

**Meeting Minutes**  
**State College Borough Council**  
**Regular Meeting**  
**April 18, 2005**  
**7:30 p.m.**

The State College Borough Council met on Monday, April 18, 2005 in the State College Municipal Building Council Room, 243 South Allen Street, State College, PA. Mayor Welch called the meeting to order at 7:30 p.m.

Present: Bill Welch  
Thomas E. Daubert  
Catherine G. Dauler  
Elizabeth A. Goreham  
Jeffrey R. Kern  
Janet K. Knauer  
James H. Meyer

Absent: Craig R. Humphrey

Also present: Thomas J. Fountaine, Borough Manager, Terry Williams, Borough Solicitor; Carl R. Hess, Community Development/Planning Director; Herman L. Slaybaugh, Zoning Officer/Planner; Michael S. Groff, Finance Director; Amy J. Story, Borough Engineer; Mark S. Henry, Health Officer; Michele Nicolas, Director of Human Resources; Cynthia S. Hanscom, Recording Secretary; members of the media; and other interested observers.

Mr. Welch began with a moment of silence and the pledge of allegiance.

#### APPROVAL OF MINUTES

Ms. Knauer moved to approve the minutes of March 4 and March 21, 2005, as written. Mr. Kern seconded the motion, which passed with a 6-0-0 vote.

#### PUBLIC HOUR

Mr. Welch read a proclamation establishing Arbor Day as April 28, 2005. He noted a special ceremony will be held in Central Parklet where walnut trees will be planted as part of the tot lot construction.

Kristen Kofmehl, 210 West College Avenue, and president of the Off Campus Student Union (OCSU), indicated this would be her last meeting as she would be graduating. She thanked Council and staff for working with her this past year and encouraged Council to continue working with the OCSU in the future. Mr. Welch cited the OCSU as a model group that had worked hard in the past year to improve the community.

Kim Faulds, 805 West Foster Ave, spoke on the safety issues associated with the intersection of Foster Avenue and Atherton Street. Previously the intersection was slated for a crosswalk light. Money was allocated but it was transferred to the University Drive project. She urged Council to address the need to do something about this intersection. Pedestrians funnel from Holmes Foster to this intersection. Many pedestrians are children from St. Andrews preschool. She said that last week there was nearly a fatal accident while crossing the street. She believed Council members were all safety conscious and proposed that something be done to address pedestrian concerns at this crossing. She noted there were residents in her neighborhood who were equally concerned. It is spring and many people are getting out and walking again. She asked Council to put this on a work session for discussion and that Council work quickly with PennDOT to get a light that could be triggered for pedestrians and bikers.

Ms. Knauer asked the status of the bike path and moving the pre-emptive light for the fire company. Mr. Hess indicated that Council requested staff analyze the viability of a bicycle crossing at Foster Avenue in an easterly direction and Calder Alley in a westerly direction before proceeding with further design; that analysis is not complete. Staff hopes to include a proposal in the Capital Improvement Plan once an appropriate alignment is determined. The proposal may include the movement of the Alpha Fire Company pre-emptive light. Mr. Fountaine noted that the intent was to include this in the 2006 budget.

Mr. Meyer noted that it could take some time for this to be done. He asked if something could be done quickly, such as paint a heavier crosswalk on the roadway to bring it to the motorists' attention. Ms. Story noted that a crosswalk would require pedestrian counts to be done to determine if warrants have been met. Mr. Meyer suggested staff do something now to address the situation and work toward accommodating the bike path and traffic signal. Ms. Knauer asked if a flashing light could be installed to alert motorists. Ms. Story stated that, again, PennDOT approval would be needed.

Mr. Meyer moved to direct the manager to proceed with the construction of a crosswalk across Atherton Street at Foster Avenue. Mr. Kern seconded the motion. Ms. Knauer asked the motion be amended to include the possibility of flashing lights warning motorists of a pedestrian crosswalk. The motion passed unanimously with a 6-0-0 vote.

#### CONSENT ITEMS

Parade of Cars for the Antique Auto Club of America. Mr. Fontaine noted that a request was received from the Allegheny Mountain Region Antique Auto Club of America, Glidden Tour to conduct a parade of cars on Tuesday, September 13, 2005, from 2:00 p.m. to 2:30 p.m. on College Avenue. The purpose of the "parade" is to expedite the movement of 400 cars from the Bryce Jordan Center through State College. Because many of the vehicles are older, stopping at eight traffic lights in downtown State College could cause overheating.

Ms. Knauer moved and Ms. Dauler seconded a motion to approve the use of the street for a parade of cars. The motion passed unanimously with a 6-0-0 vote.

Request to Conduct a Carnival. Mr. Fontaine informed Council that a request was received from Boy Scout Troop 380 of State College to conduct a carnival with rides and concessions in the vacant lot between Eckerd Drugs and Hi-Way Pizza at the Westerly Parkway Shopping Plaza. The carnival will be held May 10 to 14, from 6:00 p.m. to 10:00 p.m. each evening and 1:00 p.m. to 5:00 p.m. on Saturday. In the past, this event has been sponsored by the Optimist Club, which has recently disbanded. Rides and concessions will be provided by Bartebaugh Amusements.

Ms. Knauer moved and Ms. Dauler seconded a motion to approve the activity. The vote on the motion passed with a 6-0-0 vote.

Request to Conduct a Parade. Mr. Fontaine noted an application for use of East Foster Avenue (Locust Lane to Central Parklet) was received from the Centre Region Parks and Recreation to conduct an Independence Day "Kids on Wheels" Parade on Saturday, July 2, 2005, from 9:30 to 11:30 a.m.

Ms. Knauer moved to approve the use of Borough streets for the parade. Ms. Dauler seconded the motion. The vote on the motion passed unanimously with a 6-0-0 vote.

Fair Trade Fair. Mr. Fontaine noted a request was received from Downtown Improvement District to conduct a Fair Trade Fair for local businesses who carry fair trade products. The event is to be held on Saturday, September 24, 2005, in the 200 block of South Allen Street (Highland Alley to Foster Avenue). The applicant also plans on using the Municipal Building plaza for this event. Both the closing of the street and the use of the plaza require Council approval.

Mr. Daubert asked if the use of the plaza to conduct sales was precedent setting. Teresa Sparacino, Director of the Downtown Improvement District, indicated there would be no sales in the plaza; the plaza would be used for entertainment with vendors on the street.

Ms. Knauer moved to approve the use of the street for this event and for use of the Plaza with the condition that no retail sales take place in the Plaza. Ms. Dauler seconded the motion, which passed unanimously.

Revised Conflict of Interest Policy for CDBG Citizens' Advisory Committee. Mr. Fontaine noted the Community Development Block Grant Citizens Advisory Committee recommended that Council adopt a conflict-of-interest policy to cover Borough programs involving the use of funds administered by the U.S. Department of Housing and Urban Development. This policy covers programs funded through Community Development Block Grant, Home Investment Program and other HUD programs. In summary, the policy prohibits elected or appointed officials of the Borough, or their immediate families, and consultants employed by the Borough, from having a financial interest or benefit from any HOME or CDBG funded activity. The policy also precludes developers from occupying a HOME or CDBG funded project. The policy also precludes any of the covered persons from accepting or soliciting gratuities, favors, gifts or anything of monetary value from a person or company that is or might be awarded a purchase order or contract for a HOME or CDBG funded activity. The policy also sets forth the provisions for disclosing potential conflicts and requesting exceptions from the Department of Housing and Urban Development.

Ms. Knauer moved to adopt the conflict-of-interest policy. Ms. Dauler seconded the motion. The vote was 6-0-0 in favor of the motion.

Resolution to Destroy Obsolete Records for the Health Department. Mr. Fontaine said, in accordance with Act 428 of 1968, adopted for use by Council through enactment of Resolution 706 in 1993, each individual act of record disposition must be approved by Resolution of the governing body. A list of obsolete records from the Health Department had been submitted for destruction.

Ms. Knauer moved to approve Resolution 881 to approve the destruction of obsolete records in the Health Department. Mr. Dauler seconded the motion, which passed unanimously with at 6-0-0 vote.

## BIDS/CONTRACTS/AGREEMENTS

Parking Access and Revenue Control System. Mr. Fontaine noted that Bids for Project #23-2005, Parking Access and Revenue Control System, were received on April 11, 2005. The availability of bid packages was advertised in accordance with the Borough Purchasing Ordinance. Three vendors received bid packages and one bid was received.

The Bid, submitted by CTR Systems of Warrendale, PA, was as follows:

- Base Bid: equipment for the Beaver Avenue Parking Structure: \$273,000.00
- Alternate 1. Equipment for the conversion of Pugh and Fraser Street garages to pay-on-foot operations with an option to delay a decision on the Alternate for up to one year from the bid date with all new equipment: \$848,628.00
- Alternate 1A Trade-in of \$35,000 for existing ZEAG Equipment, or
- Alternate 1B Deduct of \$93,000 for re-use of existing ZEAG equipment except the existing pay station.
- Alternate 2. Equipment for the conversion of Pugh and Fraser Street garages to pay-on-foot operations with all new equipment: \$823,911.00
- Alternate 2A offers a trade-in of \$40,000 for existing ZEAG Equipment, or
- Alternate 2B offers a deduct of \$93,000 for re-use of existing ZEAG equipment except the existing pay station.
- Alternate 3A. Replacement of parking meter equipment with new housings and mechanisms that accept smart cards, smart card recharge stations, 1000 smart cards, system software and integration: \$485,000.00
- Alternate 3B. New meter housing with open coin cup: \$198.50
- Alternate 3C. New meter housing with sealed coin canister: \$208.50
- Alternate 3D. Trade-in value for existing meter mechanisms: \$22,500.00
- Alternate 3E. Trade-in value for existing housings: \$8,912.50

Timothy Haahs and Associates (THA), the Borough's architect and consultant for the Beaver Avenue Garage, reviewed the bid prices. Based on their analysis, THA believes that CTR Systems' prices for the base bid and Alternates 1 and 2 concur with current pricing and the scope of work called for in the construction documents.

Mr. Fontaine added that, while bids for the conversion of Pugh and Fraser garages to pay-on-foot operations exceeded the project estimate of \$325,000, staff believes that this portion of the project is critical to establishing a consistent process for parking patrons and will result in a smoother transition to and quicker acceptance of pay-on-foot operations. Staff has also analyzed the parking system financial projections and believes that the pay-on-foot system will result in a better overall financial performance than a cashiered system. The difference in cost between the bid and the September 2004 estimate can be attributed to increased number of pay stations required in each garage, plus significantly more construction required to retrofit the Pugh and Fraser Garages. The additional construction includes adding exit lanes and extensive electrical work.

Mr. Fontaine noted the opportunity to convert parking meters and the integration of smart cards into garages is appealing, however, the cost is substantial for what may be considered an unnecessary program.

Ms. Dauler moved to accept the base bid in the amount of \$273,000 with alternate 2 and 2b, the re-use of the existing ZEAG equipment for a new conversion price of \$730,911, and both amounts be included in the 2005 bond issue, with an additional \$75,000 for a parking wayfinding system. Mr. Kern seconded the motion.

Ms. Dauler mentioned that a wayfinding system was listed in the Capital Improvement Program but no money was allocated. With three garages, delaying the installation of the system would not be prudent. Ms. Dauler noted that staff has indicated that garages are underutilized because of the difficulty in finding spaces. This wayfinding system is being recommended by staff so that visitors driving into town will not only know where the garages are located but also where spaces are available.

Ms. Knauer did not believe this should be added to the motion at this time. She believed if Council wanted the wayfinding system it should stand on its own merit and not be included as part of the motion for the parking control system. Mr. Kern believed the wayfinding system was part of the parking system and should be included at this time. Mr. Daubert agreed with Ms. Knauer stating the wayfinding system needed further research to determine the proper location of the signs and if they were really needed. He would not recommend putting the parking control system and the wayfinding system under one umbrella.

Mr. Welch asked for an explanation of the wayfinding system. Mr. Fontaine explained it was signage at two points entering the downtown, one sign to the west and one sign to east to direct visitors to the garages and inform them how many spaces were available in each garage. Mr.

Holmes noted the original \$60,000 budgeted for this in the Capital Improvement Program could actually cost up to \$100,000.

Ms. Goreham indicated the Borough was spending \$800,000 on a parking system at a time when our financial future is uncertain in the block grant program. Optimistically it is hoped the money is paid back through parking fund but that may not be the case. She thought it was time to look at all expenditures. She also expressed concern with the loss of human interaction if additional pay stations are installed. Mr. Kern noted the operating budget and the parking fund should not be confused; the parking fund is a budget that pays for itself.

Mr. Meyer noted the Borough was only setting aside \$75,000 out of the bond issue for the wayfinding system, as if establishing a \$75,000 savings account. Council will need to vote on the purchase of the system and where the signs could be located at a later date. By this action, Council is looking ahead. The Borough is building a 500-space parking garage to encourage people to come downtown. If we don't market our garages, the parking garage system may not meet the numbers projected. He believed this was smart planning and hoped other Council members could see that.

Ms. Dauler noted the Capital Improvement Program wayfinding project proposes putting a sign on College Avenue and one on Beaver Avenue, west of Burrows Street. Public perception is that there is no place to park. If the Fraser Street garage is full, people do not know that spaces are available in the other garages. This is a solution for changing that perception.

Ms. Dauler asked the motion be clarified to note that part of the bond issue be used as prior authority for this item. Mr. Kern agreed to the clarification. In support of the motion, he argued that if the Borough were building a store, money would be set aside for a sign.

Ms. Knauer noted that there should be a way to do this without spending \$100,000. She felt visitors and residents were able to find the garages without spending the money on the wayfinding system.

Phillip Wagner, Off Campus Student Union, commented that safety and transportation issues were important to the OCSU. Measures such as the wayfinding system would improve the parking system in the Borough. He believed it would encourage people to come downtown by reducing the hassle of trying to find a space and/or getting a ticket for parking illegally.

The question on the motion was called. The vote on the motion was 3-3-0, with Ms. Goreham, Ms. Knauer and Mr. Daubert opposed. The motion failed.

Mr. Daubert moved to award only the base bid of \$273,000. Ms. Goreham seconded the motion. The vote on the motion was 3-3-0, with Mr. Kern, Mr. Meyer and Ms. Dauler opposed. The motion failed.

Mr. Meyer moved to accept the base bid in the amount of \$273,000, Alternate 2 and 2B, and the re-use of existing ZEAG equipment for a new conversion price of \$730,911, to include both amounts in the 2005 bond issue; and to reject all other alternates. Mr. Kern seconded the motion. The vote on the motion was 3-3-0, with Ms. Goreham, Ms. Knauer and Mr. Daubert opposed. The motion failed.

Ms. Dauler moved to table Council's recommendation until a future meeting. Mr. Kern seconded the motion. The motion was approved unanimously.

Mr. Fountaine noted there was a timing issue in awarding the contract. If there is no agreement at this meeting, a special meeting will need to be advertised.

## NEW BUSINESS

Replot of Lot Lines for Lands Owned By the Borough of State College and the Presbyterian Church. Mr. Fountaine reported that one part of the land acquisition for the new Beaver Avenue Parking Garage involved a land exchange between the First Presbyterian Church and the Borough of State College. In the exchange the Borough receives the Church's parcel at the southwest corner of West Beaver Avenue and South Fraser Street (a surface parking lot). The Church receives a portion of the Borough's parcel adjacent to the church's land on the south side of the 100 block of West Beaver Avenue. This land is presently used as a parking lot. The transfer requires re-plotting the lot lines through a subdivision plan. Staff advises the plan complies with the regulations and should be approved. The Planning Commission approved the plan at its April 13 meeting.

Ms. Knauer moved and Ms. Goreham seconded a motion to approve the replot. The motion passed with a 6-0-0 vote.

## OLD BUSINESS

Final Bond Issue Amount. Mr. Fontaine recommended tabling any further discussion or recommendation on the bond issue until the parking access control issue can be solved.

Mr. Kern moved to table their recommendation on the final bond issue amount. Ms. Goreham seconded the motion. The vote was 3-3-0, with Ms. Goreham, Ms Knauer, and Mr. Daubert opposed. The motion failed.

