

**Meeting Minutes  
State College Borough Council  
October 20, 2008**

The State College Borough Council met on Monday, September 8, 2008, in the State College Municipal Building, 243 South Allen Street, Room 304, State College, PA. Mayor Welch called the meeting to order at 7:30 pm.

Present: Bill Welch, Mayor  
Elizabeth A. Goreham, President of Council  
Ronald L. Filippelli  
Donald M. Hahn  
Theresa D. Lafer  
Peter Morris  
Silvi Lawrence  
James L. Rosenberger

Also present: Terry J. Williams, Borough Solicitor; Thomas J. Fountaine, II, Borough Manager; Roger A. Dunlap, Assistant Manager for Budget and Administration; Carl R. Hess, Planning Director; Herman L. Slaybaugh, Zoning Officer/Planner; Thomas King, Chief of Police; Mark A. Whitfield, Director of Public Works; Beth Johnston, Director of Human Resources; Michael S. Groff, Finance Director; Cynthia S. Hanscom, Assistant Borough Secretary; members of the media; and other interested observers.

Mr. Welch began with a moment of silence and the Pledge of Allegiance.

**PUBLIC HOUR – HEARING OF CITIZENS**

Kevin Huston, from the Society for Professional Journalist, announced a public event on Wednesday, October 22 at 7:00 p.m. to hear from Terry Mutchler, the Executive Director of the newly formed Pennsylvania Office of Open Records. Mr. Huston invited Council and the public to attend this event.

**CONSENT ITEMS**

Ms. Goreham moved to approve the following consent items. Mr. Hahn seconded the motion, which passed unanimously.

- Vouchers for the Borough of State College for the month of September in the amount of \$1,593,887.92.
- Use of Burrowes Street, College Avenue, Allen Street, and Foster Avenue for the Centre Region Parks & Recreation Annual Halloween Costume Parade on Tuesday, October 28, 2008, from 6:00 p.m. to 8:30 p.m.
- Theresa Lafer to act as the Borough's voting delegate at the annual business meeting of the 2008 Congress of Cities Conference of the National League of Cities on November 15, 2008.
- A change order for Project 2-2008 Curb & Storm Replacement and Street & Alley Resurfacing because of a recent ruling regarding Pennsylvania Prevailing Wage Rates to increase the award by \$59,414.09.
- Rejection of bids for Project 23-2008 Service Facilities Improvements because all bids exceeded budgeted amounts.
- Minutes for the following meetings held in September:

September 8, 2008	Regular Meeting
September 12, 2008	Work Session
September 15, 2008	Regular Meeting
September 29, 2008	Special Meeting

**GENERAL POLICY & ADMINISTRATION**

**Resolution to Distribute State Aid for Pensions.** Council considered a resolution for the distribution of state aid to meeting pension obligations.

Ms. Lafer moved to approve Resolution 974 to distribute state aid to the Borough's police pension fund and the Borough's general government employees' pension fund. The motion passed with a 7-0-0 vote.

**PLANNING & ZONING**

**Regulate the Keeping of Chickens.** Council considered two ordinance amendments to allow the keeping of chickens at single-family homes. One ordinance amends the animal regulations while the other amends the zoning regulations.

Ms. Lafer moved to receive the ordinances, refer the zoning amendment to the planning agencies for review and comment, and schedule a public hearing and enactment on December 1. Mr. Hahn seconded the motion.

Council discussed a recent request to increase the number of chickens permitted from four to six. Some members of Council noted that a professor of poultry science had noted that chickens were social animals and would be happier in groups of six. Other members of Council felt that this was already a divisive issue among the neighborhoods and believed the number should be conservative.

Mr. Morris moved to amend the motion referring the draft zoning ordinance amendment to revise the amendment to allow for six chickens. Ms. Lafer seconded the motion. The vote on the motion was 3-4-0, with Mr. Filippelli, Ms. Goreham, Mr. Hahn, and Ms. Lawrence opposed.

Council noted that a zoning permit for the chicken coops would allow the Borough to know where the chickens were being kept. It would also protect the property owner because it would prevent them from building the coop in the wrong spot and then have the expense of moving it. Council discussed the cost of the permit and agreed the lesser fee should be charged.

Mr. Rosenberg moved to amend the motion referring the draft zoning ordinance amendment to amend the zoning permit fee for the construction of a chicken coop to \$15.00. Mr. Morris seconded the motion. The vote on the amendment was 5-2-0, with Mr. Hahn and Ms. Lawrence opposed.

Council then discussed the language which required a 50 foot separation between a chicken coop and a primary neighboring structure. Although a separation distance was needed, it was noted that this would be restrictive given that many of the lots in the Borough were very narrow.

Mr. Morris moved to amend the motion referring the draft zoning ordinance amendment to amend the draft zoning amendment to reduce the separation from 50 feet to 30 feet for both the chicken coop and the chicken run. Ms. Goreham seconded the motion. The vote on the amendment was 4-3-0, with Mr. Filippelli, Mr. Hahn, and Ms. Lawrence opposed. The motion passed.

Council then voted on the main motion to receive the ordinances, forward the zoning ordinance amendment, as revised, to the planning agencies, and schedule a public hearing and enactment for December 1, 2008. The vote was 6-1-0, with Ms. Lawrence opposed.

#### OFFICIAL REPORTS & CORRESPONDENCE

**Staff/Committee Reports.** Staff reported the funds from the first installment on the sale of the Fraser Street site to develop Fraser Centre had been received and would be distributed as follows:

\$200,000 deposited in the General Fund per the 2008 budget  
\$579,071 deposited in the Capital Reserve Fund  
\$695,884 deposited in the Parking Fund

Staff also reported that Peak Democracy has asked the Borough to be one of eight cities to participate in a pilot to enhance engagement in civic affairs. As part of the Alliance for Innovation membership, the participation will last 90 days. The proposal is an effort to obtain citizen participation on local government issues. The process would allow the Borough of frame questions and poll the community for input. Staff reported the initial issue to be posted would be on sustainability issues.

There being no further discussion, the meeting adjourned at 8:07 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary