

**Meeting Minutes**  
**State College Borough Council**  
**January 12, 2009**

The State College Borough Council met on Monday, January 12, 2009, 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 p.m.

Present: Bill Welch, Mayor  
Elizabeth A. Goreham, President of Council  
Ronald L. Filippelli  
Donald M. Hahn  
Theresa D. Lafer  
Silvi Lawrence  
Peter Morris  
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; Thomas S. Kurtz, Assistant Manager for Community Services; Carl R. Hess, Planning Director; Mark A. Whitfield, Director of Public Works; 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: There was no one from the public wishing to speak.

**PUBLIC HEARINGS**

**Zoning Amendment: 300-400 Blocks of East College Avenue.** Council held a hearing on changes to the zoning ordinance for property in the 300 and 400 blocks of East College Avenue. The changes proposed include requiring upper story stepbacks on buildings between Hiester and Garner, reducing the maximum permitted building height for Signature Development projects from 145 feet to 125 feet, increasing the residential density bonus for LEED certified buildings, giving a residential bonus for projects that include public parking, and reducing the area in downtown where parking may be provided through the fee in-lieu option.

Jody Alessandrino, Executive Director of Downtown State College, spoke on behalf of property owners on East College Avenue. He stated there has been no redevelopment proposed since the zoning changed 14 months ago that would result in a building that was not to what the current zoning intended and did not believe there was sufficient cause to reduce redevelopment potential in this area, especially with the budget challenges facing Council.

Jeff Kern, 749 E. McCormick Avenue, spoke against the ordinance indicating that development in the downtown should be encouraged, that developers need three to five years of lead time to plan a project, and frequent zoning changes tend to discourage redevelopment.

Staff noted that a letter from the Planning Commission was received and distributed to Council recommending that the ordinance not be enacted as written and offering suggested revisions. Also received were comments from the Centre Regional Planning Commission, which indicated that the amendment was consistent with the goals and policies outlined in the 2000 Centre Region Comprehensive Plan.

There being no further comments, Mr. Welch closed the public hearing.

Ms. Goreham moved to refer further discussion on the amendment to a work session. Mr. Hahn seconded the motion. The motion passed with a 6-1-0 vote, with Mr. Filippelli opposed.

**Consolidated Plan Amendment.** Council held a public hearing on a proposed amendment to the State College Borough 2005-2009 Consolidated Plan and FY2009 Action Plan regarding the proposed use of Community Development Block Grant (CDBG) Funds. No one spoke at the public hearing. Staff noted that action on this item is scheduled for February 9, following a mandatory comment period.

CONSENT ITEMS

Mr. Hahn moved and Mr. Rosenberger seconded a motion to approve the following consent item.

- Approve vouchers for the month of December 2008 in the amount of \$1,727,496.07.
- Approve minutes for the following meetings held in December:

December 1, 2008	Regular Meeting
December 3, 2008	Work Session
December 5, 2008	Work Session
December 8, 2008	Work Session
December 12, 2008	Work Session
December 15, 2008	Regular Meeting

- Appoint the following individuals to various Authorities, Boards and Commissions:

Name	ABC	Term Expires
John Lowe	Regional Tax Appeals Board	December 31, 2009
Elizabeth Kirchner	Authorities Board	December 31, 2013
Charles Gable	Centre Region Planning Commission	December 31, 2009
Cynthia Carpenter	Centre Region Planning Commission (alternate)	December 31, 2009

- Approve the 2009 Work Programs, as amended, for the Design Review Board, Historic Resources Commission, Planning Commission, Transportation Commission, and Tree Commission.

Council asked if the Tree Commission would be addressing an issue raised by a resident at a previous meeting on the tree trimming scheduled at Walnut Spring Lane. Staff noted that they had responded to the resident and would be working on this with the resident.

ABC REPORTS

**Redevelopment Authority.** Vicki Fong, Chair of the Redevelopment Authority, reported on the activities of the Authority over the last year.

Ms. Fong also presented the Economic Feasibility Analysis of the proposed West End zoning and design standards. The report concluded that there were opportunities but the value of student housing and the rents that are generated limits investor’s interest in developing other uses.

COMMUNITY DEVELOPMENT

**Emergency Shelter Grant.** Council considered a resolution to authorize the Borough Manager to submit an Emergency Shelter Grant to the Pennsylvania Department of Community and Economic Development on behalf of Housing Transitions, Inc., for renovations to the facility at 217 East Nittany Avenue.

Ms. Lafer moved and Mr. Hahn seconded a motion to approve Resolution 984 to authorize the submission of the grant. The motion passed with a 7-0-0 vote.

**Agreement with Centre County to Provide Grant Writing Services.** Council considered an ordinance and memorandum of understanding between the Borough and Centre County to provide grant writing

services for HOME Investment Partnerships Program funding from the Pennsylvania Department of Community and Economic Development for a Centre County owner-occupied rehabilitation program.

Mr. Hahn moved to approve Ordinance 1921 and authorize the President of Council to sign the agreement on behalf of the Borough. Ms. Goreham seconded the motion. The motion passed with a 7-0-0 vote.

#### GENERAL POLICY AND ADMINISTRATION

**2009-2010 Legislative Agenda.** Council considered a list of legislative priorities for 2009-2010. The legislative priorities provide a basis for prioritizing Council's continuing discussion with both state and national representatives.

Mr. Hahn suggested that an item be added on raising fines for alcohol related offenses as a way to deter individuals from excessive drinking. Staff agreed to make the change and indicated the document would come back to Council for final approval at the next meeting.

#### HEALTH ISSUES

**Changes to Tattoo Establishment Ordinance.** Council considered an amendment to the ordinance regulating tattoo establishments to require regular testing of sterilizing equipment, require non-sterilizable items used on a patron to be single-use, and prohibit branding and temporary tattoo operations.

Ms. Lafer moved to enact Ordinance 1922. Mr. Morris seconded the motion, which passed unanimously.

**Changes to Massage Establishment Ordinance.** Council considered an ordinance to amend the regulations for massage establishments to require single use towels or approved hand drying method and liquid soap in restrooms.

Ms. Goreham moved to enact Ordinance 1923. Ms. Lafer seconded the motion, which passed with a 7-0-0 vote.

#### PUBLIC WORKS

**Easement Agreement with the University Area Joint Authority (UAJA).** Council received with the agenda a proposed agreement with the University Area Joint Authority for an easement through lands owned by the borough at the Borough's compost site. Staff noted that this item was being withdrawn until the document could be reviewed by the UAJA.

#### OFFICIAL REPORTS AND CORRESPONDENCE

**President's Report.** Ms. Goreham announced an executive session held on Friday, January 9, 2009, at 4:00 p.m. to discuss personnel matters, and one to be held on Tuesday, January 13, 2009, at 4:00 p.m. to discuss personnel matters.

**Staff/Committee Reports.** Staff reported that a change was proposed to the University Planned District in College Township to accommodate an expansion of the Mt. Nittany Medical Center. Staff will evaluate the proposed changes and provide a report and recommendation to Council at the February 2, 2009, meeting.

There being no further business, the meeting was adjourned at 8:27 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary