

**Meeting Minutes**  
**State College Borough Council**  
**Work Session**  
**October 8, 2012**

The State College Borough Council met in a work session on Monday, October 8, 2012, in the State College Municipal Building, 243 South Allen Street, State College, PA. Councilman Filippelli called the meeting to order at 6:30 p.m.

**Present:** Thomas E. Daubert  
Catherine G. Dauler  
Ronald L. Filippelli  
Sarah Klinetob  
Peter Morris  
Elizabeth A. Goreham, Mayor

**Absent:** Donald M. Hahn  
James L. Rosenberger

Also present: Roger Dunlap, Assistant Borough Manager; Debra A. Lang, Staff Assistant; Mark A. Whitfield, Public Works Director; Carl R. Hess, Planning Director; Alan Sam, Environmental Coordinator/Arborist; Tom King, Chief of Police; Charles DeBow, Parking Manager; Kevin Kassab, Supervisor of Inspections; members of the media and interested citizens.

**Public Hour – Hearing of Citizens**

There were no citizens present to discuss items not on the agenda.

**Reports**

State College School District's Memorial Field –

Mr. Whitfield updated Council on this situation. He noted, since August of this year, the east side bleachers have experienced a subsidence that is more than normal. He stated the bleachers have sunk 10" in the last 8 weeks. He stated a geophysicist did radar testing of the area. The fault line is running north and south. He stated there are several sinkholes in this area. He advised the Borough has repaired sinkholes in the past and he explained the process to do this. He briefly discussed the 5 scenarios the school is considering.

Mr. Daubert stated the water going into this area is Borough water and he felt the Borough should contribute part of the cost to fix this sinkhole. He stated the amount should not be just a thousand dollars or so, but hundreds of thousands. He stated we should do whatever we can to keep this field in this location.

Ms. Dauler stated she is in agreement with Mr. Daubert and that we should do what we can to remediate this situation. This field is important to the community and moving the field is not the right solution. She noted when the school district was building the Mount Nittany Middle School, they encountered a sinkhole in this location and remediated it and built the school.

Mr. Morris stated he also agreed with Mr. Daubert and Ms. Dauler. He felt we should work hand-in-hand with the school board on remediating this matter.

Ms. Klinetob asked if the stormwater is affecting just one piece of the property rather than the whole area. Mr. Whitfield stated that is correct. Ms. Klinetob stated since this problem is caused by the stormwater system, even if the field moves, the problem still needs to be fixed. She stated she felt this is a community issue more than a school board issue and agrees with the other Councilmen. Mr. Whitfield stated option 5 is the most costly option in that pipe would need to be laid to the Duck Pond; however, he and Ms. Kerner have been in touch with DEP and DEP has issues with pumping the stormwater from this site.

## Ferguson Township's West End –

Mr. Hess stated at the Joint Meeting of Council and the Planning Commission, Council asked staff to provide an overview of the Ferguson Township zoning district changes. Mr. Hess distributed a Power Point presentation on this subject. He noted the changes are to incorporate a walkable friendly area with mixed uses. He discussed building and parking regulations, design guidelines and incentives. Mr. Sam also discussed the streetscape plan in the area between Blue Course Drive and West College Avenue. He noted the plan would be submitted to the Ferguson Township Supervisors at their October 15<sup>th</sup> meeting.

Mr. Sam explained the plan includes 12' sidewalks; several trees along the walks, fairly close together with tree pits and structural soils. He noted retaining walls would need to be installed along the north side (golf course side) because of the slope of the land in this area. He noted there is no dedicated bike path in this area and it would be a "share the road" route. He briefly discussed the slight modifications at the Corl Street intersection. He also noted the plan includes parallel parking on both sides of the street between the Borough line and Corl Street. He noted there may be a channelizing device at the Osmond Street intersection, but that has not been finalized at this time. He also noted the plans showed possible future improvements at the Buckhout Street intersection and possibly a gateway feature at this intersection.

Ms. Dauler stated the Ferguson Township Supervisors were to vote on this plan at their October 15<sup>th</sup> meeting and wondered what their timeline is on this project. Mr. Sam stated the Township is committed to getting started on this project and the project would be phased. The next step would be getting engineering drawings together to put the project out to bid. He also noted some right-of-way acquisitions would be needed from the University.

Mr. Morris stated the project is extremely interesting to him. He stated it is important for the Borough to know what the Township is doing and there are a lot of good ideas in this plan but he wondered, with the proposal of closing North Buckhout Street, if the Township knew more about the development of this area by PSU than the Borough knew. Mr. Sam responded that he did not get this feeling at any of the meetings he attended on this matter.

Mr. Daubert noted Buckhout Street is in the Borough and the Township would need our approval to do any changes at this intersection. Mr. Sam stated this fact was pointed out to the Township. Mr. Daubert stated he did not feel a big island at this intersection would be appropriate and that traffic would back up in this area. Mr. Daubert also stated, with regard to the north side of the project area near Blue Course Drive, he did not believe the Township could tell the University that they have to redevelop this area. Mr. Hess stated the area could be developed with dorms, classrooms, etc. He stated the University is not compelled to do anything until they are ready to do something.

Ms. Goreham stated the guidelines discuss parking structure design and asked if a parking garage was being considered in this district. Mr. Hess stated that is correct but the location, at this time, is unsure.

## **General Policy and Administration**

### Projects Report/Open Agenda

Ms. Klinetob asked about the organic waste recycling project being pushed back. Mr. Whitfield stated although we are ready to move forward on this project, we are waiting for a permit from DEP for an expanded composting operation. Also, our plan is to use PSU as a secondary location and that agreement has not been finalized. He also stated staff did not feel it was productive to start this program now and have to deal with inclement weather. Typically, organic recycling is down during the winter months and it was felt the April 1<sup>st</sup> start date would be better for the residents and the Borough to start a new program. Additionally, the Centre County Recycling and Refuse Authority are also re-engineering their collection to consolidate routes.

Mr. Filippelli also noted this is an opportunity for Council members to request any issue not scheduled on Council's agenda document be added to a future meeting agenda.

Mr. Daubert stated there is a lot being discussed about CP2 versus CP3 zoning and asked staff to provide an informational report on this matter. Mr. Hess stated staff will prepare this report.

Ms. Dauler also suggested that soon, possibly November, that the list prepared by President Hahn from the joint meeting of the Planning Commission, RDA and Council with regard to the West End, be discussed by Council. The matters she was concerned with were potential non-residential use in the West End and the pilot project on the Borough-owned property in partnership with the University.

## **Department of Ordinance Enforcement and Public Health**

### Handbill Ordinance Amendments

Mr. Kassab stated this document was presented to Council at their September 17<sup>th</sup> meeting and, at that time, Council requested this issue be moved to a work session for further discussion prior to voting on the amendment. Mr. Kassab discussed the amendments that were added to the original handbill ordinance. He briefly explained the exemption provisions as they apply to religious advertising, political advertising and advertising by non-profit organizations. He also discussed authorizing DOEPH staff to issue field violations in the event they observe a violation of an ordinance. This would streamline the field violation process. He also discussed restricting handbilling on private property and placing flyers on cars in garages and lots. He stated, on advice from the Borough Solicitor, it was determined that the Borough is not permitted to restrict handbilling on private property. He noted the proposed ordinance does not place any such restrictions on this form of advertising. He noted individual property owners may locate no trespassing signs on their property if they wished to avoid receiving such material. Mr. Kassab also noted staff considered the prospect of leniency of handbilling on public property, but it appears this practice would significantly increase the accumulation of litter in the downtown area and adjoining neighborhoods. Therefore, staff is not recommending any changes in the ordinance to allow this practice. He stated the changes proposed are to clarify the old ordinance.

Mr. Daubert asked about lost dog/cat posters. He stated in his mind, there was nothing wrong with these posters. Mr. Kassab stated this was a tough one and that staff would use common sense to allow certain things. He stated these types of posters have never been a problem. He stated if the owner of a lost dog or cat calls in asking to put up posters, staff has asked them not to place them on trees or signs and that they remove the posters when the pet is found. Also, staff has removed these posters if they were up for a long time. He stated the community has always been cooperative on this matter.

## **Public Works**

### Staff Report on the Noise Ordinance for Construction Noise

Mr. Filippelli stated Council has received staff's memo and the recommendation on this matter. Mr. Morris asked if there was any way to restrict the times for "noisy" construction versus non-noisy construction such as pouring concrete. Mr. Whitfield stated this would be difficult on the contractors to have various times for various work. Ms. Klinetob asked if we were trying to prohibit construction start time or noise start time or if the two were synonymous. Mr. Whitfield stated this is a tough line to draw. He stated activity in general is noise to some. Ms. Klinetob also asked if there was a way to delineate residential versus non-residential. Mr. Whitfield stated this is difficult to discern in the Borough as there are people who live in the downtown which would not be considered a residential neighborhood. Following these discussions, Council concurred with the staff recommendation on this matter.

There were no other items to come before Council.

Council adjourned at 7:30 p.m.

Respectfully submitted,

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Sharon K. Ergler  
Assistant Borough Secretary

Prepared by: Debra Lang, Staff Assistant