

MINUTES
BOROUGH COUNCIL MEETING
July 15, 2004

Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahon, President Hagan, Vice-President Robinson, Councilpersons Alyanakian, Krull, Sherwin, Tyson and Whitaker. Also present were Treasurer Gioggia, Engineer Mulvena, Borough Manager Smith and Administrative Assistant Godek.

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

Approval of the Minutes

Vice-President Robinson made a motion to approve the Public Hearing and Council meeting minutes of June 17, 2004. Councilperson Alyanakian seconded the motion. Motion carried unanimously.

Privilege of the Floor

President Hagan opened the floor for public announcements. There was no comment.

Mayor's Report – Mr. McMahon

Mayor McMahon reported the Police Department received and investigated 946 complaints during the month of June and one (1) attempted burglary. Mayor McMahon stated the incident occurred on June 19, 2004 at a local car dealership. The suspects attempted to gain entry through a side door.

Mayor McMahon announced that the grand opening of Trader Joe's is scheduled for Wednesday, July 28, 2004 at 8:45 A.M. Mayor McMahon is expecting a large crowd for the ribbon cutting ceremony, including elected officials, Trader Joe's employees, etc.

Mayor McMahon also announced L.B. Toys opened its door this week and he awaits the exciting new business the store will attract.

Council Committee Reports

Recreation, Code Enforcement & Properties – Mr. Tyson

Councilperson Tyson made a motion to adopt Ordinance No. 993 pertaining to the Uniform Construction Code (UCC) Life Safety Appeals Board. Councilperson Tyson asked the Council to consider the name change from the BOCA/Life Safety Appeals Board with the adoption of the UCC. Vice-President Robinson seconded the motion. Motion carried unanimously.

Public Safety – Ms. Whitaker

Councilperson Whitaker had no business items to report. Councilperson Whitaker stated for the record that she would like to remind the public to use caution when leaving windows and doors ajar for safety reasons. Councilperson Whitaker requested that the public report any suspicious activity to the police department.

Community Development – Mr. Robinson

Vice-President Robinson reported on a public comment regarding the amount of time and laborious nature of amending and adopting ordinances. Vice-President Robinson agreed that the Council and Borough departments spend a significant amount of time reviewing and preparing amendments to the code.

Vice-President Robinson made a motion to adopt Ordinance 994 pertaining to flag lots. Vice-President Robinson stated that the purpose of the ordinance is to 1) ensure proper frontage for properties 2) prohibit common or shared driveways and 3) amend the maximum height of fences in industrial zoned areas to eight feet. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to adopt Ordinance 995 pertaining to R-4 zoning. Vice-President Robinson stated that with the adoption the R-4 zoning ordinance, many structures in the district are considered non-conforming uses exceeding the current height requirements. Vice-President Robinson said that the purpose of Ordinance 995 is to bring these structures into compliance changing the maximum height to fifty-five (55) feet. Vice-President Robinson reported that the Planning Commission has reviewed the amendments and is extending their approval. Councilperson Tyson opposed the amendment citing the many changes to the zoning code this year. Councilperson Tyson said that while he opposes new construction exceeding a height of thirty-five (35) feet the existing structures should remain as is. Councilperson Krull seconded the motion. Motion carried 6 – 1 with Councilperson Tyson casting the dissenting vote.

Vice-President Robinson made a motion to adopt a revised zoning map, whereby, changing 413 W. Baltimore Avenue from R-3 zoning to HBO. Vice-President Robinson stated that this change is at the request of the property owner who submitted a letter dated January 13, 2004. Councilperson Sherwin seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to reject the Preliminary and Final Subdivision/Land Development Application for 217 N. Edgmont Street. Vice-President Robinson reported that the application had been heard by the Planning Commission and they recommended disapproval. Vice-President Robinson stated that it was the request of the resident to subdivide the property, thereby, creating a common drive. Mr. Robinson explained that the property would not meet R-1 zoning requirements. Vice-President Robinson motioned to include all plans and review memos from NDI into the record. Tim Sullivan, who represented John and Linda Connor, the property owners, stated that the subdivision request was made to preserve their property value. Mr. Sullivan reported that the lot is a total of 14,600 square feet. Mr. Sullivan stated that based on solicitor interpretation the area of the shared drive must be subtracted from the lot size. Not including the drive, Mr. Sullivan reported that each lot would be 5,276 square feet, just short of the required 6,600 square feet required by R-1 zoning. The motion carried 5 – 2 with

Councilpersons Tyson and Alyanakian dissenting. President Hagan announced that the application was denied.

Vice-President Robinson made a motion to approve the Final Land Development Application for 509 N. Olive Street pending successful completion of the items referenced in the NDI review memos. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Vice-President Robinson introduced a Zoning Hearing Board application for 411 Manchester Avenue stating that it is similar to the application submitted by the former owner. Vice-President Robinson stated that the applicant requests a variance from the parking requirement of 128 spaces so that they can retain the courtyard. The proposed parking will include 117 spaces. Vice-President Robinson reported that the Code Enforcement Department will monitor the situation and that the Planning Commission has recommended that this zoning application not be opposed. Vice-President Robinson made a motion to request that Solicitor Middlebrooks attend the Zoning Hearing Board meeting on July 22, 2004. Councilperson Whitaker seconded the motion. The motion carried unanimously.

Personnel & Highway – Ms. Hagan

President Hagan requested that the Bid Award for the Ordinary Street and Sewer Contracts be tabled to allow for additional time to examine the proposals. Vice-President Robinson made a motion to table the bid award, seconded by Councilperson Whitaker. The motion carried unanimously.

Finance, Insurance & MBA – 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	809,430.63
Liquid Fuels Fund	<u>13,786.10</u>
Total	823,216.73

Councilperson Sherwin motioned that all bills be paid and properly approved. Councilperson Krull seconded the motion. Motion carried unanimously.

Councilperson Sherwin mentioned that Council would present ideas for the Community Town Fair to the Media Business Authority for their input. Councilperson Alyanakian encouraged residents to attend the MBA meeting on the 2nd Tuesday of each month. President Hagan encouraged residents to attend all public meetings.

Recreation, Grants, Recycling & Streetscape – Mrs. Krull

Councilperson Krull reported that the Home Run Derby held on Sunday, June 27, 2004, was a great success. Councilperson Krull thanked all those who contributed to the Fourth of July Celebration at Barrall Field on Saturday, July 3, 2004, 10am-noon.

Councilperson Krull mentioned the following Recreation Commission announcements:

- Junior Tennis Clinic – (Two Sessions)
Session 1 - August 9th - 13th, Session 2 - August 16th - 20th – Barrel Park
Cost is \$10 for Borough residents and \$20 for Non-Residents.
- Teen Nights will be suspended until September

Councilperson Krull provided a Streetscape update. Councilperson Krull made a motion to authorize the Borough Engineer to prepare and advertise bids for the Streetscape project pending authorization of PENNDOT. Vice-President Robinson seconded the motion. The motion carried unanimously.

Health & Shade Tree Commission – Mr. Alyanakian

Councilperson Alyanakian announced that the Environmental Advisory Committee (EAC) will be coordinating efforts to place inlet markers on Borough stormwater inlets reminding individuals not to dump trash into our waterways. The EAC is trying to involve area students to educate children.

Councilperson Alyanakian reported that the EAC will be expanding their solar energy initiative. The Borough will be receiving a grant to install solar panels on the Fire House, Court House, Library, Borough Hall, etc. Councilperson Alyanakian thanked Judy Fowler and Gary Sheehan for their assistance throughout the grant process.

Councilperson Alyanakian reported that the Shade Tree Commission is looking to plant at the Bowling Green Trolley stop and is working with Don Jackson on the design.

Councilperson Alyanakian reminded residents to eliminate standing water as it attracts mosquitoes and to place lids on trash containers to reduce health hazards.

Councilperson Alyanakian thanked Delaware County Council for providing safety training to elected officials. Councilperson Alyanakian reported that he had successfully completed the course.

Privilege of the Floor

Michael Charles, South Avenue, inquired if Council would consider implementing a phone-in option for the public to ask questions of Council during the monthly meeting. Mr. Charles explained that this would accommodate the concerns on residents who are unable to attend the meetings in Council Chambers. Council was open to avenues that would increase public participation and agreed to consider the logistics of his request. Vice-President Robinson reported that the Borough had received a grant award from Comcast that will allow the Borough to replay the Council meetings on the local access cable channel.

Kitty McFarland, Lemon Street, stated that she preferred the direct communication shared at the Council meetings and felt that phone-in calls would make the experience less personal. Ms. McFarland also suggested the Borough designate block captains to keep residents informed. Ms. McFarland would also like the Borough to explore the division between the MBA and residents.

Jane Rowland, E. Second Street, inquired if an activity had occurred regarding the former Burger King and Hallmark properties. Vice-President Robinson responded that he has not heard anything formal to date.

Sean Crane, W. 2nd Street, thanked Ralph DeRosa and the Public Works Department for their work of removing the 125-year old tree from in front of his property. Mr. Crane inquired as to what would become of the wood which was removed. Mr. Crane was told that it would be thrown away. Vice-President Robinson responded that the usual process was to reuse the lumber and would follow-up on this matter with the Public Works Department.

Mr. Crane also asked if anything could be done to have the Burger King property cleaned and maintained. Vice-President Robinson responded that the Code Enforcement Department will look into this matter.

Engineer Mulvena explained that the Transportation Enhancement Program was new when Media was awarded the grant and is glad that PENNDOT will allow Media to oversee and bid the project. Engineer Mulvena recommended a thank you letter be sent to DVRPC and PENNDOT. Council was in agreement with the suggestion.

Patrick Breslin inquired about recycling. President Hagan reported that the Highway Department's Garage will accept extra recyclables from Borough residents.

Adjournment

Vice-President Robinson made a motion to adjourn the meeting at 9:09 p.m. Councilperson Krull seconded the motion. Motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith
Borough Manager/Secretary