

Meeting Minutes
State College Borough Council
Special Meeting/Work Session
June 11, 2012

The State College Borough Council met in a special meeting/work session on Monday, June 11, 2012, in the State College Municipal Building, 243 South Allen Street, State College, PA. Mayor Goreham called the meeting to order at 6:30 p.m.

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

Also present: Thomas J. Fountaine, Borough Manager; Debra A. Lang, Staff Assistant; Thomas R. King, Chief of Police; Mark A. Whitfield, Public Works Director; Roger Dunlap, Assistant Borough Manager; Courtney Hayden, Communications and Grants Coordinator; Carl R. Hess, Planning Director; and interested citizens.

Public Hour – Hearing of Citizens

There was no one in the audience who wished to speak on items not on Council's agenda.

ABC Reports

C-NET - Elaine Prestia, a C-Net Board member, presented a power point presentation and discussed the major projects completed in 2011 and future 2012-2013 projects. Cindy Hah, C-Net Director, discussed the Borough-sponsored programs. She noted there were 68.5 sponsored programs by the Borough in 2011. She noted the vast majority is for meeting coverage. She also noted there were 101 board messages. She discussed program usage and noted this year is their 25th anniversary and since their inception, the Borough has been their largest user. She also briefly discussed the Community Program Grant. Council thanked C-Net for the great job and service they provide.

Planning Commission – Evan Myers, Planning Commission Chairman, echoed his thanks to C-Net. He discussed the Commission's 2012 Work Plan. He briefly explained the PSU South Halls Renovations & Expansion project. He noted there was a tie vote on the Commission regarding the rezoning request at 323 West Fairmount Avenue and he discussed the cooperative actions of the Commission with other agencies. In response to a question from Mr. Daubert, Mr. Myers stated the Planning Commission never approved the land use plan. Mr. Myers noted the meeting at Ferguson Township regarding the Ferguson Township Streetscape. He noted this group is facing many of the same issues we faced with the West End. Those present discussed traffic circles and the pros and cons of these devices.

Transportation Commission – Paul Jovanis, Vice-Chairman of the Transportation Commission, noted this group has dealt with several safety issues and has completed several studies on bicycles, pedestrians and intersections. He noted the Commission has recently started taking action on some of these items. He discussed the Atherton Street Corridor project, the Bicycle Ambassador program and the Bicycle Friendly Community projects they have also been working on. He noted the Commission has contributed to several streetscape plans and a number of site development issues were reviewed. They have reviewed the CIP and support the transportation investments in this document. He also noted the Commission put a hold on discussion of downtown parking, at the request of the DID, until a new Executive Director was hired. He also briefly discussed other items on the Commission's 2012 Work

Plan. Mr. Jovanis also discussed traffic circles with Council. It was agreed the item of traffic circles is an item for future discussion.

Consent Items

On a motion by Mr. Hahn, second by Mr. Rosenberger, Council unanimously voted to approve the following consent items:

- A. Appoint David McClelland as the alternate to the Rental Housing Revocation Appeals Board with a term ending on December 31, 2012.
- B. Approve the closing of Foster Avenue, from Locust Lane to Sidney Friedman Park, on Wednesday, July 4, 2012, from 9 a.m. to 11:30 a.m. for the annual Kids on Wheels Parade.
- C. Approve the closing of the 400 block of Homan Avenue on Saturday, July 7, 2012, from 2 p.m. to 12 a.m. for a 4th of July picnic for the residents on Homan Avenue.

Council recessed to a Work Session at 7:16 p.m. It was agreed to discuss the 2013-2017 Capital Improvement Plan (CIP) following the rezoning request for 323 West Fairmount Avenue.

Planning and Zoning

Rezoning of 323 West Fairmount Avenue

Mr. Fountaine gave Council the history of this request. He asked Mr. Hess to summarize the Planning Commission discussions on this matter. Mr. Hess stated the Commission felt there were three issues that needed to be considered. The one issue was whether or not the neighborhood has transitioned completely to rentals or are there still owner-occupied properties in the neighborhood. He noted that neighborhood stability is the number one priority of Council in the strategic plan. The second issue that the Commission was concerned with was "where do we draw the line". He stated the applicant is asking for a rezoning that allows a lot of options. He noted there is a variety of fairly high density apartments and businesses in the area of this property. The third issue the Commission had was how we provide for more uses without providing student homes.

In response to a question from Mr. Filippelli, Mr. Hess stated the staff recommendation was to approve the rezoning request. He noted there have been substantial changes in the area since this property was built. Council discussed how the next request for rezoning, if denied, could be justified. Mr. Fountaine stated Council could consider a moratorium on rezoning requests until the Highlands Neighborhood plan is redone. Mr. Hess also noted that the fees charged for rezoning requests is low and raising the fee may deter some requests. He also noted this request is right next to an RO-A zone and not just in the middle so this may be a way to diminish some requests.

Mr. Morris stated he is still committed to non-intrusive but non-residential uses but we should prohibit the increase in the number of student homes. He stated zoning changes must be made to accomplish this and he did not want to give up on this.

Mr. Daubert noted the Locust Lane request is a totally different situation and shouldn't be put into these discussions. He felt Council should make a decision on this zoning request, either for it or against it, and the decision should be made soon.

Mr. Rosenberger stated there will always be a boundary property. He asked what the difference was in the option to "take no action" and "deny the request". Mr. Fountaine noted each option would have the same affect. Mr. Rosenberger felt an alternative option to the property owner would be to rent to a family or a professional rather than students.

Ms. Dauler stated she agreed with Mr. Daubert that the Council should make a decision and vote on it. She stated it would be unfortunate for Council to say "don't do anything". She felt the property owners deserved a response from Council. She felt it was better to approve the request and do a serious study on the Highlands neighborhood. Mr. Fountaine stated Council can act on this request and not consider any other rezoning requests until the neighborhood planning process is complete. Ms. Dauler stated there is an urgency to update a simple, comprehensive zoning ordinance and Council needs to be serious about this.

Ms. Klinetob stated she agreed with Mr. Morris that student home concerns still exist. She stated she would like to hear more on the Highlands plan and what it finds. Mr. Hess stated the Highlands plan will probably not be completed for another 3 months or so. She agrees action should be taken by Council and not just denying the request.

Mayor Goreham stated there are an enormous number of non-students craving rental properties.

Mr. Hahn stated the owners are entitled to an up or down vote.

Susan Venegoni of 323 East Fairmount Avenue discussed previous permits for this property, incorrect zoning on the permits, etc. She stated their neighbors support their request, the Planning Commission recommended support of the request, the only opposition was Jack Matson, who has a student rental in this neighborhood. She noted Mayor Goreham is also a co-owner of that property. She asked why they did not give up their student home permit. Ms. Venegoni stated they are just trying to preserve their investment. She felt there was a rental housing oversight issue in the past and they have been trying to work with the Borough.

Mr. Filippelli asked what kind of position the Borough will put themselves in if they deny future requests like this but approve this request. Mr. Hess stated that would be a question for the solicitor. He thought it would probably depend on the set of facts we would be dealing with.

Mr. Morris stated due to the complexity of zoning, he would suggest Council take option #3 listed on the agenda and if not that, by a narrow margin, #4.

Mr. Rosenberger stated he wished to let Ms. Venegoni that he appreciated the respectful way that she has spoken with Borough Council and worked with them.

Mayor Goreham stated she would be happy to renounce that part of their permit but she wanted to remind those present there was no way to know where the next student-home might be.

In response to a question from Mr. Filippelli, Mr. Fountaine stated if Council wishes to, staff could place an item on their agenda for next month to authorize a notice of intent to enact; then in July, Council could schedule a vote for Council to act on the rezoning request. Mr. Daubert stated he did not feel a vote by Council should be taken until all members were present.

General Policy and Administration

2013-2017 Capital Improvement Plan (CIP)

Council returned to this item. Mr. Hahn asked members if they had any comments on the matrix attached to the agenda.

Mr. Daubert stated he had lots of questions, but would only ask three. He stated for the last 40 years, he has not seen any change at the Easterly Parkway/Pugh Street intersection. He did not know how we could say improvements are mostly complete. Mr. Whitfield discussed the improvements to this intersection. He noted there was no turning lane up until last fall, which we did in accordance with the report and put in new signs. The only thing that has not been addressed yet is a pedestrian node that has

been delayed to alter some drainage issues during a full road reconstruction. Mr. Daubert stated he still thinks there needs to be a traffic signal at this intersection.

Mr. Daubert stated the explanation on item 36 on the matrix did not answer his question. He stated this intersection does not have that much pedestrian traffic. He stated simply removing two parking meter spaces at this intersection along Beaver Avenue would eliminate this problem. Mr. Whitfield stated the issue has to do with people parking too close to the intersection. This intersection is one of the highest pedestrian intersections in the Borough. There have also been incidents where cars turning one way or the other have not been able to see. He stated the curb extensions would make this intersection much safer. Mr. Daubert stated he felt it would be simpler and more cost effective to just remove the parking spaces on Beaver Avenue. He stated he was talking about cars and not pedestrians.

Mr. Daubert also asked what the scope of the Pugh Street Streetscape Project is. He stated he could not believe the cost of this project and felt the price was ridiculous. He stated he would like to see a breakdown on this project. Mr. Fountaine reminded Council that they would see a breakdown on this project but he wanted to note this project includes the street surface, curb and lighting. A cost estimate will be completed before this project is fully funded and appropriated. Mr. Daubert stated the cost of this project is too high for the benefit it would provide. It was agreed Council should consider how the Pugh Street garage replacement would affect this project when it comes time to appropriate the funds.

Mr. Hahn stated the item to be discussed is the accuracy of the matrix that was presented. Mr. Fountaine stated staff would like to know if the matrix adequately responds to the questions that were asked by Council.

Mr. Filippelli stated he felt the price of \$825,000 for the Pugh Street Streetscape Project is a bargain. Mr. Rosenberger stated this project is minimal by comparison to the Fraser Street project and Fraser Street was realigned and the cost wasn't much more than this project. He asked if this project would be completed after the garage construction is completed.

Mr. Daubert stated he felt there were a lot of projects with niceties especially since the Director of Public Works was just quoted in the paper stating there were other things we needed sorely. Mr. Daubert felt the money for these niceties should be used for the items sorely needed.

Mr. Rosenberger asked if the board of the Discovery Space met our challenge to get funding from other municipalities. He stated only 10,000 of the 40,000 families that use the Discovery Space are Borough residents. He noted they only raised \$6,000 and he suggested perhaps we only allocate \$10,000 rather than \$50,000.

Mr. Filippelli stated he seconded Mr. Rosenberger's comment and suggests that it be a matching type fund. He also noted that the State Theatre is in substantial debt.

Mr. Morris stated he felt the funding amount should be kept it at \$50,000. He felt this project is an economic and cultural asset. He stated if the other municipalities are not going to support it, maybe we should give more.

Ms. Dauler reminded Council that we gave \$150,000 to the State Theatre over three years and did not consider the other municipalities in our decision. She felt we should do the same for Discovery Space. She stated she did not think they expected funding from the Borough year after year. She stated this center enriches the lives of so many children. She noted the Director of the Discovery Spaces stated it is difficult to get any kind of positive response from the other municipalities. She felt the Borough should look at the contribution of Ferguson Township to Discovery Space in a positive way. She stated there is real dedication by so many people on this effort.

Mr. Rosenberger stated he would like to see the commercial grade charging station struck from the CIP. He stated he sees no need for the charging station. There should be cost-benefit received from this. Mr. Filippelli stated he agrees with Mr. Rosenberger. Ms. Klinetob asked what the charging station includes.

Mr. Fountaine stated no cost benefit analysis has been completed yet on the hybrid cars. This was only a placeholder. The technology keeps changing. He stated if we can't support the hybrid cars with a cost-benefit analysis, we would suggest items 15 and 16 on the matrix be removed from future programs.

Mr. Hahn stated he noted item OP151 in the 2012-2016 CIP was not included in this program. Mr. Fountaine stated this item is being developed and will come back.

Mr. Filippelli stated, with regard to Ms. Dauler's comment on the State Theater, the debt holders haven't called in their notes and that is the only reason it exists today. He stated it is not a question of supporting good things, but we are only "one player in this game".

Ms. Dauler stated Discovery Space is not in the same financial situation and are not facing the same type of issues.

Mr. Hahn noted Council will vote on this item at the meeting next Monday. Mr. Daubert asked if it was possible to get a single page showing year-by-year with totals rather than the main CIP document. Mr. Fountaine stated staff could get this for Council prior to the meeting; however, the document might not be included with the agenda packet.

There were no further comments and the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Sharon K. Ergler
Assistant Borough Secretary

Prepared by Debra Lang