

MINUTES
BOROUGH COUNCIL MEETING
JULY 19, 2007

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, Williamson, Simpson, Derrickson and Tyson. Also present were Borough Manager Smith, Solicitor Scott, Treasurer Dimond and Engineer Walton.

President Daly called the meeting to order at 8:00 p.m. and led the salute to the flag. President Daly observed a moment for the passing of Dennis Harahan.

President Daly reminded viewers watching the meeting at home they can e-mail any questions/comments for Borough Council to questions@mediaborough.com and they will be addressed during the meeting.

Public Comment & Privilege of the Floor

Further discussions were held as a follow-up to the 7:30 p.m. Public Hearing regarding the Baltimore Avenue Overlay District Ordinance Amendments.

Christy Dick, 113 Pennock Place, inquired about the "Build to Line" with regard to the Baltimore Avenue Overlay District Ordinance. Councilman Williamson explained that there were a few options with regard to parking for new development on Baltimore Avenue. The options discussed were to place parking in the front (i.e. Pinocchio's Restaurant), side or rear. It was determined that placing parking in the rear was the best option.

On another topic, Christy Dick mentioned the neighborhood meeting held on July 17, 2007 pertaining to a possible development of Lincoln and Vernon Streets. Ms. Dick expressed her concerns with the proposed R-1 to R-2 change for the proposed five (5) twin homes. Councilman Williamson mentioned that he is the chairman of the Community Development Committee and as such the first step was to have the neighborhood meeting to obtain feedback from the residents. The proposal of five (5) twin homes is only one (1) option being explored. Councilman Williamson noted that the next step is to wait for the developer to come back to the Borough.

In returning to the topic of the Baltimore Avenue Overlay District Ordinance Amendments, Tom Comitta, Town Planner, described the logic behind some of the building guidelines that are built into the proposed ordinance. Solicitor Scott mentioned that a developer could build to the Right of Way line with the way the ordinance is currently written. Solicitor Scott noted that the Borough could either postpone adoption this evening or adopt with the intention of amending in the near future to modify the "Build to Line" to include a five (5) foot setback. Councilman Williamson noted his recommendation that Council adopt the ordinance this evening and amend at a later date.

Council Committee Reports

Community Development – Mr. Williamson

As a follow-up to the Public Hearing earlier in the evening and discussions during this meeting, Councilman Williamson made a motion to adopt Ordinance No. 1031 with regard to the Baltimore Avenue Overlay District Ordinance amendments. Councilman Derrickson seconded the motion. The motion carried unanimously. Further, Councilman Williamson made a motion to authorize the Solicitor to amend Ordinance No. 1031 in order to modify the “Build to Line” language to add a minimum five (5) foot setback. 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 110 S. Jackson Street. Councilman Derrickson seconded the motion. The motion carried unanimously. Councilman Alyanakian mentioned that he views the Minor Land Development/Change of Use requirements as burdensome and costly for the applicant. Councilman Williamson noted that Councilman Alyanakian raises valid concerns and this is something that will be reviewed at an upcoming Community Development meeting.

Approval of the Minutes

Vice-President Hall made a motion to approve the minutes from the June 21, 2007 Council meeting. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Public Comment & Privilege of the Floor

Letitia Jeavons, 216 N. Monroe Street, inquired about a flag holder to honor soldiers fighting the War in Iraq along the war memorial next to Brodeur’s on State Street. As the previous Commander of the American Legion, Treasurer Dimond responded that he will follow up on this request.

Zubair Khan, Executive Director of the Media Business Authority, raised concerns about pedestrian safety along State Street. Mayor McMahon indicated that ongoing discussions on this topic are being held with the Police Department. Vice-President Hall referenced a comprehensive article he read recently about pedestrian safety. Vice-President Hall will forward to Borough Manager Smith to distribute to the appropriate individuals. Councilman Derrickson noted that ideas from the Delaware Valley Regional Planning Commission (DVRPC) are being pursued. Councilman Derrickson reminded individuals that they should cross the street at an intersection for safety reasons. Councilman Derrickson made a motion to authorize the Borough Manager to apply for traffic calming grant funding through the DVRPC. Vice-President Hall seconded the motion. The motion carried unanimously.

Solicitor's Report

Solicitor Scott mentioned that the State of Pennsylvania amended the Emergency and Municipal Services Tax legislation with regard to how it is collected. Solicitor Scott is requesting that the Finance Committee review in the near future.

Mayor's Report – Mayor McMahan

Mayor McMahan reported the Police Department received and investigated 898 complaints during the month of June. There were two (2) reported burglaries. One (1) on June 21, 2007 along the 500 block of N. Plum Street and the other on June 29, 2007 along the unit block of State Road.

Mayor McMahan reported that Edward Fullmer is currently serving in Iraq.

Mayor McMahan reported that Barbara Bowman is currently working as a part-time Parking Enforcement Officer.

Mayor McMahan noted that WHYY will feature a special regarding World War II Veterans on July 31, 2007.

Council Committee Reports (continued)

Shade Tree Commission, Homeowners Association (HOA) & Environmental Advisory Council – Mr. Alyanakian

Councilman Alyanakian made a motion to authorize the Borough Manager to advertise bids for the installation of solar panels at the Borough Hall, Delaware County Court House, 1 W. State Street (former Borough Hall) and Youth Center building. Councilman Williamson seconded the motion. The motion carried unanimously.

Councilman Alyanakian displayed solar signs, which will be installed at each of the five (5) existing solar panel locations. These signs were received from the Sustainable Development Fund.

There were discussions regarding the adoption of a Vehicle Anti-idling Ordinance. Councilman Alyanakian noted that the Environmental Advisory Council endorses the adoption of this ordinance and encourages Council to be an environmental leader and vote in favor of this. Solicitor Scott mentioned that the Borough would not be able to enforce how a vehicle operates and that Council may want to wait until the State adopts such legislation. Councilman Alyanakian noted that this is a health and welfare issue with regarding to idling buses, etc. Councilwoman Simpson mentioned that she is in support of education rather than legislation on this issue. Vice-President Hall noted that he is agreement with Councilwoman Simpson. Councilman Tyson is in favor of this ordinance. Councilman Alyanakian made a motion to adopt Ordinance No. 1032 pertaining to Vehicle Anti-idling. Councilman Tyson seconded the motion. Borough Manager Smith took roll call on the vote. The motion was defeated 4-3, with President Daly, Vice-President Hall, Councilwoman Simpson and Councilman Williamson casting the majority votes to defeat the ordinance.

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

Councilman Derrickson made a motion to approve the Mass Gathering Permit Application for the Town Talk Newspapers' Fall Super Sunday event on September 9, 2007. Councilman Williamson seconded the motion. The motion carried unanimously.

Councilman Derrickson reported that the Media Fellowship House has recently completed upgrades to the building (paint, new windows, etc.) and thanked Honey Fix It for their services.

Councilman Derrickson mentioned that Wallingford, Pennsylvania (Nether Providence Township) was recently featured as one (1) of the top ten places to live in the United States.

Councilman Derrickson congratulated Police Chief Wusinich on his 20 plus years of service to the Borough.

Public Properties, Fire Committee, Personnel, Finance & Insurance – Mr. Daly

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

General Fund	\$ 334,891.37
Recreation Fund	\$ 7,721.97
Liquid Fuels Fund	\$ 5,719.17
Capital Fund	\$ 2,605.00
Total	\$ 350,937.51

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

President Daly deferred to Borough Manager Smith to explain the Sanitation Agreement for Local 473. Borough Manager Smith mentioned that the Sanitation Department would like to return to working four (4) ten (10) hour days. In exchange, the Sanitation Department will give up four (4) hours per week along with two (2) personal days. The Agreement was prepared by labor attorney, Patrick Harvey, and was subsequently reviewed and approved by the Personnel Committee. President Daly made a motion to approve the Sanitation Agreement with Local 473 as explained by Borough Manager Smith. Councilman Williamson seconded the motion. The motion carried unanimously.

President Daly made a motion to authorize the Borough Manager to advertise a Request for Proposals (RFP) for Act 511 tax collection services. Councilman Simpson seconded the motion. The motion carried unanimously.

President Daly made a motion to accept a payoff for back sewer fees from Media Real Estate for approximately \$53,000 and authorize the Solicitor to remove the liens. Councilwoman Simpson seconded the motion. The motion carried unanimously.

President Daly mentioned that Brodeur's on State Street is requesting approval to place a temporary canopy above their outdoor dining area. Since this building is a Borough-owned property, the applicant is seeking the Borough's approval. Engineer Walton reported that his previous concerns with water run-off have been addressed. Borough Manager Smith noted that the Code Enforcement Department has reviewed and gave guidelines for the canopy to be compliant with ICC regulations. The applicant will also be required to obtain a permit from the Code Enforcement Department. Councilwoman Simpson inquired about the temporary aspect to the canopy. President Daly mentioned that the temporary canopy could be addressed within an amendment to the lease agreement between the Borough and Brodeur's. Although, President Daly believes that the building is attractive "as is," he also believes that outdoor dining is a wonderful addition to State Street. President Daly mentioned that Brodeur's customers can be uncomfortable in the outdoor dining area on a hot day. For these reasons, President Daly is in favor of the canopy. Councilman Tyson mentioned that he is willing to support the canopy on a temporary basis noting that Mr. Brodeur may come back next year with a permanent structure proposal for approval. Vice-President Hall does not feel that the canopy is attractive and does not intend to support the request. Councilman Alyanakian noted that he will support the request. Kitty McFarland, W. State Street, mentioned that the building is unique to the town and she does not feel this canopy is attractive. President Daly made a motion to approve the temporary canopy request for 1 W. State Street to run concurrent with the outdoor dining timeframe contingent upon an amendment to the lease and the issuance of a permit. Councilman Tyson seconded the motion. Borough Manager Smith took roll call on the vote. The motion carried 4-3, with Vice-President Hall, Councilwoman Simpson and Councilman Derrickson casting the dissenting votes.

