding vehicles.

Monica Simpson reported that twenty-five (25) individuals have utilized Project Vide Connect, which allows thousands of military personnel who have been deployed and their families to send video messages to each other from locations around the world. The Borough Hall has a computer for this purpose on the third floor. Please call the Borough office to make an appointment. Walk-ins are also welcome on Wednesdays from 11:00 a.m. – 1:00 p.m.

Bill Tyson, 325 N. Edgmont Street, noted he is against the purchase of the Strine property on Baltimore Pike to develop it into a parking lot for Trader Joe's. Mr. Tyson inquired on how many spots would be created. Councilperson Krull responded that fifty (50) spots will be created and dedicated to Trader Joe's. Mr. Tyson expressed his concern with demolishing buildings for the purpose of creating parking lots and does not feel the purchase price is worth the return the Borough will see on this project. Shelby Charles indicated she feels the Borough is in need of additional parking and views this as a positive project.

Bill Tyson made a presentation to Borough Council regarding the 300 block of East State Street and suggested that the Borough purchase property within this block in an attempt to prohibit the applicant from building an apartment complex on this block. Vice-President Robinson responded that he will take his proposal to the property owner, ask if he would be willing to sell a tax parcel within that block and report back on his position next month.

Bill Tyson urged Council to review the zoning needs within the entire Borough in an attempt to comply with the 1986 Comprehensive Plan, which calls for additional recreation sites to be created. Mr. Tyson suggested that the one percent (1%) transfer tax should go into a pool of funds, which would be dedicated to acquire available property within the Borough for the purpose of developing it into recreational land.

Jane Rowland, 300 E. Second Street, reported that a tree fell on Emerald Street and inquired about the inspection of trees. Councilperson Alyanakian responded that the Shade Tree Commission performs a monthly inspection of questionable trees within the Borough to determine their health and if they are a safety issue.

Jane Rowland mentioned she is concerned about construction after normal business hours. Councilperson Gibian mentioned that this issue will be addressed in his report this evening.

Jane Rowland inquired on the daily starting time of the Highway Department as it relates to trash collection. President Hagan mentioned that during the extreme heat Highway personnel will begin a little earlier in the morning in order to finish earlier.

Larry Bak, 39 E. Front Street, thanked the Borough for paving three quarters of the Soap Box Derby race course and inquired as to when the rest of the course would be paved. President Hagan mentioned the Borough will look into finishing the paving as requested.

Larry Bak reported there may be a water drainage problem on Front Street near the Media-Upper Providence Library. President Hagan reported the Borough will look into addressing the situation.

Larry Bak, inquired on the business status of New Orleans Café since they lease a building the Borough owns. President Hagan responded that New Orleans Café is not leaving the Borough and is currently up-to-date with their rental fees, however they may owe some late penalty fees (interest). President Hagan encouraged residents to patronize this and all restaurants within the Borough.

Mayor's Report – Mr. McMahon

Mayor McMahon reported the Media Police Department received and investigated 961 complaints in July. There was one (1) reported burglary of a business on State Street, which is currently being investigated.

Mayor McMahon announced the Media Theatre will present a showing of the "Battle of the Bulge" on Saturday, September 6, 2003 at 11:00 a.m. and again at 7:00 p.m. This will detail key elements of World War II.

Council Committee Reports

Recreation & Code Enforcement – Mr. Gibian

Councilperson Gibian reported that the Recreation Summer Camp had another successful season. Many thanks to Michelle Cropper, Monica Simpson, Kevin Boyer (Recreation liaisons) and Tina Kasker (Camp Director).

Councilperson Gibian reported that the Code Enforcement Department will address noise ordinance issues with contractors by placing the hours for construction directly on the building permit. Councilperson Gibian noted there are exceptions, which will be made by the Code Enforcement Department, due to the fact that we have had bad weather from a construction standpoint. The Borough will work with residents and contractors regarding construction, but residents are encouraged to contact the police if there is excess noise during off hours.

Councilperson Gibian made a motion to appoint Sam Iannucci to the part-time Commercial Inspector position within the Borough. Vice-President Robinson seconded the motion. Motion carried unanimously.

Community Development – Mr. Robinson

Vice-President Robinson reported on a Zoning Hearing Board application for 315 S. Orange Street, Christ Episcopal Church. The applicant is seeking a special exception to purchase a 5,400 sq. ft. lot with a structure in order to demolish and create a parking lot. The Planning Commission recommends not to oppose this application.

Vice-President Robinson reported that the Zoning Hearing Board denied the application for a luxury apartment building on the 300 block of East State Street at their July meeting. Denial was based upon lot coverage and the need for a height variance. The applicant is expected to appeal the decision to the Court of Common Pleas and submit a use-by-right plan at the September Planning Commission meeting.

Vice-President Robinson made a motion to approve the preliminary/final subdivision and land development application for 506-510 N. Orange Street, which the applicant proposes to build five (5) townhomes, pending the resolution of the seepage bed issue. Councilperson Whitaker seconded the motion. Motion carried unanimously. Vice-President Robinson also made a motion to approve the subdivision as submitted for the five (5) townhomes. Councilperson Krull seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to approve a Change of Use (from Mercantile to Business) at 2 E. Baltimore Avenue, which will become Citizens Bank. Councilperson Krull seconded the motion. Motion passed with Councilperson Whitaker abstaining.

Vice-President Robinson made a motion to authorize the Solicitor to review data, prepare an ordinance and advertise a change to the parking requirements in R2 and R3 (residential) Zoning Districts. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Vice-President Robinson wanted to dispel rumors that the Borough put a stop work order on construction at Fifth and Olive Streets. Vice-President Robinson reported that the contractor temporarily moved to another construction site due to the weather. Vice-President Robinson also reported that the building at Fifth and Olive Streets is 100% in compliance with Borough Code per the Code Enforcement Officer.

Personnel – Ms. Hagan

President Hagan mentioned she would accept a motion to award the Borough's fixed assets as a result of the bid opening, which took place on August 19, 2003. Vice-President Robinson made a motion to award the 1993 Caprice to Plymouth Auto Sales in the amount of \$1,333.00 and 1992 Caprice to U.S. Properties in the amount of \$709.00. Councilperson Krull seconded the motion. Motion carried unanimously.

Following the August 11, 2003 bid opening, President Hagan mentioned she would accept a motion to award the asbestos mitigation bid at the Armory. Councilperson Whitaker made a motion to award the asbestos mitigation bid to Prime Group Associates in the amount of \$67,300, not to exceed \$100,000. Vice-President Robinson seconded the motion. Motion carried unanimously.

In reference to the Armory project, President Hagan mentioned she would entertain a motion to develop specifications on the construction of a new parking lot. Vice-President Robinson made a motion to authorize the Engineer and Solicitor to develop specifications for the construction a new parking lot and to advertise any other bids on Armory projects in an attempt to keep the renovations of this building on target. Councilperson Whitaker seconded the motion. Motion carried unanimously.

President Hagan mentioned she would accept a motion to adopt a Personnel and Policy Procedure Manual for Borough employees. Vice-President Robinson made a motion to adopt the Borough's Personnel and Policy Procedure Manual. Councilperson Whitaker seconded the motion. Motion carried unanimously.

President Hagan mentioned she would accept a motion to advertise bids for Light Emitting Diodes (LEDs) on State Street, which are more energy-efficient traffic signal lights. Cost savings associated with LEDs will more than cover themselves within three (3) or four (4) years. Vice-President Robinson made a motion to authorize the Borough Manager to advertise bids for LED traffic signals. Councilperson Whitaker seconded the motion. Motion carried unanimously.

President Hagan reported the Borough received numerous concerns from residents regarding traffic violations. In response to those concerns the Borough Manager Smith, Engineer Mulvena, Solicitor Middlebrooks, Police Chief Wusinich, Mayor McMahon and other Borough officials met to discuss the implementation of a traffic-calming program to include the following:

- Media Police Department will dedicate one (1) hour out of each shift to traffic violations.
- A mobile speed-timing device was purchased and is currently being placed in use at Fifth and Orange Streets and will be rotated to trouble spots throughout the Borough.
- Installation of traffic humps at various locations.
- STOP directives to be painted on roadways at various intersections.
- Installation of additional regulatory signage such as "Watch Children" and Yield to Pedestrians.

Police Chief Wusinich and Mayor McMahon are looking into installing additional stop signs in areas of concern.

President Hagan mentioned she hopes that implementing these items will allow the Borough to become a more pedestrian-friendly town.

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	854,839.61
Liquid Fuels Fund	<u>5,892.12</u>
Total	860,731.73

Councilperson Krull seconded the motion. Motion carried unanimously.

Councilperson Sherwin made a motion to adopt Resolution #2003-12, which approves the updated 2003 mid-year budget figures. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Sherwin made a motion to authorize the Solicitor to advertise an amendment to the Ordinance authorizing the incurrence of a \$1.8 million Non-Electoral General Obligation Note from Commerce Bank, which should satisfy the requirements of the Department of Community and Economic Development. Vice-President Robinson seconded the motion. Motion carried unanimously.

Grants & Recycling – Mrs. Krull

Councilperson Krull made a motion to approve Resolution #2003-13 indicating the Borough will cover the costs of the Armory and Theatre projects if they exceed the Redevelopment Assistance Capital Grant amounts.

Councilperson Krull made a motion to approve Resolution #2003-14 pertaining to the Redevelopment Assistance Capital Grant. This Resolution indicates the \$1.8 million Non-

Electoral General Obligation Note funds will be placed in a separate bank account. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Krull made a motion to ratify the lease agreement for the first floor of the Armory with Trader Joe's upon obtaining all necessary signatures. The terms of the agreement have been finalized to include a ten (10) year lease, beginning July 15, 2005, with Trader Joe's. They will pay the Borough \$175,000 annually for the next five (5) years with CPI increases thereafter. Vice-President Robinson seconded the motion. Motion carried unanimously. Mayor McMahon commented that Trader Joe's is rated as Consumer Reports number one specialty grocery store and urged residents to visit their Wilmington and Ardmore stores.

Councilperson Krull made a motion to appoint Harry Havnoonian to the Media Business Authority for a term of three (3) years to expire on December 31, 2005. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Krull announced a few upcoming events:

- Great Media Garage Sale Day will be held on Sunday, September 13, 2003 from 9:00 a.m. – 4:00 p.m. Forms for registration are available on the website and at the Borough Hall. Registration fee is \$7.00, which includes adding your house on the map and includes a free heavy trash pick-up the following week.
- Media Food & Crafts Festival will be held on Sunday, October 5, 2003 from 10:00 a.m. – 5:00 p.m.
- The first annual State Street Jazz Night will be held on Saturday, November 8, 2003. Wristbands will be sold for \$15.00 each.

Health & Shade Tree Commission – Mr. Alyanakian

Councilperson Alyanakian welcomed Bill Taylor to the Borough as the new Health Officer. Bill Taylor has been the Health Officer for many years in Middletown Township and brings a lot of experience to his new position.

Councilperson Alyanakian noted the Borough was awarded a grant in the amount of \$23,000 from the Sustainable Development Fund of Southeastern Pennsylvania to install solar panels at the Amory. At this point we are unable to accept the grant until we receive approval from the Pennsylvania Historical Museum Commission. Councilperson Alyanakian thanked Judy Fowler for her hard work on the application.

Councilperson Alyanakian mentioned the Borough installed Fine-O-Meter boxes at five (5) locations throughout the business district for the purpose of depositing parking tickets. These boxes are bright red in color and attached to poles. Please read instructions carefully on the box as time-sensitive tickets will not be accepted here.

Councilperson Alyanakian announced the Delaware County Historical Society is having a World War II Exhibit starting Thursday, September 18, 2003.

Privilege of the Floor

Trudy Carroll announced the Media Historical Preservation Society presents a walking tour of ten (10) homes within the Borough on September 27, 2003 from 10:00 a.m. – 3:00 p.m. Cost for tickets are \$27 each and will include a lunch at New Orleans Café. Space is limited so please call the Borough Hall if you are interested in attending.

Adjournment

Vice-President Robinson made a motion to adjourn the meeting at 9:15 p.m. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith
Borough Manager/Secretary