Mr. Daubert noted that he was opposed to tabling this issue because Council could still discuss the items to be included in the bond issue without discussing the parking access control system. Ms. Dauler disagreed; she felt Council needed to come to an agreement on what they were spending for the garage before moving forward. Mr. Meyer agreed with Ms. Dauler.

Ms. Goreham believed the amount was too high and it should be reduced. Mr. Kern disagreed, commenting that the money would need to be borrowed in future years at a higher rate; it was best to complete the bond issue at this time.

No further motion was made on the issue and the Mayor moved on to the next item on the agenda.

Holiday Courtesy Parking Program. Mr. Fontaine said staff completed its review of the 2004 Courtesy Parking Program and Council received a report at their April 4 meeting. The report included data collected during the 2004 holiday program and provided comparison data for other periods. Staff is recommending courtesy parking be continued only during the holiday season. The report has also been provided to the State College Downtown Improvement District. Council is asked to approve the Holiday Courtesy Parking Program for the 2005 season, including free parking from 5:00 p.m. to 10:00 p.m. in all metered lots and municipal garages, and free parking at Beaver, Pugh and Fraser garages on Saturdays from 11:00 a.m. to 10:00 p.m. Mr. Daubert asked if the meters would be free every evening in the metered lots. Mr. Fontaine replied affirmatively.

Mr. Kern moved to approve the holiday courtesy parking program as stated above. Ms. Goreham seconded the motion. The motion passed with a 6-0-0 vote.

Public Cameras Monitoring Plan. Mr. Fontaine told Council that a one-year evaluation of the three public cameras had been conducted in the fall of 2004. One of the recommendations to Council by the Advisory Committee was to experiment with live monitoring of the cameras during peak activity periods for one year to determine if live monitoring impacts the level of criminal activity that occurs in the public camera areas and to evaluate whether the monitoring results in more identification of persons committing crimes in the camera areas. The committee believes that the cameras are not being used to their full potential and that live monitoring could enhance their effectiveness.

Ms. Knauer mentioned the committee met again today and discussed an education program so that more people will be aware of the cameras. The more people know about the cameras, the fewer problems they will have in the area.

Ms. Knauer moved and Ms. Dauler seconded a motion to approve the Public Camera Monitoring Plan. The vote on the motion was four in favor with Ms. Goreham and Mr. Daubert opposed; the motion passed.

Purchasing Ordinance. Mr. Fontaine noted the Borough's Purchasing Ordinance requires most purchases of goods or services in excess of \$10,000 to be made through a formal, sealed bid process, with a bid award by Borough Council at a public meeting. The current \$10,000 bid limit has been in effect since 1990.

In an effort to streamline the purchasing process for "smaller" purchases, staff has recently discussed the idea of increasing the bid limit to \$25,000.00. This higher bid limit is consistent with nationwide trends reported by other municipalities in a recent National Institute of Governmental Purchasing survey, and is also consistent with legislation proposed in the Pennsylvania legislature which would raise the sealed bid limit for municipalities not governed by local purchasing ordinances to \$25,000.00. As a home-rule municipality, the Borough has adopted its own ordinance to govern the purchasing process.

Mr. Kern moved to receive the proposed ordinance and schedule it for discussion at the work session of April 29, 2005 Ms. Dauler seconded the motion, which passed unanimously with a 6-0-0 vote.

Renewal Application for Supportive Services. Mr. Fontaine noted the Centre County Affordable Housing Coalition is interested in submitting a renewal application for HUD funds to increase the capacity of the Women's Resource Center, Housing Transitions, and Stormbreak shelters. The purpose of the expansion is to provide services to homeless mental health clients and homeless youth, needs identified in the 1999 Centre County Human Services Needs Assessment. The project will provide each of the shelters with a flexible cost-efficient means to provide additional

case management services on an as-needed basis using existing staff. It is anticipated 8 to 12 persons will benefit annually from this approach.

A caseworker will provide follow-up services for up to one year after departure from the shelter into permanent housing or transitional housing. The project's success will be assessed in two areas: the participant's ability to secure permanent or transitional housing prior to departure from the shelter, and the ability of the participant to remain in a stable housing arrangement for up to one year. The Centre County Base Service Unit will coordinate the shelter staff training that will be given to address the needs of the clients. A point person will be designated at each shelter to act as a liaison for service coordination. In addition to this team approach, funding will be available for psychiatric mental health counseling services.

Mr. Fontaine said the Coalition needs a sponsor for the application. State College Borough sponsored the original application in 2002. The Coalition has requested State College Borough sponsor the renewal. The application will request \$32,760.00 in supportive service funds for a 3-year program. There is a 20 percent match requirement, but the three organizations will supply the match. No request for funding is being made of the Borough. The three agencies will write the application, implement the program, and prepare an annual performance report to be submitted by the Borough.

Mr. Kern moved to approve submission of the application on behalf of the Affordable Housing Coalition. Ms. Goreham seconded the motion. The vote was 6-0-0 in favor of the motion.

Vouchers. Upon motion of Ms. Knauer, second by Mr. Meyer, Council voted 6-0-0 to receive vouchers for the month of March, 2005, for the Borough of State College, in amount \$3,459,096.05 and, acting as agent for the Centre Region Council of Governments, vouchers totaling \$586,594.65.

#### OFFICIAL REPORTS AND CORRESPONDENCE

Mayor's Report. Mr. Welch reported the Borough's Annual ABC Dinner was held on April 14 and several presentations were made. The XYZ award for outstanding service went to E. Emery Ensore, the Legacy Award went to the Centre for Alternatives in Criminal Justice, and the Ingrid P. Holtzman award was presented to Penn State University for their outstanding design on campus and the positive impact it has had on the community.

President's Report. Mr. Daubert also commented on the ABC dinner held on April 14. He believed it was the most successful dinner in many years and thanked every one who participated and the staff members, particularly Michele Nicolas and Cynthia Hanscom, who had assisted in organizing the event.

Mr. Daubert also announced that Council will meet on April 19 at 5:00 p.m. in a work session with the Executive Board of the Fraternity Council at Delta Phi Delta, 429 E. Hamilton Avenue. The meeting was open to the public.

Staff and Committee Reports. Mr. Fontaine indicated staff was working with the bond counsel on holding the TEFRA hearing on May 9 at 1:30 p.m. Staff will provide a report to Council following the hearing.

Mr. Fontaine also noted the first quarterly report for the Health Department enforcement activities was distributed. Mark Henry was present to answer any questions on the report.

Mr. Welch asked the status of the warrant for Ye Old College Diner. Mr. Henry explained a warrant had been issued because of the lack of response to a citation. He did not know if the warrant had been served. Because of the failure to appear, the issue was now between the district magistrate and the Diner. Mr. Kern asked if the Diner had corrected problems that caused the citation to be issued. Mr. Henry replied that, upon re-inspection, corrective measures had been taken by the Diner. Mr. Kern asked how often the Diner was inspected. Mr. Henry replied it has been inspected two or three times since this problem occurred. In response to a question by Ms. Knauer, Mr. Henry replied no one had reported any illness caused by the Diner's food, but the potential was there.

Mr. Daubert asked if citations had been issued for litter on Borough properties. Mr. Henry replied several ordinance violations had been issued but no citations.

#### ITEMS OF INFORMATION

Recycling Resolution. Ms. Goreham distributed a resolution from the Solid Waste Authority that she was asking Council to take to the PLCM regional meeting next week to ask for endorsement and forwarding to the state. The recycling fund is in danger of not being authorized and most of the grants are needed to operate the Borough's composting system.

Ms. Knauer moved to forward the resolution to the PLCM. Ms. Dauler seconded the motion, which passed unanimously with a 6-0-0 vote.

Beaver Avenue Closure. Mr. Meyer made a statement on the recent traffic problems that had occurred on Beaver Avenue as a result of the construction of the parking garage. Council has sometimes balked at approving requests to block a street for private developers for a few hours, for example when an air conditioning unit on top of a building needs to be installed or replaced. Although it is an inconvenience, he asked Council members to keep in mind that such street closures represent only a temporary inconvenience.

There being no further business, the meeting adjourned at 8:40 p.m.

Respectfully Submitted by:

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Cynthia S. Hanscom  
Assistant Borough Secretary