

Meeting Minutes
State College Borough Council
November 8, 2010

The State College Borough Council met on Monday, November 8, 2010, in the State College Municipal Building, 243 South Allen Street, Room 304, State College, PA. Council President Filippelli called the meeting to order at 7:38 p.m.

Present: Ronald L. Filippelli, President of Council
Thomas E. Daubert
Donald M. Hahn
Theresa D. Lafer
Silvi Lawrence
Peter Morris
Absent: James L. Rosenberger

Also present: Elizabeth A. Goreham, Mayor; Thomas J. Fountaine, II, Borough Manager; Amy R. Miller, Recording Secretary; Michael Groff, Finance Director; Thomas King, Police Chief; Roger Dunlap, Assistant Borough Manager; Beth Johnston, Human Resource Director; Mark Whitfield, Public Works Director; Norma Crater, Accounting Supervisor; Herm Slaybaugh, Zoning Officer; Anne Messner, Planner; members of the media; and other interested observers.

Public Hour - Hearing of Citizens. There were no comments from the public.

Planning and Community Development

West End Zoning. Staff provided a brief overview of the West End zoning amendment process. Staff indicated that the Municipality's Planning Code (MPC) requires Council to do one of the following:

- Adopt the amendments in their current form;
- Reject the amendments;
- Refer the amendments back to the Planning Commission for further review and comments; however, provide the Planning Commission with specific directions on what amendments or changes Council would like to see.

There was no presentation because Council has discussed the amendments previously. Council should direct staff on how they wish to proceed on the amendments.

After discussions, Council President Filippelli summarized councils lists of concerns as:

- Mixed use on corner lots
- Building height
- Permitted uses
- Inclusionary Housing ordinance
- Historic Overlay ordinance

- Green ordinance

Council Members Filippelli, Daubert and Lafer said the zoning amendment is okay as is written; however the majority of Council would like the zoning changed.

Council agreed that mixed use on corner lots should not be mandated. Some Council members expressed concern over building height, however the majority of Council members indicated height should remain as proposed. Council then directed Staff to prepare a rewrite of the ordinance to include their suggested changes.

Council also discussed the West End Design Guide and expressed concerns that it may be too prescriptive. However, Council had consensus to move this ordinance forward for a vote toward enactment of the ordinance.

Inclusionary Housing. Staff gave a brief history on inclusionary housing. Staff said that in early 2008, Council directed the Planning Commission to review a proposed Inclusionary Housing Ordinance as part of the overall West End zoning proposal. The Planning Commission has reviewed the proposal and determined that the Inclusionary Housing Ordinance should not be adopted.

Staff indicated that if Council wished to continue to develop this ordinance, they should provide staff with direction on what should be included in the ordinance.

Council agreed that the ordinance should be rewritten to include the entire Borough. Additionally, Council members decided the following requirements be reduced

- number of units required
- inlieu fee be reduced
- parking requirement
- number of identification documents

Council Member Morris added that the definition of marriage should include domestic partnership as well.

Council concurred that Staff should make the noted changes and return the ordinance to Council for further review. Staff noted that the ordinance would not be brought back to an agenda until sometime in January.

Joanne Tosti-Vasey, President of Pennsylvania NOW (National Organization for Women) referred to her letter of November 8, 2010. She said individuals seeking low income homes will not be able to provide five forms of ID and suggests Council reduce this requirement. Ms. Tosti-Vasey added that the section in the ordinance on Calculating Rents and Sales Prices should be rewritten for clarity.

East Beaver Rezoning. Council has previously discussed this issue and determined the most important points as follows:

1. Planning Commission concluded that the student overlay concept is not a good deal for the Borough and should not be pursued and the current R2 zoning of the subject property is inappropriate.
2. However, the Commission was unable to provide a recommendation of what the property should be rezoned.
3. The divisive issues were building height & density.
4. There was consensus that uses allowed on the subject property should mirror those permitted in the CID zone.
5. An ordinance amendment establishing a hybrid RO zone; the RO-O zone, was prepared by staff, but there was no consensus to recommend it to Council.

Council received no recommendation from the Planning Commission. Staff suggests the following action be considered:

- A. Turn down rezoning – leave the land R2;
- B. Approve as CID with student overlay – landowner's request;
- C. Rezone to CID;
- D. Rezone to RO;
- E. Rezone to a hybrid RO or CID using an overlay zoning technique.

The majority of Council agreed to draft an RO-O ordinance; however Mr. Henry Sahakian, President of HFL Corporation withdraw his request for rezoning.

Historic Overlay. At Council's November 1 meeting, Council received the Planning Commission's report on the Historic Overlay Ordinance. Council had no additional comments and agreed to include the ordinance on their November 15 agenda for vote.

Fraternity Temporary Use Ordinance. Earlier this year, Council considered a zoning amendment to allow temporary use of fraternity buildings in an R2 zone as rooming houses for a period of up to two years.

The majority of Council concurred with the ordinance as written, with the additional requirement of a non-student resident manager. Staff indicated that a resident manager was already included in the ordinance, but the non-student requirement would be added to the language. Council agreed to move forward with the ordinance and send it back to the Planning Commission for review and comment prior to a public hearing and enactment.

Jim Edwards, 801 S. Garner Street, said he supports Council's decision of requiring a resident manager. He asked Council if a very active local alumni group would be allowed to oversee the house without living there. Council answered no, a resident manager would be required.

Ed Sidwell, resident of Patton Township representing Sigma Nu Association, asked Council if a person who was a recent graduate staying in town for the purpose of working would qualify as a resident manager. Council answered yes.

Centre Region Council of Governments 2011 Budget. Staff completed its review of the 2011 Centre Region Council of Governments budget and prepared comments for Council. Council requested one change to the library comment, which was to remove the second sentence relating to Feguson Township. Staff agreed to prepare this change and present it the COG Finance Committee by 8:30 am tomorrow morning.

2011 Operating Budget. Staff distributed the 2011 Operating Budget and presented brief highlights on the upcoming budget discussions. Council discussion and review of the budget will begin at the November 15 work session.

Projects Report/Upcoming Agenda Items. Council was given an updated list of projects currently in progress and anticipated; Council had no questions on projects.

Council reviewed the Upcoming Agenda Items; Council requested this item be added to the agenda each month. Staff indicated that Council may request an item be added to an agenda at any time.

Mr. Hahn prefers the update on the Fraser Centre be scheduled on November 15, as he cannot attend on November 19.

Items of Information. Council President Filippelli announced that Council held an Executive Session prior to this meeting to discuss real estate and personnel matters.

There being no further business, the meeting adjourned at 9:42 p.m.

Respectfully submitted,

Sharon K. Ergler
Assistant Borough Secretary