

**Meeting Minutes**  
**State College Borough Council**  
**August 3, 2009**

The State College Borough Council met on Monday, August 3, 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  
Donald M. Hahn  
Theresa D. Lafer  
Silvi Lawrence  
Peter Morris  
Absent: Ronald L. Filippelli  
James L. Rosenberger

Also present: Terry J. Williams, Borough Solicitor; Thomas J. Fountaine, II, Borough Manager; Carl R. Hess, Director of Planning; Thomas R. King, Chief of Police; Michael S. Groff, Finance Director; Amy J. Story, Borough Engineer; Mark A. Whitfield, Director of Public Works; Roger A. Dunlap, Assistant Manager for Budget & Administration; Thomas S. Kurtz, Assistant Manager for Community Service; Ross Momyer, Finance Intern; Norma J. Crater, Finance Supervisor; Karen M. Martin, Interim Parking Manager; 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.**

Karen Burgos, 410 South Gill Street, asked Council to consider a public involvement process for the West End zoning review similar to that organized by the consultants for the revitalization plan.

Brenda Black, a resident in Halfmoon Township, requested Council approve the use of the Council Chambers for a public forum on state legislation that provided single-payer health care.

Ms. Goreham moved to approve the use of the Council Chambers for the event. Mr. Morris seconded the motion.

Ms. Lafer moved to amend the motion to allow the use of the Council Chamber if C-NET sponsorship was provided; otherwise, the group should be permitted to use the Community Room. Ms. Goreham seconded the amendment. The vote on the amendment passed with a 3-2-0 vote, with Mr. Hahn and Mr. Morris opposed.

Council then voted on the original motion, which passed with a 4-1-0 vote, with Mr. Hahn opposed.

**PUBLIC HEARINGS**

**Parking Regulations on Various Streets.** Council held a public hearing on a proposed ordinance to modify parking regulations on various streets in the Borough. The regulations would create on-street parking restrictions for Ashwicken Court, Bayfield Court, and Stratford Court, remove the 2 a.m. to 6 a.m. "No Parking" restriction in the 600 block of Nimitz Avenue, restrict parking from 2 a.m. to 6 a.m. on Logan Avenue, and modify the parking regulations to allow for queuing of buses on College Avenue.

Staff noted that residents on Ashwicken Court had met with staff and, based on comments received, staff changed its recommendation for parking restrictions on both North and South Ashwicken Court to allow for some on-street parking.

Justin Alexander, owner of 1816 Bayfield Court, indicated there had not been a parking problem in the 20 years he had owned the property, and the restriction as stated in the ordinance is not justified.

Patrick Hagy, 1521 North Ashwicken Court, noted that rather than restricting all parking it could be restricted on either side of the access drive to the parking lots so that sanitation vehicles could get in.

Christine Reese, 1632 South Ashwicken Court, said her main concern was safety and believed that lines could be drawn that would not interfere with trash vehicles.

Daisy Tsao, 1617 South Ashwicken, supported staff's change to allow for some on-street parking in South Ashwicken Court.

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

Ms. Lafer moved to enact Ordinance 1933. Mr. Morris seconded the motion. The motion passed with a 5-0-0 vote.

#### CONSENT ITEMS

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

- Use of Allen Street from Beaver Avenue to Foster Avenue for a Spike Fan Fest sponsored by DID on Sunday, August 16, 2009, from 1:00 to 5:00 pm.
- Use of Holly Alley and a portion of High Street for a neighborhood block party on Saturday, August 29, 2009, from 5:00 to 9:00 pm.
- Use of West Prospect Avenue from Gill Street to Barnard Street for the State College Area School District Athletics Tennis competitions on September 2, 3, 15, & 18 from 3:00 to 7:30 pm.
- Use of Westview Avenue for a neighborhood block party on Friday, September 11, 2009, from 5:00 to 11:00 pm.
- Use of Allen Street from Beaver Avenue to Foster Avenue for the Downtown State College Fall Festival & Chili Cook-off on Saturday, October 3, 2009, from 10:00 am to 3:00 pm.
- Bid award for Project 15A-2009 for the Allen/Atherton Intersection improvements to Wyoming Electric and Signal, Inc., the low bidder, for a total amount of \$108,204.00.
- Bid award for Project 15B-2009 for the Allen/Atherton Intersection improvements to Wyoming Electric and Signal, Inc., the low bidder, for a total amount of \$105,186.50.

#### GENERAL POLICY AND ADMINISTRATION

**State College Borough Audit Report.** Jeff Kent, with Maher Duessel, presented the 2008 single audit.

Council asked how the 2009 pension values were holding. It was noted that there was a loss in the pension fund in 2008 but had recovered some in 2009. Staff noted that the Borough would not feel the effects of the loss until the 2011 budget when pension contributions would reflect the actuary report results from 2008.

**Mid-Year Budget Report.** Staff presented the 2009 mid-year budget report.

Council asked why police overtime costs were down in 2009. It was noted that there were three candidate visits from presidential candidates that required additional police coverage in 2008; in addition the amount of overtime

spent in court by officers had been reduced by a change that allowed defendants to waive their preliminary hearings early, thereby reducing the amount of time an officer spends at the courthouse.

Council also asked about tracking earned income revenues. It was noted that the financial trend monitoring report would be updated and submitted to Council to show the trends for earned income taxes.

Council also addressed concern with the parking fund. Staff noted that debt service on the Beaver Avenue garage was high and it would take time for the parking system to perform at the level needed. Council members said that the public should be aware that the Borough was not making money on the parking system.

## OFFICIAL REPORTS AND CORRESPONDENCE

**Mayor's Report.** Mr. Welch complemented the new signs in the Allen Street parking lot. He also noted that he had met with Senator Specter to talk about local issues.

**Presidents Report.** Ms. Goreham reported the Pennsylvania League of Cities and Municipalities continued to work on a bill for property tax reduction.

**Staff/Committee Reports.** Mr. Fontaine reminded Council that the meeting for Monday, August 10, would begin at 5:00 p.m. and Council would continue the strategic planning process.

Council recessed the regular meeting and reconvened in a work session at 9:00 p.m.

## PLANNING AND ZONING

**West End Zoning District and Design Guidelines.** Council asked for comments from members of the public.

Karen Burgos, 410 South Gill Street, said her main concern was that the zoning measures do not fulfill the West End Revitalization Plan and suggested that there needed to be a larger planning process in place to insure that the zoning would provide the types of incentives for development that related to those recommendations in the Revitalization Plan. Mr. Welch said the economic feasibility report completed by the Redevelopment Authority indicated that the marketability of the properties in the West End could be maximized by providing student housing under the existing zoning.

Paul Barsom, 417 West Nittany Avenue, stated he was concerned about the density and that the neighborhood will not be able to tolerate the increases in the number of students and the increases in traffic.

Anita Genger, 400 South Gill Street, noted the proposed ordinance appears to be about development and not about what was needed to retain the existing structures.

Kimberly Faulds, 805 West Foster Avenue, commented that allowing consolidation of lots was short-sighted and encouraged developers to tear down existing structures. She also said she did not believe it was necessary to go beyond the three unrelated rule to four unrelated.

Council discussed the three unrelated rule and where it applied. It was noted that the three unrelated rule would not change. Staff noted that it applies to one- and two-family structures in the R-1 and R-2 zoning districts. Occupancy limits for multi-family units are based on square footage.

Michele Rowland, 230 South Gill Street, said she had attended the original sessions to get stake holders to buy into the Revitalization Plan and this zoning ordinance would not be acceptable to neighborhood residents.

Eric Boeldt, 400 South Gill Street, stated that according to the Code, six people were permitted to live in 650 square feet, which is a very small area. Mr. Boeldt added redevelopment could add costs to the municipality in areas such as sewer, police and traffic mitigation.

Susannah Barsom, 417 West Nittany Avenue, reiterated that the vision proposed for the West End did not match the proposed zoning. Building a 5-story student housing unit may help the tax revenue but the height would be a problem.

Carrie Jackson, 238 South Gill Street, noted that students who live in the Holmes-Foster neighborhood like the atmosphere and the mix.

John Simbeck, owner of 601 West College Avenue, said the zoning could create additional problems; for example, work force housing sounds good but could create future slums.

There being no further business, the meeting adjourned at 10:05 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary