

Meeting Minutes
State College Borough Council
Regular Meeting
May 21, 2012

The State College Borough Council met in a regular meeting on Monday, May 21, 2012, in the State College Municipal Building, 243 South Allen Street, State College, PA. President Hahn called the meeting to order at 7:31 p.m.

Present: Donald M. Hahn, President of Council
Thomas E. Daubert
Catherine G. Dauler
Ronald L. Filippelli
Sarah Klinetob
Peter Morris
James L. Rosenberger

Absent: Elizabeth A. Goreham, Mayor

Also present: Terry J. Williams, Borough Solicitor; Thomas J. Fountaine, Borough Manager; Sharon K. Ergler, Assistant Borough Secretary; Thomas R. King, Chief of Police; Eric Brooks, Operations Manager; Roger A. Dunlap, Assistant Manager; Beth A. Johnston, Human Resources Director; Charles DeBow, Parking Manager; Angel Hernandez, Chief Technology Officer; Courtney Hayden, Communications and Grants Coordinator; Carl R. Hess, Planning Director; Edward C. Holmes, Public Services Manager; Norma J. Crater, Manager of Financial Services; Alan Sam, Environmental Coordinator; Meagan Tuttle, Planning Intern; and members of the media.

The meeting began with a moment of silence and the pledge of allegiance.

Public Hour – Hearing of Citizens

No one was in the audience who wished to speak.

Special Reports

Bernie Keisling, Executive Director of 4th Fest, thanked Borough Council for their continued support and sponsorship over the years. To date, 4th Fest has over 220 sponsors and more than 12,000 people who volunteer their time to make this event happen every year. Mr. Keisling said this year they are proposing to do something very special. We plan to have a B52 Bomber fly over the event, since this year's theme is America's Got Heroes. The 4th Fest Committee is also organizing a parade of Centre County heroes and we would like to have the parade run through the streets of downtown State College. As part of the theme, we are encouraging people to go to the 4th Fest website and nominate someone they believe is a hero. This nomination could be for anyone who has done something heroic. These nominations will then be reviewed by a committee who will then choose which heroes will have the opportunity to ride in the parade. Mr. Keisling then introduced Charles Gable, the 4th Fest Treasurer and Parade Director.

Mr. Gable said Centre County needs something positive to celebrate and the 4th Fest Committee thought what better way to do that than to celebrate our local heroes. He briefly reviewed the staging and parade route for Council. Mr. Gable said their request for the street closure is in Council's agenda packet and they are hopeful Council will approve the event.

Mr. Daubert said he liked the idea but had one question. He asked who will decide which nominees get to be the heroes and who will be in the parade. Mr. Gable said there will be a selection committee who will review the nominations and pick the ones they feel are truly heroes and should be recognized.

Mr. Filippelli asked Mr. Gable what the anticipated number of people is who will participate. Mr. Gable said they are anticipating 1776. He said they are hoping that people who come up to the stadium earlier

in the day and will walk downtown to watch the parade and then walk back up to watch the fireworks. Mr. Filippelli also asked if the 4th Fest Committee has been in contact with the downtown merchants to let them know about the event so they will stay or be open. Mr. Gable said he honestly does not know the answer to that question. Mr. Keisling said the Committee has approached DSCID and they are talking to some downtown business owners.

Mr. Fontaine said DSCID has submitted a formal written letter of support for the event.

Consent items

Mr. Filippelli made a motion to approve the following consent items. Mr. Rosenberger seconded the motion.

- Approve the resignation of Michael Shamalla, with regret, from the Design Review Board effective immediately.
- Award the Sidewalk Replacement Project (#1-2012) to John Nastase Construction, the low bidder, for a potential maximum total amount of \$66,785.90.
- Approve the closing of various streets downtown on Wednesday, July 4, 2012, from 11 a.m. – 4 p.m., for the Central PA's 4th Fest Parade of Heroes.
- Approve a resolution for the destruction of records in the Department of Ordinance Enforcement and Public Health.
- Approve the use of Calder Alley between Locust Lane and McAllister Street for St. Paul's United Methodist Church vacation bible school from Sunday, June 17, 2012 through Thursday, June 21 2012, between 5:30 p.m. and 8:30 p.m. each evening.
- Approve the minutes for the following meetings held in March 2012:

March 3, 2012	Regular Meeting
March 19, 2012	Regular Meeting

The motion passed unanimously.

General Policy & Administration

1st Quarter Financial Report/2011 Annual Audit Report and Year End Budget Report

Mr. Dunlap and Ms. Crater presented the 1st Quarter Financial Report and the year end budget report. Ms. Crater said all indicators are green, which represents that everything is on target and as expected. She said there were a couple of notable variances. The first is the revenue side is up \$627,000, which is primarily due to an unanticipated increase in our state aid for our pension plans. Another notable is in the Parking Fund. This is attributable to the last payment on the Fraser Centre parcel. This was not budgeted for.

Mr. Hahn asked since these reports were just distributed this evening, what is the protocol if Council members have questions and/or comments. Mr. Fontaine said to contact either Roger Dunlap or himself.

Mr. Jeff Kent and Tim Morgus from Maher Duessel distributed their annual Audit Report. Mr. Kent said since this information is just being distributed this evening, he said their contact information is on the last page of the report and Council members are welcome to call either of them if they have questions about the information included in the report.

Mr. Kent said the 2011 Audit Report shows no material weaknesses or deficiencies. He added that the Borough's Audit is impressive because the records are in good condition when they receive them, which are a great accomplishment and an asset to the Borough. Even though the Borough Finance Department was very busy working on the new ERP system, they provided everything the auditors needed with full cooperation.

Mr. Fontaine said the Borough's 2011 Audit will be posted to the website following this meeting.

Planning and Zoning

Green Certification Performance Bond

Mr. Morris made a motion to approve the resolution for the Green Certification Performance Bond. Mr. Rosenberger seconded the motion.

Mr. Daubert said the performance bond amount is still too high. He said he would prefer to see a smaller amount with some minimum. This amount seems too high and developers will not select the green option.

Mr. Morris said staff was going to look into the actual amount the developer would have to pay. Mr. Hess said this information is difficult to find out. Mr. Fontaine said there is not enough good information out there about the cost of the bond; however, the bond amount is somewhere between 2% and 5%.

Mr. Rosenberger asked if the bond amount is only 2% and if the standards are not met would a developer would lose the full amount of the bond. Mr. Hess answered yes because in order to get the green certification, the entire building would have to meet the silver certification.

Ms. Klinetob said given the fact that the amount has gone up from as low at \$10,000 to \$900,000; this is taking it out of the realm of possibility that a developer would choose this option. She asked if the green certification is something we really want to see or is this just a way to limit building height.

The motion passed with Mr. Daubert voting against the motion.

Regional Issues

State College Land Area Plan (SCLAP)/Future Land Use Map

Mr. Jim May, the Centre Region Planning Director, was present to answer any questions Council members may have about the State College Land Area Plan and the Future Land Use Map.

Mr. Daubert said he recently received this updated map. He said he can see a lot of new changes on the new map. He said he received a copy of the 2008 Report; however, it is over 200 pages long and it was distributed electronically and he did not have time to read it prior to tonight's meeting.

Mr. Daubert said the 200 block on the south side of Beaver Avenue (from Pugh Street to Locust Lane) is shown as mixed use. He said he has been arguing about that for at least three months. Council recently came to a conclusion to approve the last property in that block; however it was unanimous that Council did not want to change the three other lots in that block. Also, along North Atherton, from Arbor Way all the way up to the Borough line, this area was changed to multi-family residential and this is something the College Heights Neighborhood is against doing. He added that the map is not ready for Council to approve in its present form.

Ms. Dauler said Council should seriously consider making the changes to the map. We should identify those subject areas that need future study and defer assigning a specific land use to those areas. She said by doing that, Council could move ahead with getting this plan agreed upon, which is important.

Mr. Rosenberger said he is trying to understand what a future land use map is actually for. He said it looks as though it is a subtle way for future zoning changes.

Mr. May said one purpose is to suggest future zoning changes in the Borough. It is true that the College Heights School is still under discussion and it is presently shown on the map as a mixed-use neighborhood. A developer could make a request to the Zoning Hearing Board to rezone this property and convert it to an office building. Mr. Daubert said Council should decide what happens to the parcel.

Mr. May said Council should think about what they want to see in some of these areas twenty years from now.

Ms. Dauler said the College Heights Neighborhood Association has expressed their concern about certain areas on the plan. What staff is asking Council to do is to decide if we want to accept the plan and whether or not we want to make some corrections. She said the first recommendation would be that the College Heights School on North Atherton and the area north of Hillcrest should remain R-2 because this is what the people in the College Heights Neighborhood want. She agreed that the Pugh Street corridor is a complicated area. She said Council should do something there that encourages moderate density, like the R-3 zoning district.

Mr. Morris agreed. He said these areas would be the subject of a future study. He said along the Pugh Street corridor, if people see multi-family residential a red flag goes up. People tend to think Pugh Street will end up like Beaver Canyon. Multi-family residential could work there. Mr. Morris said Atherton Street is not only important Borough-wide, but it is a regional highway. The neighborhood should not be the only voices to be heard.

Mr. Daubert said he is concerned about people taking this map as it stands. He said he was concerned about others areas too. For example, Locust Lane, between Nittany and Fairmount Avenues. The corner property is a fraternity and Council has already received a request to rezone two lots adjacent to the fraternity. Council should not be put under that kind of pressure.

Ms. Dauler said her sense is that Council needs to decide on the three choices. She suggested Choice #3, which is to go ahead and accept the plan but designate those areas that warrant future study.

Mr. May said if you travel down Pugh Street you can see many apartment buildings and single-family homes. It is not CRPA's intention to turn Pugh Street into another Beaver Canyon. The main thing they want to concentrate on is how we are going to proceed.

Mr. Fountaine said staff is asking Council to give us some guidance as to what you think should be on the map. If they want certain zoning areas to remain as they are, just let them know.

Ms. Dauler made a motion to approve the Plan, but identify the three areas we have listed in the agenda: the Atherton Street corridor, the College Heights School, and the Pugh Street corridor, and note these areas which would all be subject to future study. Mr. Morris seconded the motion.

Mr. Hahn said this motion does not preclude additional areas to also be the subject of future study.

Mr. Daubert said he was not in favor of the motion and will vote against it. He said all of College Heights should be included for future study.

Ms. Klinetob asked if this map would be used to outline the suggested growth areas that could accommodate that growth. She said her concern is that the projected growth is towards multi-family and not towards residential. That concern is synonymous with student housing. If zoning comes to fruition in 20 years, how does that affect the tax base?

Mr. Filippelli agreed with Ms. Klinetob. He said when three to four homes change from single-family owner-occupied to rentals, it matters to us. We are making decisions that affect the future uses of properties within the Borough, specifically multi-family housing. This type of growth does not benefit the Borough if we lose our tax base. The Borough is the municipality that will take the burden for multi-family housing and not reap the benefits of it.

Mr. Morris said he is in favor of multi-family housing if it means more young professionals living in the Borough. He stated that many single people or couples without children would prefer to live in an apartment or condo.

Ms. Dauler said, as we all well know, zoning changes are a real struggle, both mentally and the fact that they take a lot of time and effort. Zoning is done with great deliberation and she said she feels comfortable in supporting the Land Use Plan because Council would have the final say of any zoning that should be changed.

Mr. Daubert said he felt the Beaver Avenue corridor should be part of a future study.

Mr. Hahn said Bradley Avenue might be another area worth studying. He said he would certainly entertain any motions to amend to add areas.

Mr. Daubert said Council should not be stuck with only the three areas outlined in Ms. Dauler's motion to be studied. Council should be able to identify any other areas for consideration at any other time.

The motion passed 5-2 with Mr. Daubert and Mr. Hahn voting against the motion.

Official Reports and Correspondence

President's Report – Mr. Hahn said he had nothing to report.

Regional Liaisons

Executive Committee – Mr. Morris said the Executive Committee meets tomorrow.

Finance Committee – Mr. Rosenberger said he had nothing to report.

Human Resources Committee – Ms. Dauler said the Human Resources Committee discussed the proposed 2013 personnel changes. The Committee asked COG staff to bring forward position changes they would like to see occur and give rationale for those changes.

Parks Capital Committee – Mr. Daubert said the Parks Capital Committee did not meet.

