

**Meeting Minutes**  
**State College Borough Council**  
**July 13, 2009**

The State College Borough Council met on Monday, July 13, 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: Thomas J. Fountaine, II, Borough Manager; Roger A. Dunlap, Assistant Manager for Budget and Administration; Thomas S. Kurtz, Assistant Manager for Community Services; Thomas R. King, Chief of Police, Michael S. Groff, Finance Director; Mark A. Whitfield, Director of Public Works; Carl R. Hess, Director of Planning; Herman L. Slaybaugh, Zoning Officer/Planner; Anne Messner, Zoning Technician; Amy J. Story, Borough Engineer; Beth Johnston, Director of Human Resources; 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 were no comments from citizens.

#### ABC REPORTS

**Transportation Commission: Allen Street Bike Route.** Rick Hirsch, Chair of the Transportation Commission reported on a proposed project to create a bikeway along Allen Street and Waupelani Drive from Nittany Avenue to Whitehall Road.

Mr. Hirsch added that the Commission would be gathering more data and input from bicyclists and property owners before moving forward.

#### CONSENT ITEMS

Ms. Lafer moved and Mr. Hahn seconded a motion to approve the following consent items. The motion passed unanimously.

- Use of Westerly Parkway, South Allen Street, and West Nittany Avenue for the State College Area School District Homecoming Parade on Thursday, October 22, 2009, from 5:30 to 9:00 p.m.
- A request from the State College Family YMCA for the use of Waupelani Drive and sidewalks on Waupelani, O'Bryan, and Westerly Parkway for a 5K Run/Walk on Sunday, September 20, 2009, from 1:00 to 2:00 p.m.
- A request from the Downtown State College Improvement District for use of Central Parklet for the Summer Concert Series on Tuesday, July 14, 28, and August 16, 2009, from 8:00 a.m. to 11:00 p.m.
- Use of the Orchard Park Bicycle Path from Welch Pool to Orchard Park for the 6th Annual Centre Region Parks & Recreation Youth Triathlon on Saturday, July 25, from 8:00 a.m. to 11:00 a.m.

- Bid award for Project 8A-CDBG-2009 for South Barnard Street Reconstruction Project (Beaver Avenue to College Avenue) for both the base bid and alternate A to Glenn O. Hawbaker, the low bidder, for a total amount of \$193,167.55.
- Bid award for Project 4-2009 Downtown Streetlights to the Hite Company, the low bidder, for a total amount of \$194,832.10.
- Resolution 997 for the destruction of records in the Planning Office.
- Appoint Henry Gerhold to the Tree Commission to serve an unexpired term ending December 31, 2009.

## GENERAL POLICY AND ADMINISTRATION

**2010-2014 Capital Improvement Program.** Council considered the 2010-2014 Capital Improvement Program and three options: (1) shift the Penn State University impact fee/PILOT from capital reserves to the general fund for one year only; (2) modify the capital funding policy by shifting the dedication of the Penn State University impact fee/PILOT from capital reserves to the general fund for the 5-year program from 2010-2014; and (3) approve the program as presented. Staff recommended option three.

Ms. Lafer moved to approve the program as presented (option 3) with the understanding that Council is designing a program and not making final approval on each project. The motion failed for lack of second.

Ms. Goreham moved to approve the program as presented (option 3) with the condition that Council revisit and may amend the program when the operating budget is being discussed. The motion was seconded by Mr. Morris. The motion passed with a 6-0-0 vote.

**Consider Alternate Plan for Orchard Park Bike Way at Welch Pool.** Council considered an easement with the State College Area School District for the Orchard Park Bike Path to accommodate the construction of the Welch Pool project. Staff noted that the Centre Region Recreation Authority now proposed an alternative alignment of the bike path that would address concerns from the residents of South Sparks Street.

Mr. Hahn moved to rescind Council's previous approval of an easement agreement for the relocation of the Orchard Park Bike Path and approve the alternate route with the following conditions:

1. The Centre Region Recreation Authority shall be responsible to pay all costs associated with the relocation of the Orchard Park Bike Path, including removal of the existing bike path.
2. The Centre Region Recreation Authority shall construct the relocated bike path to the specifications required by the Borough to assure that the relocated path equals or exceeds the standards or the existing path.
3. The Centre Region Recreation Authority shall install a buffer and dense screen between the bike path and the abutting properties to protect and assure the privacy of the private property abutting the relocated portion of the path. The buffer and screen shall be approved by the Borough Planning Staff. The screen at the rear of parcel number 36-017-,239-,0000 may include both plant material and a solid fence.
4. The Authority shall enter into an agreement incorporating the provisions of the approval action.
5. The Authority shall accept the State College Design Review Board's recommendation to prepare and implement a woodland restoration plan.

Ms. Goreham seconded the motion. The motion passed with a 6-0-0 vote.

## PLANNING AND ZONING

**West End Zoning District and Design Guidelines.** As part of the implementation strategy set forth in the West End Revitalization Plan, a new zoning district was slated to replace the current Urban Village District. Planning Commission received the draft in early 2008. The draft consisted of two ordinances,

one to create a new zoning district to replace the current urban village zoning and the other to establish design standards applicable in the new zoning district.

Evan Myers, Planning Commission Chair, presented the draft ordinances and staff provided an overview. Mr. Myers indicated that the main theme was focused on density and whether or not higher density should be located in the West End. The second theme in the Commission's review was to create a certified redevelopment area to encourage more owner-occupied housing.

Mr. Hahn moved to receive the ordinance and schedule discussion for a future work session. Ms. Goreham seconded the motion. The motion passed unanimously.

#### PUBLIC WORKS

**Ordinance Amending Bicycle Regulations.** Council considered an amendment to the Codification of Ordinances to modify the bicycle regulations to bring the ordinance in line with the Pennsylvania Motor Vehicle Code.

Ms. Lawrence moved to enact Ordinance 1931 to modify the bicycle regulations. Mr. Morris seconded the motion, which passed with a 6-0-0 vote.

#### REGIONAL ISSUES

**Revised Code Permit Fees for Commercial Renovations.** Council considered a resolution to amend the fee schedule to revise the code permit fees for commercial renovations to cover the costs to perform administrative, plan review and inspection services associated with the renovation project.

Ms. Goreham moved to approve Resolution 998 amending the fee schedule as recommended by the Centre Region Council of Governments General Forum. Mr. Hahn seconded the motion. The motion passed with a 6-0-0 vote.

#### OFFICIAL REPORTS AND CORRESPONDENCE

**President's Report.** Ms. Goreham reported she would be working with the Pennsylvania League of Cities & Municipalities (PLCM) and four other municipalities to organize a press conference to promote a bill to establish the Property Relief and Collaborative Services Act, which provides a 1% county-wide sales tax, of which 40 percent could be returned to the municipalities to provide real estate tax relief to property owners. Mr. Hahn added that at the annual PLCM meeting in Lancaster, the League presented the positive aspects of the bill and indicated it was their primary objective.

**Staff/Committee Reports.** Staff reported that the Ascent sculpture by artist Mark Palato, a native of State College, had been placed in front of the Centre Region Schlow Library.

Staff also distributed the Climate Protection Progress Report, which covered those activities associated with the Resolution 944 for climate protections communities.

There being no further business, the meeting adjourned at 9:17 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary