



BOROUGH OF YEADDON
DELAWARE COUNTY, PENNSYLVANIA
BOROUGH COUNCIL SPECIAL MEETING MINUTES
December 23, 2020

Meeting began at 7:00 p.m.

The Solicitor stated that this meeting is being recorded. Pursuant to the Governor's Emergency Declaration this meeting is being conducted via Zoom. There is no reasonable expectation of privacy in this meeting. By participating in this meeting, you are consenting to being recorded.

I. ROLL CALL

Rohan K. Hepkins, Mayor	Present
LaToya Monroe, President	Present
Ronald Francis, Vice President	Present
Clara Johnson	Present
Rafi Cave	Present
Dolores McCabe	Present
Tomeka (Taliah) Jones-Waters	Present
Liana Roadcloud	Present
Mironda Presswood, Manager	Present
Charles Gibbs, Solicitor	Present
Nafis Nichols, Finance Director	Present

II. CITIZENS FORUM

1. None.

III. SOLICITOR'S REPORT

1. The Solicitor asked to hold a public hearing for consideration of the parking ordinance to which there was no response from the public. Mr. Gibbs stated this ordinance is being considered because there are a number of automobiles on private property that do not operate or are junk. Research was conducted and certain circumstances were considered. For example, if a person passes away. Also, defined in the ordinance is junked motor vehicle, car parts, inoperable and nuisance motor vehicle, removal, and unsheltered storage.

Discussions were held with Chief Paparo about car covers, which are tarps or other devices that cover vehicles, and secured to the vehicle with bungee cords or other devices with a license plate window. The tarps and permits will be approved by the

Code Enforcement Department. If the permit is denied, the person can appeal to Council. The Borough will give notification to remove the vehicle. If it is not removed, then inspection of the premises, fines, and/or liens against the property.

Also, nuisance vehicles are prohibited. The permit is for vehicles being repaired and that are not a danger to the Borough. Every day the vehicle is left on a property without a permit after a notice, will result in a fine of at least \$100 (not less than \$100, but not more than \$1000, plus the cost of prosecution). The Borough will also have the ability to abate and lien, if necessary. If any part of this ordinance is deemed unconstitutional, illegal, or inconsistent the rest of the ordinance will stand. The Solicitor opened the floor for questions and amendments.

Councilor inquired about the appeal process and how many vehicles a person would be permitted to have.

The Solicitor answered the Pennsylvania Administrator Procedure Act section 2, states when there is an appeal Council cannot designate what is frivolous or not. Council may appoint a Hearing Board which the Ordinance & Zoning Committee currently serves in that capacity and they can make a recommendation to Council. The Borough cannot limit the reasons for the appeal if there is a denial.

The Solicitor answered residents can apply for one (1) vehicle. In section 285-92(c) it states allowing a variance with the requirements set forth by this chapter for one single junk vehicle on the property. This does not mean residents can only park one car on their property.

The Solicitor said section J should be a section directing the Borough administration and Solicitor to develop regulations in accordance with the ordinance. We will have to develop an application process and a process by which we evaluate the application. The Solicitor recommends amending section J to relating to regulations and applications.

Motion to amend section "J" (of Ordinance 285) relating to regulation and application (under Ordinance #2020-1397).

Moved By: Councilor Cave

Seconded By: Vice President Francis

Unanimous

The Solicitor noted Ordinance #2020-1397 has been properly advertised and this is not a substantial change to the ordinance, thus it is permissible for Council to amend and adopt today.

Councilor Cave inquired about a timeline associated with the application.

The Solicitor stated that the ordinance becomes effective ninety (90) days after enactment. The permit cannot exceed six (6) months at a time. Also, once a resident is notified by the Borough that the vehicle is deemed to be junk and/or an abandoned vehicle on private property, the resident has five (5) days to apply for the permit or remove the vehicle.

Councilor Cave revised his question to how long it will take to create the actual application process.

The Solicitor answered the ordinance is not effective for ninety (90) days. The Borough will have to go through an education process. Initially, the Borough will not give out citations. Instead warnings will be given out notifying residents of the new ordinance.

