

**MINUTES**  
**BOROUGH COUNCIL MEETING**  
**February 21, 2019**

Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahon, President Hall, Vice-President A. Johnson, Councilmen Boyer, Robinson and Williamson, Councilwomen Dixon and L. Johnson. Also present were Solicitor Scott, Engineer Matson and Manager Smith.

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

**Approval of Minutes**

President Hall made a motion to approve the January 3, 2019 Workshop meeting minutes. Councilwoman Dixon seconded the motion. The motion carried unanimously.

President Hall made a motion to approve the January 17, 2019 Council meeting minutes. Councilwoman Dixon seconded the motion. The motion carried unanimously.

**Ceremony**

Mayor McMahon and Chief Wusinich conducted the swearing in of two full-time officers, Jenna Long and Jonathan Joseph.

**Public Comment and Privilege of the Floor**

Zubair Khan of the Media Business Authority and Jane Valdez-Dapena of the Media Arts Council mentioned Media Arts Week that will take place September 21 – 28, 2019.

Michael Straw of W. Jefferson Street mentioned the agenda for this meeting was not on the website. Mrs. Repino mentioned that the agenda was placed on the website and she was not aware of an error and will look into the issue.

Mr. Straw mentioned last month's agenda and inquired why the stipulation agreement between the Borough and BLCC was not listed. President Hall mentioned that Council does not monitor the agenda and Council does not have control over what is on the agenda. President Hall mentioned often times he doesn't see the agenda until the day before the meeting, therefore he doesn't have an answer why or why not items are on the agenda. President Hall mentioned the agenda is generated administratively and when Council received the agenda a couple of days prior to the meeting the stipulation agreement was listed and he cannot explain why it is not now.

Mr. Straw mentioned the Olive Street Parking Garage and asked why the public was not notified that the parking garage was closed. Engineer Matson responded that StructureCare is evaluating the problem areas of the garage and there is no set schedule for closings. Engineer Matson mentioned that the structural engineers believe the garage is safe but needs some attention. Mr. Straw suggests that closing of any parking areas should be publicized.

### **Engineer's Report**

Engineer Matson had no report.

### **Solicitor's Report**

Solicitor Ewald had no report.

### **Mayor's Report**

Mayor McMahon reported that the police department received and investigated 652 complaints during the month of January.

### **Council/Committee Reports**

#### **Properties, Public Works and Fire** – Mr. Robinson

Councilman Robinson made a motion to authorize the Borough enter into an agreement with the Pennsylvania Department of General Services for the purchase of road salt for the August 2019-July 2020 season. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilman Robinson made a motion to adopt Resolution #2019-13 regarding the application for County Aid in the amount of \$25,000 to be utilized for the 2019 road resurfacing project. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilman Robinson made a motion to authorize the Borough Manager, Solicitor and Engineer to place an advertisement for bids for the 2019 Road Resurfacing Project. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilman Robinson made a motion to adopt Resolution #2019-14 for the disposition of a 2001 Ford F550 with spreader and plow for the amount of \$8,000. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilman Robinson made a motion to adopt Resolution #2019-15 for the disposition of a 2006 Ford F550 with spreader and plow for the amount of \$11,380. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilman Robinson made a motion to adopt Resolution #2019-16 for the disposition of a leaf vacuum for the amount of \$4,300. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilman Robinson made a motion to adopt Resolution #2019-17 for the disposition of a up to 180 banquet chairs. Councilwoman Dixon seconded the motion. The motion carried unanimously.

**MBA, Historic, Public Safety and Civil Service** – Ms. L. Johnson

Councilwoman L. Johnson made a motion to ratify an offer of employment to Jenna Long and Jonathan Joseph as full-time police officers. Councilman Robinson seconded the motion. The motion carried unanimously.

Councilwoman L. Johnson made a motion to approve the mass gathering permit application for Town Talk Newspapers' Spring Super Sunday Event to be held on Sunday, April 14, 2019 (rain date: Sunday, April 28, 2019) from 7:00 a.m. to 5:00 p.m. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilwoman L. Johnson made a motion to approve the mass gathering permit application for Media Business Authority's 12<sup>th</sup> Annual Dining under the Stars to be held on Wednesdays, May 1 through September 25 from 4:00 p.m. to 11:00 p.m. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilwoman L. Johnson made a motion to approve the mass gathering permit application for Craft Brewers Festival scheduled for Saturday, May 4, 2019 from 7:00 a.m. to 7:00 p.m. to be held at Iron Hill Brewery with the condition that amplified music be kept to a minimum. Councilman Robinson seconded the motion. The motion carried unanimously.

Councilwoman L. Johnson made a motion to approve the mass gathering permit application for the Town Talk's Media Art and Craft Show scheduled for Sunday, June 9, 2019 (raindate: June 16, 2019) from 7:00 a.m. – 5:00 p.m. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilwoman L. Johnson made a motion to approve the mass gathering permit application waiving the application fee, allowing the use of Borough logo and Dandelions Digital's services and declining the request for waiving the fees for police and public works overtime for the Media Open Streets 2019 to be held on Saturday, September 28, 2019 from 9:00 a.m. to 3:30 p.m. Councilman Robinson seconded the motion. Councilwoman Dixon made a motion to table the motion, there was no second, therefore the motion failed. The original motion carried, 6 – 1 with Councilwoman Dixon casting the dissenting vote.

