

**Meeting Minutes  
State College Borough Council  
Special Meeting  
Friday, June 3, 2005**

The State College Borough Council met in a special meeting on Friday, June 3, 2005, in the State College Municipal Building's Council Chambers, 243 South Allen Street, State College, PA. Mayor Welch called the meeting to order at 12:05 p.m.

Present: William Welch, Mayor  
Thomas E. Daubert, President of Council  
Catherine G. Dauler  
Elizabeth A. Goreham  
Craig R. Humphrey  
Jeffrey R. Kern  
James H. Meyer

Also present: Thomas J. Fountaine, II, Borough Manager; Mark Whitfield, Public Works Director; Amy J. Story, Borough Engineer; Thomas R. King, Chief of Police; Ronald A. Davis, Assistant Borough Manager; Joanne K. Lopinsky, Assistant Zoning Officer; Herman L. Slaybaugh, Zoning Officer; Michael S. Groff, Finance Director; and Amy R. Miller, Recording Secretary; members of the media; and other interested observers.

**Roll Call.**

**Public Hour.** There were no comments from the public.

**Council Voting to Fill the Unexpired Term of Janet Knauer.** Janet Knauer's term will expire on December 31, 2005. Council has forty-five days from the effective date of the vacancy to fill the vacancy. The forty-five day period will expire on June 22, 2005. According to the Home Rule Charter, if Council is unable to fill the vacancy by that date, Council, or five citizens may petition the Court to fill the vacancy.

Mr. Meyer moved to nominate Dick McCarl to fill the vacancy and Ms. Dauler seconded the motion. Ms. Goreham felt that Mr. McCarl did not support the same views as Council member Knauer and the vacancy should be filled by someone with the same views as the resigned member. Ms. Dauler disagreed and felt the decision to replace the Council member should be a community decision and not based on political party. In addition, someone with knowledge of downtown redevelopment and the strategic plan would benefit Council on decisions that need to be made in the next six months. Council voted in a 3-3 tie with Mr. Kern, Mr. Meyer, and Ms. Dauler voting in favor of Mr. McCarl. Ms. Goreham, Mr. Daubert and Mr. Humphrey opposed.

Mr. Humphrey moved to nominate Jackie Melander for the position and Ms. Goreham seconded the motion. Ms. Goreham felt Ms. Melander would be a good candidate because she supports the redevelopment of downtown. Mr. Meyer responded that just because Council could not agree on Mr. McCarl does not mean Council should settle on a substandard candidate. Ms. Goreham disagreed and said Ms. Melander has shown her capabilities and would be a superior candidate for the position. Council voted in a 3-3 tie with Ms. Goreham, Mr. Daubert and Mr. Humphrey in favor of Ms. Melander, and Mr. Kern, Mr. Meyer, and Ms. Dauler opposed.

Ms. Goreham moved to nominate Eric Boeldt for the vacancy and Mr. Daubert seconded the motion. Ms. Goreham said Mr. Boeldt has served the Borough in various capacities, is an independent thinker and would be a worthy compromise candidate. Mr. Humphrey said he knows nothing about Mr. Boeldt; therefore he cannot vote for him. Mr. Kern said he has spent the past three weeks supporting Mr. McCarl because he offers a wealth of experience on the issues before Council. However, given that Council cannot agree then he supports Mr. Boeldt as a compromise candidate. Mr. Kern said he and Mr. Boeldt have served on many of the same committees and believes he would serve Council well for the next six months. Mr. Kern was also concerned that some members of Council would not be available to meet again in June and felt a decision should be made today. Ms. Dauler felt that Council should have an opportunity to speak with Mr. Boeldt in order to vote fairly. Council again voted in a 3-3 tie with Mr. Kern, Ms. Goreham, and Mr. Daubert in favor of Mr. Boeldt. Mr. Meyer, Ms. Dauler and Mr. Humphrey opposed.

Mr. Humphrey moved to nominate Jon Eich to fill the vacancy and Ms. Dauler seconded the motion. Mr. Daubert spoke highly of Mr. Eich but would prefer an opportunity to speak with the candidate before voting for him because Mr. Eich may not know anything about the local Borough government. Mr. Humphrey felt if someone served in county government then one should know what is going on in the State College Borough; Mr. Eich would be good for Council. Council voted 4-2 against Mr. Eich with Mr. Kern, Mr. Daubert, Mr. Meyer and Ms. Dauler opposing and Ms. Goreham and Mr. Humphrey in favor of Mr. Eich serving on Council.

After a five-minute recess Mr. Humphrey again made a motion to nominate Dick McCarl and Ms. Dauler seconded the motion. Council voted 4-2 in favor of Mr. McCarl filling the Council's vacancy. Mr. Kern, Mr. Meyer, Ms. Dauler and Mr. Humphrey voted in favor of Mr. McCarl and Ms. Goreham and Mr. Daubert opposed.

**Request to Waive the Noise Ordinance Limits to Conduct AfterFest Activities.** The Pennsylvania State University, through the Blue & White Society, a student membership of the Penn State Alumni Association, is proposing to hold an "AfterFest" on the HUB lawn from 11:00 p.m. until 3:00 a.m. on the nights of Saturday, July 16, and Sunday, July 17. This is the fifth year for AfterFest. Several thousand people are expected to attend. Several activities are being held, the most important of which is a concert. University police officers, student auxiliary officers, and Blue & White Society volunteers will be used for security. Because this is not their first AfterFest, the applicant is aware that, if multiple substantiated complaints are received, the police will work with them to lower the volume. Ms. Dauler moved to approve the waiver of the noise ordinance and Mr. Humphrey seconded the motion. Council voted 6-0 unanimously in favor of waiving the noise ordinance.

There being no further voting business the meeting adjourned to a work session immediately following.

Respectfully submitted by:

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Cynthia S. Hanscom  
Assistant Borough Secretary