Motion to adopt Ordinance (#2020-1397).

Moved By: Councilor Cave

Seconded By: Vice President Francis

Unanimous

The Solicitor mentioned he received a request for a Solicitor's opinion which he will send out tomorrow.

The Mayor thanked the Solicitor for his hard work.

IV. FINANCE

1. Motion to approve the Final Budget for the Borough of Yeadon Fiscal Year 2021.

Moved By: Councilor Johnson

Seconded By: Vice President Francis

Motion Passed: 6 – 1, Councilor McCabe opposed.

Councilor Cave suggested removing the Capital Improvement line item for the fiscal year 2021, temporarily and for Council to review the Capital Improvement Bonds. He requested that Council discuss addressing the major issues in the Borough regarding the infrastructure.

President Monroe asked Mr. Nichols if Councilor Cave's suggestion will affect the budget.

Mr. Nichols answered if we take anything out Council would have to recess and reset the budget and present the budget again. He said there is a \$250,000 line item coming from the General Fund. The Borough does not transfer funds at the top of the year, they are transferred when the expenditures actually happen and are drawn out throughout the year. Mr. Nichols proposed the motion be carried with the contingency that Council approves each capital item prior to the Borough getting that particular capital item. Right now, it is a blanket \$250,000 and Management usually brings information to Council before taking the item out of the budget.

The Solicitor read section 1312 of the Borough code that states the Council in its reasonable discretion may, in any year, by motion, modify the budget after its final adoption. New appropriations, supplementary appropriations and transfers from one

appropriation to another may be made during the fiscal year. An appropriation and transfer of an appropriation may occur either before or after the expenditure is authorized, or ratified after the expenditure is made, if it is within the current year's revenues, or the money is promptly made available through borrowing as allowed by law.

2. Motion to adopt Resolution #2020-021, Final Budget for the Borough of Yeadon Fiscal Year 2021.

Moved By: Councilor Johnson

Seconded By: Vice President Francis

Unanimous

3. Motion to adopt Resolution #2020-022, the Yeadon Borough 2021 Fee Schedule
The Solicitor requested to table this motion until an appropriate time. Council has adopted the tax levy with a trash and sewer fee. Also, there are other fees that are in the process of being calculated to determine what exactly it will cost the Borough. There is no requirement that we pass this motion tonight.

Councilor Cave inquired if the fee schedule should be adopted by the end of the year.

The Solicitor answered no. Council has adopted the fees they are required to adopt by the end of the year in the tax levy ordinance, which is on the agenda.

4. Motion to adopt Ordinance #2020-1396, Tax Levy.

Moved By: Councilor Johnson

Seconded By: Vice President Francis

Unanimous

Mr. Nichols noted as it relates to the real estate tax reassessment conducted by Delaware County, which will take effect in year 2021, the total Borough assessment for Yeadon Borough increased to over \$250 million dollars. The millage rate was adjusted because of this increase and the Borough has a lower millage rate than in the past. The County and the State said we must make sure that the Borough is net neutral, meaning the anticipated amount of tax dollars that we received in prior years, we have to receive moving forward. That means for some residents based off their County assessments their taxes will be a bit higher. The vast majority will remain the same and some will be lower. The overall Borough assessment of all properties within the limits increased by \$250 million dollars resulting in the Borough reducing the millage rate.

Mayor Hepkins asked about the millage rates.

Mr. Nichols stated the current millage rate is 9.89 and is being reduced to 5.582.

Council discussed the millage rates further with Mr. Nichols.

President Monroe and Councilor Cave asked about the additional documentation of the Yeadon Educational Athletic Association's (YEAA) spending. This is regarding the motion for the YEAA grant award which was tabled at the last Council meeting.

Mr. Nichols answered this item will be added to the January meeting agenda.

V. ADJOURNMENT

1. Motion to adjourn
Moved By: Vice President Francis
Seconded By: Councilor McCabe

Meeting adjourned at 7:44 p.m.

Respectfully submitted by Management.