

**MINUTES
BOROUGH COUNCIL MEETING
DECEMBER 18, 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 Treasurer Gioggia, Solicitor Middlebrooks, Engineer Renard, Borough Manager Smith and Administrative Assistant Chester.

President Hagan called the meeting to order at 8:07 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 Public Hearing and Council meeting of November 20, 2003. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Presentation of Donation Checks

Councilperson Alyanakian presented a donation check from the Borough to the Historic Archives Commission. Dick Weathers accepted the check on their behalf and mentioned the need for volunteers.

Councilperson Krull presented a donation check to Vince Gorman for the Historic Preservation Society and thanked them for their work in maintaining the Minshall House.

Councilperson Sherwin presented a donation check to the Center for Resolutions. Brenda Wolfer graciously accepted the check and mentioned they provide services to all of Delaware County free of charge.

Mayor McMahon presented a donation check to the SPCA. Marian Riley mentioned the organization's need for pet food and used towels.

Councilperson Whitaker presented a donation check to Bill Tyson for the Media Fire Company. Mr. Tyson thanked Council for their support throughout the year.

Councilperson Whitaker also presented a donation check to Shelly Santa Clara of Mercy Home Health Services.

Councilperson Gibian presented a donation check to Roserita Frattone for the Media Fellowship House. Ms. Frattone noted the much needed funds will be put to good use.

Mayor's Report – Mr. McMahon

Mayor McMahon reported the Police Department received and investigated 830 complaints during the month of November. There were two (2) reported burglaries for the month of November.

Mayor McMahon announced the Media Borough Council Reorganization meeting will be held on Monday, January 5, 2004 at 7:00 p.m.

Council Committee Reports

Grants & Recycling – Mrs. Krull

Councilperson Krull announced Santa's Village is open at 36 E. State Street. The hours of operation are as follows: 5-8 p.m. on weekdays, 12-8 p.m. on Saturday and Sunday. Councilperson Krull mentioned this is a great alternative to waiting in line for Santa at the mall.

Councilperson Krull made a special thanks to Don Higgins of Higgins Electric for providing free labor for the Christmas lights on State Street and reduced fees for the lighting of the Barrall Field scoreboard.

Health & Shade Tree Commission – Mr. Alyanakian

Councilperson Alyanakian wished everyone a very happy and healthy holiday season.

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	285,914.44
Liquid Fuels Fund	<u>6,812.26</u>
Total	292,726.70

Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Sherwin made a motion to adopt Ordinance No. 983 adopting the 2004 budget in the amount of \$11,242,000 and setting the 2004 millage rate at .29 mills. Councilperson Whitaker seconded the motion. Motion carried unanimously. There was some discussion pertaining to the fact that it may become necessary to increase taxes in 2005.

Personnel – Ms. Hagan

President Hagan reported that snow emergency routes have been erected and letters to the affected residents were distributed. If you have any questions pertaining to the new snow emergency routes, please call the Borough office.

President Hagan announced that the Borough will once again ask that everyone adhere to the snow removal policy of parking on the odd numbered side of the street if it begins snowing on an

odd numbered day and vice versa with the even numbered side of the street. This will allow the Borough's highway department to clear one side of the street completely.

President Hagan reported on a tentative resolve to the Police Department contract negotiations. A four (4) year agreement with an increase of 3.75% in the first year, 4% in the second year, 4% in the third year and 3.75% in the fourth year has been reached. Councilperson Whitaker made a motion to finalize the agreement pending the resolution of a retirement clause issue. Vice-President Robinson seconded the motion. Motion carried unanimously.

President Hagan mentioned she would accept a motion to adopt an ordinance pertaining to traffic amendments. Vice-President Robinson made a motion to adopt Ordinance No. 982 pertaining to traffic ordinance amendments to include stop signs at 5th & Orange Streets and handicapped parking spaces in various locations throughout the Borough. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Community Development – Mr. Robinson

Vice-President Robinson made a motion to adopt Resolution #2003-19, which will allow for the submission of a 2004 CDBG grant application to be utilized for Olive and Jefferson Street stormwater management improvements and the resurfacing of various roads throughout the Borough. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to adopt Resolution #2003-20, supporting the inter-municipal transfer of a liquor license for 37 E. State Street. Councilperson Whitaker seconded the motion. Motion carried unanimously. A Public Hearing was held earlier in the evening to receive public comment on this particular issue. There will be a 65% - 35% food to alcohol ratio. No bands or jukeboxes will be played in the new restaurant, with the exception of special Borough events. Councilperson Sherwin noted he supports the motion but encourages Council to broaden the scope of this law. Councilperson Whitaker indicated her support for the liquor license transfer and noted there has been no increase in public drunkenness over the last few years. In fact a significant decrease has been indicated. Councilperson Gibian supports the opening of this family-type smoke-free restaurant.

Vice-President Robinson made a motion to approve the Zoning Hearing Board application for 334 N. Orange Street for the construction of two (2) single family homes pending the Solicitor's attendance to the Zoning meeting to protect the Borough's interest in the negotiations. Councilperson Gibian seconded the motion. Motion carried unanimously.

Vice-President Robinson noted a change of use from "R" to "B" for 31 E. Front Street. The Planning Commission recommends not to oppose this Zoning Hearing Board application pending modification to landscape buffer and the memo from NDI Engineering.

Vice-President Robinson reported the Planning Commission recommends not to oppose the Zoning Hearing application for 201 E. Front Street requiring a variance of 66 square feet for a detached garage.

Vice-President Robinson noted the Planning Commission recommends Borough Council not oppose the Zoning Hearing Board Application for 122 Manchester Avenue. Applicant is seeking to expand the existing structure and add a non-conforming landscape buffer.

Vice-President Robinson made a motion to approve the preliminary subdivision and land development application for 400 N. Orange Street with the conditions outlined by the Planning Commission and NDI Engineering. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to approve the reverse subdivision for 333-335 W. Front Street (Delaware County Bar Association). Councilperson Gibian seconded the motion. Motion carried 6-0, with Councilperson Whitaker abstaining.

Vice-President Robinson made a motion to approve the preliminary/final subdivision and land development for 335 W. Front Street. Councilperson Gibian seconded the motion. Motion carried 6-0, with Councilperson Whitaker abstaining.

Vice-President Robinson made a motion to authorize the President of Council to execute an agreement with the property owners at 845 N. Jackson Street. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Vice-President Robinson announced a Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. to discuss the new zoning amendments in the R2 and R3 districts and the addition of an R4 district. There will be an opportunity to review the new zoning map as well.

Public Safety - Ms. Whitaker

Councilperson Whitaker reminded everyone to be careful with Christmas lights on real trees during the holiday season.

Councilperson Whitaker mentioned that the Police Department has gun locks for firearms. Please contact the Police Department if you are interested.

Councilperson Whitaker noted that Peter Pan is showing at the Media Theatre and she highly recommends everyone see the show.

Recreation & Code Enforcement – Mr. Gibian

Councilperson Gibian announced the Recreation Commission will be sponsoring a family night in the near future. Please call the Borough office for more information.

Councilperson Gibian reported that Monica Simpson of the Recreation Commission is spearheading the creation of a youth panel group that will meet on a monthly or bi-monthly basis.

Councilperson Gibian made a motion to reject the lighting bid at the Media Theatre with the condition of possibly re-bidding in the near future. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Gibian made a motion to award a bid for a phone system at the Media Theatre to Applied Telecommunications, Inc. in the amount of \$6,550. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Councilperson Gibian made a motion to authorize the Borough Engineer to advertise bids to demolish 15-17 E. Baltimore Avenue. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Gibian thanked Council members for their support while he served as a Borough Council member. Councilperson Gibian welcomed Bill Tyson as his replacement and feels the Borough is in good hands with all of the Council members who sit at the table. Councilperson Whitaker recognized Councilperson Gibian's four (4) years of service and will miss him. Vice-President Robinson mentioned it has been an honor and privilege working with Councilperson Gibian. Mayor McMahon thanked Councilperson Gibian for his assistance with regards to the Media Theatre. Councilperson Sherwin wished Councilperson Gibian well in his future endeavors. Councilperson Alyanakian thanked Councilperson Gibian for his support and taking his involvement with committees in new directions. President Hagan noted that the Councilperson Gibian's support of the Code Enforcement Department was a huge undertaking and involved a tremendous amount of time and effort. Councilperson Gibian will attend the January 5, 2004 Reorganization meeting.

Privilege of the Floor

Jane Rowland, E. 2nd Street, inquired about free parking during the month of December. President Hagan responded that it will be in effect again this year, but it is valid for the Olive Street parking garage only.

Ms. Rowland inquired about the impact the new garage at 201 E. Front Street will have on site distance, particularly when traveling by vehicle on Emerald Street. Vice-President Robinson responded that there should be no impact on site distance since the construction of the garage will go up and go deeper into the yard.

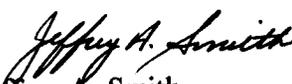
Kitty McFarland, 532 N. Lemon Street, thanked all of Council for their dedication in serving as members. Their time and efforts are greatly appreciated.

Bill Tyson, 325 N. Edgmont Street, mentioned he is looking forward to serving on Council beginning in 2004 and hopes that Todd Gibian will stay active in the community.

Adjournment

Vice-President Robinson made a motion to recess the meeting at 9:15 p.m. until January 5, 2004. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Respectfully submitted,


Jeffrey A. Smith
Borough Manager/Secretary