President Daly reported that the Finance Committee met earlier in the evening and will meet again in August prior to the Council meeting.

President Daly reported that the Strategic Finance Committee meets on the second Wednesday of each month.

Code Enforcement, Media Arts Council, Streetscape & Litter Task Force – Mr. Hall

Vice-President Hall made a motion to authorize the Solicitor to draft and advertise a Hotel/Motel Ordinance limiting an individual's stay to no more than 30 days, etc. Councilman Derrickson seconded the motion. The motion carried unanimously.

Vice-President Hall made a motion to authorize the Solicitor to draft and advertise an Ordinance Creating Standards for Efficiency Apartments at 375 square feet, etc. Councilman Williamson seconded the motion. The motion carried unanimously.

Vice-President Hall made a motion to temporarily appoint Mike Constantino (Robert Linn Associates) as the Certified Building Code Official. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Vice-President Hall reported that the Borough received a grant to conduct a study with regard to the effect that cigarette butts have on litter.

Vice-President Hall thanked the Hickory Hill Condominium Association for a productive meeting held on July 16, 2007 with regard to their fire alarm system.

Recreation, Technology, Media Business Authority & Lighting –

Mrs. Simpson

Councilwoman Simpson reported that Media Business Authority and Media Arts Council Second Saturday event on July 14, 2007 was a success. Councilwoman Simpson congratulated the winners of the Fair Trade Award.

For upcoming Media Business Authority sponsored events, please visit www.visitmediapa.com.

Councilwoman Simpson announced the following for the Recreation Department:

- Summer camp is going well. The Recreation Department has received positive feedback regarding the camp this year.
- Children's tennis clinics will commence in August 2007
- An Outdoor Movie Night was held last weekend with approximate 200 people in attendance. Another Outdoor Movie Night will be held on Saturday, August 18, 2007 at Barrall Field.
- A July 4th celebration will be held on Wednesday, July 4, 2007 at Barrall Field from 10:00 a.m.- 1:00 p.m.
- An Open Space Grant in the amount of \$10,000 was received for Houtman and Phillip Green Parks. Councilman Williamson added that his employer, Natural Lands Trust, is the administrator of the grant and made note that he did not participate in the review of the applications.

Health, Historic Preservation & Library – Mr. Tyson

Councilman Tyson announced the following being hosted by the Media Theatre:

- Delco Idol Contest – narrowed down to 20 contestants.
- Singer-Songwriter Summer Series on Saturdays at 8:00 p.m. during July and August.
- High School Musical is showing through August 12, 2007.

Councilman Tyson reported that the summer reading program at the Media-Upper Providence Library is underway with Commerce Bank and ColdStone Creamery offering incentives.

Councilman Tyson explained the concept behind the PhillyCarShare Program and indicated that a meeting took place recently with representatives of the company, along with Borough officials, SEPTA officials and representatives from the Delaware County Transportation Management Association. It was determined that Media is an ideal location for the PhillyCarShare Program in an effort to get vehicles off the road. One (1) parking space in the vicinity of State Street and Veterans Square will be dedicated to a hybrid vehicle. The vehicle will be available for rental by Media Borough residents. This is a win-win situation with no liability involved on behalf of the Borough. Vice-President Hall mentioned that this is a wonderful program and supports it. Councilman Alyanakian noted that this is a great program for Media and is another step in the right direction with regard to the environment. Councilman Tyson made a motion to express support of the PhillyCarShare Program, dedicate one (1) parking space in the vicinity of State Street and Veterans Square and authorize the Community Development Committee to resolve the final details of the program. Councilman Williamson seconded the motion. The motion carried 6-1, with Councilman Derrickson abstaining.

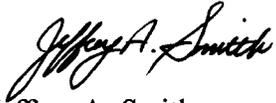
Public Comment & Privilege of the Floor

Bob Green mentioned he is pleased to be living back in Media Borough once again.

Adjournment

Councilwoman Simpson motioned to adjourn the meeting at 10:30 p.m. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink that reads "Jeffrey A. Smith". The signature is written in a cursive style with a large initial 'J' and 'S'.

Jeffrey A. Smith
Borough Manager/Secretary