Public Safety Committee – Mr. Hahn said the Public Safety Committee discussed the contract for Emergency Management training exercise, received a CODE software update, and discussed the proposed 2013 personnel changes.

Public Services and Environmental Committee – Ms. Klinetob said the Public Services and Environmental Committee had a lengthy discussion about a proposal for bringing high-speed internet services to the area, specifically GigU.

Transportation and Land Use/MPO Committee – Mr. Daubert said the Transportation and Land Use Committee met and discussed various draft sections of the Comprehensive Plan and the MPO did not meet.

Staff/Committee Reports

Mr. DeBow said he failed to remind everyone that parking is free downtown on the 4th of July.

Mr. Fontaine said he drafted a letter to the Centre County Commissioners capturing Council's objections to the formula amendment. He said he would distribute it to Council for their review prior to sending it.

Student Representative Report – Ms. Petrulionis has an excused absence from this meeting.

Items of Information

Council recessed to a work session to continue its review of the 2013 – 2017 Capital Improvement Program at 8:53 p.m.

First, Council reviewed the matrix of all comments thus far about the CIP. Mr. Morris said one question he raised seemed to have been changed in translation. Specifically, the proposed location of the new garage could cause damage to the fabric of downtown. There are certain areas that are important to the image and picture of State College. Changing those in a big way would be a bad idea. For example, if buildings were torn down within the 100 block of South Allen Street, that would be a sin and should never be considered.

Mr. Fontaine said Council members have the ability to forward comments and corrections to the matrix to the Manager up until June 18. Staff will continue to keep these comments running until the adoption.

Discovery Space

Art Heim, the Executive Director, and Karin Foley, Board Chairperson, of Discovery Space made a funding request to Council. In its approval of the 2012-2016 CIP, Council elected to fund only the first year of the Discovery Space but included a three-year capital request. Council asked that the Discovery Space justify the second and third year funding requests during subsequent CIP cycles. As a result, Mr. Heim presented the Discovery Space funding request for 2013.

Ms. Foley thanked Council for their confidence and commitment to the Discovery Space. She said last year they talked to Council about a vision and a dream and she is happy to say much of that vision has come about. She asked Council to consider supporting the Discovery Space for another round of funding.

Mr. Morris said he is a strong supporter of the Discovery Space. He said he personally would like to see Discovery Space grow and have the need to move out of their existing space on West Foster Avenue; however, he would hope that they remain downtown.

Mr. Filippelli thanked Mr. Heim and Ms. Foley for the presentation. He said the Borough cannot provide financial support forever. He asked if they contacted other municipalities about providing funding. He wondered if they knew where their customer base is coming from. He also questioned if the townships are contributing by sending their families?

Mr. Rosenberger said he too is very supportive of Discovery Space.

2013-2017 Capital Improvements Plan (CIP)

Information Technology - Mr. Hernandez briefly reviewed the five IT projects in this year's CIP. Some of those included the expansion and replacement of equipment software; the surveillance camera project; VOIP Upgrade; VDI Expansion, and the Storage Area Network.

Regional and Other Projects – Mr. Holmes and Mr. Sam reviewed the Regional and Other Projects included. One is the replacement of the 800MHz radios; another is the Energy Savings Project; the Downtown Master Plan; a Business Formation and Retention Revolving Loan Program; DOEPH's electric vehicle, the purchase of an additional motorcycle for the Police Department, and a Zoning and Land Development Plan rewrite.

Ms. Dauler said she was thrilled with the zoning and land development rewrite. She said this is going to be a great help to the municipality.

Mr. Rosenberger asked if the Downtown Master Streetscape Plan includes utilities. He also asked about the electric vehicle. He asked how many cars the Borough would be purchasing for \$65,000. Mr. Hess said one vehicle, but they would also need the charging station. Mr. Rosenberger said he loved the efficiency of an electric vehicle; however, he questioned the cost of it.

Mr. Daubert said he was concerned about the zoning and land development plan rewrite because the Planning staff does not have enough time to get their regular work done without adding this into the mix.

The meeting adjourned at 9:57 p.m.

Respectfully submitted,

Sharon K. Ergler
Assistant Borough Secretary