

Meeting Minutes
State College Borough Council
March 9, 2009

The State College Borough Council met on Monday, March 9, 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

Absent: 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; Amy J. Story, Borough Engineer; Thomas R. King, Chief of Police; Amy Story, Borough Engineer; Alan J. Sam, Borough Arborist; 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.

Michael Freeman, 126 W. Marylyn Avenue, spoke on the zoning in the downtown and maintaining the integrity of the zoning, specifically in the commercial incentive district. He submitted a petition from 100 homeowners asking Council to consider revenue sources that would provide for downtown commercial development and inclusive zoning to attract permanent residents.

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

CONSENT ITEMS

A motion was made by Mr. Hahn and seconded by Ms. Goreham to approve the following consent items. The motion passed unanimously.

- Vouchers for the month of February 2009 in the amount of \$1,994,042.94.
- Minutes for the following meetings held in February:

February 2, 2009	Regular Meeting
February 9, 2009	Regular Meeting
February 20, 2009	Work Session

- Approve Resolution 987 for the destruction of obsolete records being held in the Police Department.
- Use of various sidewalks in the Borough for the AIDS walk scheduled for Sunday, April 19, 2009, from 9:00 a.m. to 3:00 p.m.
- Use of West Prospect Avenue between Gill and Barnard Streets for the PIAA tennis competition being held by the State College Area School District Athletic Department on March 13, March 19, March 25, April 1, April 3, April 15, April 17, April 18, and April 21, from 3:00 to 7:30 p.m.
- Use of Central Parklet for an outdoor concert with local bands for the Make-It-Right organization, sponsored by the Hotel Restaurant & Institutional Management (HRIM) students at Penn State, on Thursday, April 23, 2009, from 4:00 to 9:00 p.m., conditioned on the applicant receiving a use permit for the park from Centre Region Parks & Recreation.
- Use of Fraternity Row, between Fairmount and Foster Avenues, for the Greek Week Kick-off on Sunday, April 5, 2009, from 1:00 to 4:00 p.m.
- Award a bid for contract tree pruning to Dincher & Dincher Tree Surgeons, Williamsport, for blocks A, D, and E in the amount \$31,715 and to Aikey's Tree Service, Bellefonte, for block B in the amount of \$4,680, for a total award of \$36,395.00.
- Award a bid for the purchase and delivery of 4 traffic signal supports and mast arms and 5 traffic signal pedestal posts for the Allen Street/Atherton Street intersection to Republic Intelligent Transportation Services, Inc., the low bidder, for a total amount of \$18,550.00.

COMMUNITY DEVELOPMENT

Emergency Shelter Grant. Council considered a resolution authorizing the Borough Manager to submit an Emergency Shelter Grant to the PA Department of Community and Economic Development on behalf of Housing Transitions, Inc., for renovations to the facility at 217 East Nittany Avenue. Because the project scope has changed, Housing Transitions, Inc. would like to ask for a larger grant of \$135,000 instead of \$75,000.

Ms. Lafer moved to approve Resolution 988 to submit an Emergency Shelter Grant to the PA Department of Community and Economic Development on behalf of Housing Transitions, Inc., for renovations to the facility at 217 East Nittany Avenue. Mr. Hahn seconded the motion, which passed unanimously.

GENERAL POLICY & ADMINISTRATION

Open City Hall Pilot Project/Peak Democracy. Council considered continuing the Open City Hall pilot/demonstration project with Peak Democracy to obtain public input on various issues in the Borough. Staff presented a proposed contract with an annual review of its value.

Council discussed the benefits of engaging in online conversations with citizens. Concerns were raised that the participants could be anonymous. It was noted that this would be managed by an independent provider but would require registration by the user. Some Council members felt it would be less expensive to create a blog, independent of the Borough, to discuss Borough topics. Council members stated that there could be a more direct and local way of doing this.

Mr. Hahn moved to discontinue the pilot project with Peak Democracy. Mr. Morris seconded the motion. The motion passed with a 7-0-0 vote.

Fee Resolution. Council considered a resolution to amend the fee schedule to include building permit plan review fees, as recommended by the COG General Forum, and include compost fees.

Ms. Goreham moved to approve Resolution 989 to incorporate the changes in the fee schedule. Ms. Lawrence seconded the motion, which passed unanimously.

OFFICIAL REPORTS AND CORRESPONDENCE

Mayor's Report. Mr. Welch noted a follow-up story to the State Patty's Day events was published on Sunday, March 8, 2009, in the *Centre Daily Times*, pinpointing the problem with abuse of alcohol and how it impacts those in the emergency room.

President's Report. Ms. Goreham noted that she had spent the morning in Harrisburg lobbying local representatives on proposed legislation for a 1% sales tax collected at the County level; 40 percent of the money collected could be divided to the local municipalities. Also, the Pennsylvania League of Cities and Municipalities (PLCM) Board discussed legislation to coordinate workers compensation with the Heart and Lung Act, to modify pension plan payments to ease the burden on local municipalities, and to legalize video poker.

Ms. Goreham also announced an executive session to be held following the meeting to discuss personnel matters.

Council recessed to a work session at 7:55 p.m.

PLANNING AND ZONING

Zoning Amendment: 300-400 Blocks of East College Avenue. Council discussed the proposed amendment to modify the zoning ordinance in the 300-400 blocks of East College Avenue in regards to height, in lieu parking and density in the Commercial Incentive District.

It was noted that there were basically four different proposals within the amendment, each of which could be considered separately. Staff reminded Council that any changes to the proposed amendment, which included separating the amendment into four parts, would require the amendment go back through the review process with the planning agencies.

It was suggested that four ordinances be drafted. The first would be on changes proposed for the height of buildings. The second ordinance would include language on the changes proposed for setbacks. The third ordinance would include those sections on green certification. The fourth ordinance would be all other parts of the proposed ordinance not included in the above. Although not all were in agreement, a consensus of Council agreed that the ordinance should be reconsidered in four parts.

Jody Alessandrine, Executive Director, Downtown State College Improvement District, agreed that there were good parts to the ordinance, but as a representative to the businesses in the downtown, he would not recommend changing the zoning. Constant changes in zoning discourages development.

Ed Olsen, an architect, said that that as a professional, he strived for well-thought out and sustainable projects. To do that it takes one or two years to design a project. It was important that zoning be maintained so that costly redesigns are not needed.

Charles Gable, 1121 S. Atherton Street and member of the Planning Commission, echoed Mr. Olsen's comments. He said the Planning Commission has considered the changes and, for consistency, he would suggest that Council leave the existing zoning in place. He believed that separating the ordinance into four different parts would not be well received by the Planning Commission.

Mr. Freeman spoke against lowering the building height. He noted there were five locations in the downtown where a signature building is permitted and a different building height permitted in each location.

There being no further comments, Council adjourned to an executive session to discuss personnel matters at 8:35 p.m.

Respectfully submitted,

Cynthia S. Hanscom
Assistant Borough Secretary