

**MINUTES
BOROUGH COUNCIL MEETING
SEPTEMBER 18, 2008**

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, Simpson, Derrickson, Cunningham and Williamson. Also present were Borough Manager Smith, Treasurer Deitch, Solicitor Ewald and Engineer Walton.

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

Approval of the Minutes

Councilwoman Simpson made a motion to adopt the minutes from the August 7, 2008 Special Meeting, August 21, 2008 Public Hearing and August 21, 2008 Council Meeting. Councilman Alyanakian seconded the motion. Councilman Williamson mentioned a revision to the title of the August 21, 2008 Public Hearing minutes, as it should indicate the Buffer Requirement. The motion to adopt all three (3) sets of minutes carried unanimously with the one (1) revision as noted.

Public Comment & Privilege of the Floor

President Daly reminded viewers watching the meeting at home they can e-mail any questions/comments to Borough Council at questions@mediaborough.com and they will be addressed during the Public Comment & Privilege of the Floor segment of the meeting.

Karen Kapral, 430 W. Jefferson Street, mentioned that her vehicle was towed from State Street as a result of the Fair Trade Live Concert held on Sunday, September 14, 2008. Ms. Kapral noted that the signs for this event were not noticeable and expressed her concern about knowing when events are happening within the business district. Ms. Kapral suggested using bags over meters as is done in other municipalities; the use of banners, which indicate information about parking; or perhaps notification in the windows of various restaurants/businesses. Mayor McMahon mentioned that he would like to resolve this situation going forward as there were 11 vehicles towed as a result of this event. Since it was determined that the notification of the event was not comprehensive or timely, Councilman Cunningham made a motion to reimburse the towing costs for the 11 vehicles towed on September 14, 2008. Councilman Alyanakian seconded the motion. The motion carried unanimously.

John McBlain, Delaware County Republican Executive Committee, mentioned a Mass Gathering Permit Application for Monday, September 22, 2008 for a John McCain/Sarah Palin campaign event at Front Street and Veterans Square. Mr. McBlain discussed the request for street closures as follows: Front Street (from Olive Street to Orange Street), Veterans Square (from Front Street to Baltimore Avenue), State Street (from Olive Street to Orange Street) and Jasper Street. Mr. McBlain noted that the street closures on the permit are subject to review by the United States Secret Service. Councilman Alyanakian inquired if the County of Delaware intends to release their employees early on that day. Mr. McBlain responded that there are currently no plans to do so as the event will begin at 5:30 p.m. Some discussion was held regarding a street closure on the Saturday prior while the construction of bleachers is taking place. Mr. McBlain noted that the Republican National Committee will reimburse the Borough for all costs (police, public works, etc.) associated with this event. President Daly noted that this permit also includes the request for tree trimming and hanging flags along Veterans Square. Councilman Cunningham made a motion to approve the Mass Gathering Permit Application for this event subject to the Mayor and Councilman Derrickson finalizing the details with the Public Safety Committee and the event organizer. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Cunningham made a motion to declare Monday, September 22, 2008 Senator John McCain/Governor Sarah Palin day in Media Borough. Councilman Alyanakian seconded the motion. The motion was defeated 5-2, with President Daly, Vice-President Hall, Councilwoman Simpson and Councilmen Williamson and Derrickson casting the majority votes.

Robert Green, 40 E. Jefferson Street, mentioned that it would be a good idea for the County offices to close on Monday due to the scheduled event. Mayor McMahan responded that he believes this would happen only if a sitting President were to come to town.

Engineer's Report

Councilman Cunningham thanked Engineer Walton for the sidewalk and crosswalk report along State Street (between Orange and Monroe Streets).

Solicitor's Report

Solicitor Ewald provided an update on judgment actions that were filed recently, mentioning that this should be resolved in December.

Mayor's Report – Mayor McMahan

Mayor McMahan mentioned that Mr. Green had a good idea about the County offices closing on Monday. Mayor McMahan suggested that the Borough make such a request to County Council. Borough Manager Smith mentioned he would make the request to the Executive Director tomorrow morning. Councilwoman Simpson suggested that the Borough also contact the Rose Tree Media School District, businesses and residents regarding this event.

Mayor McMahon reported that the Police Department received and investigated 855 complaints during the month of August with no reported burglaries. There were 260 part-time hours worked for the month.

Councilman Cunningham discussed traffic patrols by the Police Department at the intersection of Front and Edmont Streets and inquired as to how many times they have been out. Mayor McMahon mentioned that he met with all officers regarding traffic patrols and they feel they have a handle on this issue. Councilman Cunningham suggested patrol of the following intersections as well: Centennial Avenue at W. 8th Street, N. Olive Street at W. 8th Street, N. Jackson at 8th Street and Providence Road after dark.

Councilman Cunningham thanked Mayor McMahon for taking a leadership role on the towing situation after the Fair Trade Live Concert event and for taking a firm stance on the one-way request on Manchester Avenue.

Council Committee Reports

Recreation, Fire, Parking, Library & Homeowners Association (HOA) – Mr. Alyanakian

Councilman Alyanakian mentioned an idea of considering outsourcing the summer recreation program to the Media Youth Center as they intend to start offering many new programs, etc. Councilman Alyanakian mentioned that this may be a great opportunity to utilize this resource and a way for the Youth Center to offer services year round. The Recreation Board will discuss this during their October meeting.

Councilman Alyanakian reported that the September Outdoor Family Movie Night was cancelled due to adverse weather concerns.

Councilman Alyanakian noted that Tai Chi classes are being offered to all residents.

Councilman Alyanakian mentioned that the Media-Upper Providence Library is offering many services. Please check with the library for their current list of events.

Councilman Alyanakian mentioned that the draft of the Parking Study report should be received from the consultant in late October if the surveys are circulated in the next few weeks. Borough Manager Smith noted that the consultant will attempt to distribute a survey to County employees in the next few weeks.

Councilman Alyanakian reported that the Media Fire Company received over 100 fire and rescue calls during the month of August. Councilman Alyanakian reminded residents to support the fire and EMS personnel by moving out of the way of apparatus as they are dispatched to calls.

Councilwoman Simpson inquired as to how the idea to outsource the summer recreation program was received. Councilman Alyanakian responded that this is merely an idea at this point and the Executive Director of the Youth Center will be invited to the October meeting to make a presentation. Councilwoman Simpson inquired who would incur the costs for this endeavor. Councilman Alyanakian responded by stating that the idea is for the Borough to hire the Youth Center and they would incur the costs. Councilman Alyanakian mentioned Middletown and Upper Providence Townships are looking to enhance their summer recreation programs as well.

Public Safety, Highway & Emergency Management – Mr. Derrickson

Councilman Derrickson mentioned a meeting recently with Mayor McMahon and the police officers. Councilman Derrickson mentioned that he has a copy of a report regarding grant applications through the Police Department if any member of Council would like to see the report.

Councilman Derrickson mentioned that a Public Hearing was held earlier this evening to discuss changing Manchester Avenue to one-way south from Front to State Streets. With that said, Councilman Derrickson made a motion to authorize the Solicitor to draft and advertise an ordinance changing Manchester Avenue to one-way as noted above. Councilman Cunningham seconded the motion. The motion carried unanimously.

Councilman Derrickson made a motion to authorize the Solicitor to draft and advertise Traffic Ordinance amendments. Councilwoman Simpson seconded the motion. The motion carried unanimously.

With regard to the installation of a stop sign at 5th and Monroe Streets, Councilman Derrickson mentioned that the Police Department performed a study. Councilman Derrickson deferred to the Engineer on this matter. Engineer Walton mentioned that the accident history has been reviewed along with the speed study. Engineer Walton mentioned that this may meet PennDOT's warrants of the stop sign. Mayor McMahon inquired about the site distance on the south side of this intersection. Engineer Walton mentioned that he feels the site distance is adequate. Councilman Williamson inquired as to how this compares to the 3rd and Monroe Street intersection. Engineer Walton responded that there is more traffic at 5th and Monroe Streets. Councilman Williamson made a motion to install a stop sign at 5th and Monroe Streets as the accident history meets the warrants of PennDOT. Councilman Alyanakian seconded the motion. Councilman Cunningham made a motion to amend the motion to also erect a four (4) way stop sign on N. Lemon Street at W. 3rd Street due to his belief that site distances are worse at 3rd and Lemon Streets. Councilman Williamson did not accept the amendment to the motion and indicated that he would agree to a traffic study of this area. The motion to approve the installation of a stop sign at 5th and Monroe Street carried 5-2, with President Daly and Councilman Derrickson casting the dissenting votes.

Councilman Williamson made a motion to authorize the Borough Engineer to perform a traffic study at 3rd and Lemon Streets. Councilman Cunningham seconded the motion. The motion carried unanimously.

With regard to the awarding of Maintenance Contracts, Councilman Derrickson noted that this matter should be deferred, as more time is needed to go over the tabulation information with the Borough Engineer. It is anticipated that this matter will be presented next month.

Councilman Derrickson made a motion to approve a Mass Gathering Permit Application for the Recreation Board and Kaos Surf Shop on Saturday, September 20, 2008 for Edgmont Street between State and Front Streets from 12:00-3:00 p.m. Councilman Williamson seconded the motion. The motion carried unanimously.

Councilman Derrickson expressed condolences to a Borough Dispatcher on the recent passing of her mother.

Councilman Derrickson announced the NAACP will hold their annual Health Fair on Saturday, October 11, 2008 in the Community Center.

Councilman Cunningham mentioned a problem with the ability of sanitation trucks to turn onto Valley Place. Councilman Cunningham requested that the Public Safety Committee review this matter.

Councilman Cunningham mentioned the deteriorating condition of the parking lot at Citron and Amber Streets and inquired if the Public Safety Committee could look at this as well. Councilman Alyanakian responded that the County of Delaware has this on the list within their capital budget to be paved in 2009.

Councilman Cunningham inquired if the blocked out parking spaces across from the Media Theatre along State Street are excessive. This matter will be reviewed by the Public Safety Committee.

Councilman Cunningham inquired about the status of David Daniel's application to serve on the Emergency Management Committee. Councilman Derrickson will follow up on this matter.

Community Development – Mr. Williamson

Councilman Williamson made a motion to adopt Resolution #2008-07 pertaining to a DEP Planning Module (sewer) for the Pyramid Developers project at Lincoln and Vernon Streets. Councilman Alyanakian seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

Councilman Williamson made a motion to authorize the Solicitor to draft and advertise a Perpendicular Sign Ordinance. Councilman Williamson mentioned that the proposed ordinance would allow six (6) square feet of signage to protrude vertically from buildings within the ROA district along side streets. Councilman Williamson noted that the Media Business Authority was in favor of the proposed ordinance. Councilwoman Simpson seconded the motion. The motion carried unanimously.

In preparation of the 2009 budget, Councilman Williamson made a motion to authorize the advertisement of a Request for Proposals (RFP) for the implementation of a Geographic Information Systems (GIS). Councilman Williamson explained that GIS is widespread among planning agencies and includes such items as tax parcels, roads, storm sewers, locations of street trees and fire hydrants. Councilwoman Simpson seconded the motion to advertise the RFP for the implementation of a GIS. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

Councilman Williamson announced a vacancy on the Planning Commission. Interested individuals should submit a letter of interest to Borough Manager Smith. No previous experience is necessary.

Councilman Cunningham noted the failure of the Borough to follow-up on Zoning Hearing Board adjudications and suggested that the Borough be more diligent on enforcement of these matters. Councilman Williamson mentioned that the Community Development Committee will discuss this matter.

Properties, Personnel, Finance & Insurance – Mr. Daly

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

General Fund	\$ 174,533.47
Recreation Fund	\$ 1,594.73
Liquid Fuels Fund	\$ 3,097.89
Capital Fund	<u>\$ 17,134.51</u>
Total	\$ 196,360.60

President Daly motioned that bills be paid when properly approved for all funds. Councilman Williamson seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

President Daly mentioned the 2009 Minimum Municipal Obligation (MMO) for non-uniformed employees and police pension plans. Borough Manager Smith noted the numbers as follows: \$410,021 and \$95,176 for a total \$505,197. The Borough is required to adopt the MMO by September 30, 2008. Councilman Cunningham mentioned that these numbers are staggering and would like the Borough to take a look at reducing our obligations going forward. President Daly made a motion to adopt the 2009 MMO for non-uniformed and police pension plans. Councilman Derrickson seconded the motion. The motion carried unanimously.

With regard to the dates for advertisement of bids for the sale of the property at 1 W. State Street, the Finance Committee met with an advisory consultant regarding the marketing of this property. The Finance Committee will report back to Council.

President Daly announced that an Executive Session was held prior to this evening's Council meeting in order to discuss a real estate matter.

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

Vice-President Hall made a motion to adopt Ordinance No. 1049 pertaining to a comprehensive Litter Ordinance. Councilwoman Simpson seconded the motion. Councilman Cunningham mentioned that while this is a good ordinance, he expressed his concerns over who is going to enforce the ordinance. Vice-President Hall noted that the primary enforcement will fall under the Code Enforcement Department. Vice-President Hall mentioned that he will work with Code Enforcement Department on this matter.

Vice-President Hall made a motion to adopt Resolution #2008-06 regarding the implementation of a Sidewalk Reimbursement Program. The 50/50 Sidewalk Rebate Program is a cost-sharing program to assist property owners with the replacement of sidewalks heaved by Borough trees. The reimbursement will not exceed \$150 for each concrete block heaved by a Borough tree. Councilman Derrickson seconded the motion. Councilman Alyanakian mentioned that he doesn't understand this resolution, as he believed the Borough already had a similar program on the books. Councilman Cunningham responded that the new program includes no income limitations. Councilman Cunningham suggested that the Borough look beyond this program at all hazardous sidewalk situations and mentioned that Code Enforcement should address this via citations. The motion to adopt Resolution #2008-06 regarding the implementation of a Sidewalk Reimbursement Program was adopted unanimously.

Vice-President Hall made a motion to authorize the Solicitor to draft and advertise an amendment to the Animal Code to change the wording from "dogs" to "dogs and other animals." Councilman Derrickson seconded the motion. The motion was defeated 4-3, with Councilwoman Simpson and Councilmen Cunningham, Williamson and Alyanakian casting the majority votes.

Vice-President Hall made a motion to approve the request to hang flags along Veterans Square for the Senator McCain/Governor Palin visit on Monday, September 22, 2008 at the discretion of the Public Works Director. Councilman Cunningham seconded the motion. The motion carried unanimously.

Vice-President Hall announced that the next household hazardous waste collection will take place on Saturday, October 16, 2008 from 9:00 a.m.-3:00 p.m. at Rose Tree Park.

Vice-President Hall announced a photography contest sponsored by the Media Arts Council. The deadline for registration is September 27, 2008 by 1:00 p.m. Please visit www.mediaartscouncil.org for more information.

Vice-President Hall thanked everyone who assisted during the Fair Trade Live Concert event.

Vice-President Hall mentioned that the Borough needs approximately 40 more households to sign up for SmartPower.

Vice-President Hall mentioned smoke-free legislation that was adopted by the state approximately a week ago. Councilman Williamson inquired if the Borough can invest in cigarette butt disposal devices for the individuals who will be going outside of bars/restaurants to smoke. Vice-President Hall responded that the Borough can look into this.

Technology & Media Business Authority – Mrs. Simpson

Councilwoman Simpson mentioned that the Media Business Authority has approximately nine (9) sub-committees to address the following: holiday events, welcoming committee for new businesses, music series, website, Dining Under the Stars, Antiques Day, public relations and event review board.

Councilwoman Simpson announced that the Great Media Garage Sale will be held on Saturday and Sunday, September 20 and 21, 2008 from 8:00 a.m.-4:00 p.m. Maps will be available at the Borough Hall, Koffee Korner and Quincy's. Councilwoman Simpson reminded everyone to watch for pedestrians during this event.

Councilwoman Simpson announced that the last Dining Under the Stars event for the year will be held on Wednesday, September 24, 2008.

Councilwoman Simpson announced that the Food and Craft Festival will be held on Sunday, October 5, 2008 from 10:00 a.m.-5:00 p.m.

Councilwoman Simpson announced that the Jazz by Night event will be held on Saturday October 18, 2008 from 7:30 p.m.-1:00 a.m. Please check www.visitmediapa.com for further information on all events.

Councilman Alyanakian inquired if there has been any talk of including Media Arts Council and Fair Trade events under the Media Business Authority. Councilwoman Simpson noted that the two (2) questions that come to mind would be 1) Do they want to be a part of the Media Business Authority and 2) Does the Media Business Authority want to work with these groups? Councilman Alyanakian thought this may be a good way to streamline events and provide a better way of managing communication during events, etc. Councilwoman Simpson reminded everyone that the funding for the Fair Trade Live Concert came directly from Fair Trade and not Media Business Authority. Vice-President Hall inquired if this is something that can be discussed directly with the Media Arts Council. Councilman Alyanakian responded that perhaps it could be discussed with the Media Business Authority first. Monika Rehoric, Media Business Authority President, mentioned a set of guidelines that were established and brought before Council earlier this year. Councilman Alyanakian mentioned that he did not recall these guidelines. Councilwoman Simpson mentioned that perhaps the Public Safety Committee can begin reviewing these guidelines. Councilman Cunningham suggested that the exclusion of dogs from events be included in the guidelines, as he repeatedly notices dogs at various events.

Shade Tree Commission, Historic Preservation & Lighting – Mr. Cunningham

Councilman Cunningham mentioned that the Community Development Committee met on September 10, 2008 and discussed the proposed Historic Preservation Overlay District Ordinance. Solicitor Scott is preparing a final draft, which will be presented to Council during the October Workshop meeting. The list of properties that would be affected by this ordinance has been reduced to approximately 78.

Councilman Cunningham noted a couple areas for tree trimming including N. Monroe Street (north of 6th Street) and E. Third Street (east of Edgmont).

Councilman Cunningham inquired if there has been any response from County Council regarding their interest in acquiring the Briggs Tavern building. Borough Manager Smith mentioned that he has traded voicemails with the County and spoke with someone briefly on this matter. It was determined that the County will check with officials and report back to the Borough on this matter.

Councilman Cunningham made a motion to send a resolution to the Delaware County Institute of Science, 11 Veterans Square, congratulating them on their 175th anniversary. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Cunningham made a motion to send a letter of appreciation to Heather Arata for her assistance on a public safety matter at a recent Dining Under the Stars event. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Councilman Cunningham made a motion to send a resolution to Patrolman Edward Fullmer in appreciation of his military service. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Adjournment

Councilman Cunningham motioned to adjourn the meeting at 10:30 p.m. Councilman Derrickson seconded the motion. The motion carried unanimously.

Respectfully submitted,

Jeffrey A. Smith
Borough Manager/Secretary