Councilwoman L. Johnson made a motion to adopt Resolution #2019-18 appointing David Krull to the Media Business Authority for a term expiring 12/31/2021. Councilman Robinson seconded the motion. The motion carried unanimously.

Councilwoman L. Johnson made a motion to authorize a grant agreement with DVRPC for creation of a traffic calming plan for \$90,000 with a Borough match of \$22,500. Vice President Johnson seconded the motion. The motion carried unanimously.

Councilwoman L. Johnson made a motion to authorize the advertisement of a request for proposals for a traffic calming plan. Councilman Robinson seconded the motion. The motion carried unanimously.

**Fair Trade, Farmer’s Market, Shade Tree and EAC** – Mrs. A. Johnson

Vice President A. Johnson mentioned the farmer’s market and reminded residents to contact the Borough office regarding any dangerous trees.

**Community Development, Personnel and Media Arts Council** – Mr. Hall

President Hall mentioned a zoning hearing board application for 115 W. State Street. The applicant is asking to continue a non-conforming office use. The Planning Commission recommends that Council not oppose and not send the Solicitor to oppose. Council will not oppose.

President Hall mentioned a zoning hearing board application for 413 South Avenue for the installation of a pergola larger than what code allows. The Planning Commission recommends that Council not oppose and not send the Solicitor to oppose. Council will not oppose.

President Hall mentioned a zoning hearing board application for 328 W. 4<sup>th</sup> Street to build a 19 foot garage in the front of the property. The Planning Commission recommends a 3-bay garage at 14 feet high. Council does not oppose the request for variance on the placement of the garage. Councilman Robinson made a motion to send the Solicitor to oppose the height variance of the proposed structure. The motion was seconded by Councilwoman Dixon. The motion passed 4 -3, with President Hall, Vice President Johnson and Councilman Boyer casting the dissenting votes.

President Hall made a motion to issue a Certificate of Appropriateness for 101 Haldeman Street for installation of a patio in front of the home. HARB recommends approval as long as materials used are those specified in the HARB guidelines and the homeowner install a retaining wall. Councilman Robinson seconded the motion. The motion passed unanimously.

**Recreation and Board of Health** – Mr. Boyer

Councilman Boyer announced upcoming Recreation events including the Family Dance.

**Finance and Library** – Mr. Williamson

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

General Fund	\$ 444,026.35
Recreation Fund	4,299.11
Liquid Fuels Fund	0.00
Capital Fund	<u>83,951.39</u>
Total	\$ 532,276.85

Councilman Williamson made a motion to approve the payment of bills for January. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to approve a proposal from Dallas Data Systems for Caselle Financial software for an amount not to exceed \$59,650. Councilman Robinson seconded the motion. The motion passed unanimously.

Councilman Williamson made a motion to approve a proposal from NV5 for the 5<sup>th</sup> & Broomall Park bid specs, etc. for an amount not to exceed \$52,500. Councilman Robinson seconded the motion. The motion passed unanimously.

**Personnel, Public Relations and Historical Archives** – Ms. Dixon

Councilwoman Dixon made a motion to accept the resignation/retirement of Holly Speckhals, the part-time code enforcement administrative assistant. Councilman Robinson seconded the motion. The motion passed unanimously.

**Public Comment and Privilege of the Floor**

Michael Straw of W. Jefferson Street mentioned that it was previously stated that the administrative staff creates the agenda and Council sees the agenda prior to the meeting. If Council knew that the stipulation agreement was going to be discussed at the meeting why didn't Council reach out to the administrative staff prior to the meeting and have the agenda corrected? President Hall responded that at the time Council received the agenda the stipulation agreement was on the agenda. Solicitor Scott mentioned that it was he who suggested that "Rescind the MERC ordinance" be listed on the agenda, in retrospect it would have been more appropriate to list "Approve Settlement Stipulation and Rescind the MERC Ordinance".

Mr. Straw asked if the Borough is seeking a permit for Third Street Dam. President Hall mentioned a permit cannot be applied for until a design is in place. PennDot and DEP are in charge. Mr. Straw asked if the Borough is still being held in contempt of court regarding the dam? Solicitor Scott replied no, the order states the Borough needs to proceed with building a dam and the Borough is doing so, however it is a very long process.

**Adjournment**

President Hall mentioned that at the conclusion of this meeting, Council will meet in executive session to discuss a potential litigation matter regarding a property at 3rd and West Streets.

President Hall made a motion to adjourn the Council meeting at 10:00 p.m. Councilwoman Dixon seconded the motion. The motion carried unanimously.

Respectfully submitted,

Jeffrey A. Smith  
Borough Manager/Secretary