

**Meeting Minutes**  
**State College Borough Council**  
**Work Session**  
**January 21, 2011**

The State College Borough Council met on Friday, January 21, 2011, in the State College Municipal Building, 243 South Allen Street, Room 304, State College, PA. Council President Filippelli called the meeting to order at 12:00 p.m.

Council: Elizabeth A. Goreham, Mayor  
Ronald L. Filippelli, President of Council  
Donald M. Hahn  
Theresa D. Lafer  
Peter Morris  
James L. Rosenberger  
Absent: Thomas E. Daubert

Also present: Thomas J. Fountaine, II, Borough Manager; Amy R. Miller, Recording Secretary; Roger Dunlap, Assistant Borough Manager; Mark Whitfield, Public Works Director; Charles DeBow, Parking Manager; Amy Story, Borough Engineer; members of the media; and other interested observers. Maggie Quinn, Vice Chair, was also present representing UPUA.

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

### **Planning and Zoning**

West End Zoning Discussion. Staff asked Council how they wished to proceed on the following four items recommended by the Planning Commission regarding West End Zoning.

1. **Keep the present language requiring mixed-use on corner lots along West College Avenue.** It was the consensus of Council to eliminate this requirement.
2. **Eliminate the 3 integrated surface parking diagrams at the end of Section 1931 and strike the written reference to them.** It was the consensus of Council to eliminate these provisions from the amendment.
3. **Change the rules along North Sparks Street to mandate commercial use on the ground floor of buildings on all lots north of College Avenue.** Staff indicated that "townhome" and "townhouse" are generally the same. Four members of Council agreed that this requirement be eliminated; two members of Council prefer to keep the requirement.
4. **Eliminate "townhome" as a permitted use on North Sparks Street.** It was the consensus of Council to allow a townhome as a permitted use.

Sue Barsom, 417 West Nittany Avenue, said that incentives should be used instead to encourage commercial use on first floor as well as owner occupied housing. She also said that it should be a disincentive to allow for three and five story structures.

Staff indicated that Council would have to take action at a regular meeting to schedule a public hearing. Additionally, the Planning Commission will have 30 days to contemplate the issues raised today.

Mr. Morris recommended the West End Zoning and the Historic Design Guidelines move forward as requested by the Planning Commission. He added that the Inclusionary Housing Ordinance be a Borough-wide ordinance.

Mr. Hahn agreed with Mr. Morris and added that a restaurant such as Duffy's Tavern would be a great addition for the West End neighborhood.

Ms. Lafer said she disagreed with the Design Guidelines and recommends amending the current ordinance to reduce density to three stories. She added that Inclusionary Housing should be a Borough-wide Ordinance. Lastly she said no more time should be spent on the West End rezoning efforts.

Mr. Rosenberger said if the first floor commercial requirement was met, an incentive to increase height could be given. He also inquired to know what percent of tax comes from student housing; Staff replied that information is not readily available but would provide that to Council in the near future.

Ms. Lawrence would like to move ahead with this project.

Mr. Filippelli added that if the West End would be redeveloped it would most likely be a student neighborhood.

Council agreed they needed more time to discuss these issues. Staff said that the work session on February 18 would be an appropriate time to continue discussion.

Ms. Quinn spoke on behalf of UPUA representative to Council, Ben Pugh, in his absence and gave his comments to the secretary for the record.

UPD Zoning. Staff indicated that Penn State requested a zoning amendment from College Township in connection with the construction of a new ice arena at the corner of Curtin Road and University Drive within College Township. Staff has reviewed the proposal and sees no issue with the amendment. Council had no additional comments.

## **Regional**

Code Study. Staff explained at the December COG General Forum meeting, municipalities were asked to review and comment on the Operations Review of Code Administration prepared by Management Partners. Council commented that Customer

Relations should be a higher priority in the Code Office. Council also said the Borough should have a prominent role in the Information Technology Program. Staff said Council's comments would be prepared for formal approval on February 7.

## **General Policy and Administration**

GASB Statement No. 54 Fund Balance Resolution. Staff explained that the Governmental Accounting Standards Board (GASB) has issued Statement No. 54 "Fund Balance Reporting and Governmental Fund Type Definitions" which creates new fund balance classifications for governmental financial statements for reporting periods beginning after June 15, 2010. The new classifications are based upon a hierarchy which reflects the extent to which the government is bound to honor constraints on the purposes for which those funds may be spent, as follows:

- Nonspendable – inherently not spendable or not in a spendable form
- Restricted – limitation on use imposed by party external to the government
- Committed – limitation on use imposed by formal action of the governing body
- Assigned – limitation on use due to intended purpose, rather than formal action
- Unassigned – spendable amounts not included in preceding classifications

In the case of the "Assigned" fund balance classification, GASB Statement No. 54 enables Council to delegate authority to a subordinate official to make assignments of fund balance for intended purposes, not otherwise requiring formal action of the governing body. Council agreed to place a resolution on a future agenda delegating this authority to the Borough Manager.

Communications Systems Right-of-Way Usage Ordinance. Staff noted that the Borough has received several inquiries from telecommunication and wireless providers to obtain permission to use the Borough's rights-of-way for lines, equipment and other facilities. The Ordinance that the Borough will be considering is intended to establish the requirement to obtain a Use Agreement from the Borough, and, in addition, the requirement of completion of an Application Form that will ensure the Borough's control over such uses not inconsistent with the provisions of Pennsylvania law.

Staff added that the draft ordinance is presented today for information only and will be presented to Council at their February 7 meeting for review and discussion.

Council questioned how many firms the ordinance involves; Staff replied that two companies were interested for this purpose.

2011-2012 Legislative Priorities. Staff prepared a list of legislative priorities for Council's consideration in preparation for a meeting with state and national representatives and the National League of Cities Congressional City Conference scheduled in early March. Staff would prepare a resolution for Council's adoption at their meeting on February 7. Staff added that at this time PLCM's 2011 list of legislative priorities is not yet available.

Mr. Hahn suggested that the issue of gas prices should be discussed. Mr. Fontaine replied that this item is included under Federal Issues of Transportation Infrastructure. Mr. Hahn said the gas item should have more emphasis. Mr. Fontaine suggested Council submit a Resolution to add emphasis on gas prices.

**Projects Report/Upcoming Agenda Items.**

Mr. Hahn requested a quarterly update on the Fraser Centre.

Mr. Hahn also inquired as to whether international students are harassed in any way and would like to investigate discrimination. Mr. Morris replied that the Human Relations Commission could look into such a request if the Commission's charges were revised.

There being no further discussions, the meeting adjourned at 1:30 p.m.

Respectfully submitted,

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Sharon K. Ergler  
Assistant Borough Secretary

Prepared by Amy R. Miller