State College Borough Council
July 19, 2004

The State College Borough Council met on July 19 in the Council Chambers of the State College Municipal Building, 243 South Allen Street. Mayor Welch called the meeting to order at 7:30 p.m.

Present: Bill Welch, Mayor
Thomas E. Daubert, President
Catherine G. Dauler
Elizabeth A. Goreham
Craig R. Humphrey
Jeffrey R. Kern
Janet K. Knauer
James H. Meyer

Also present were: Thomas J. Fountaine, II, Borough Manager; Terry J. Williams, Solicitor; Ronald A. Davis, Assistant Manager; Barbara J. Natalie, Assistant Secretary; Thomas R. King, Chief of Police; Michael S. Groff, Director of Finance; Carl R. Hess, Planning Director; Herman L. Slaybaugh, Zoning Officer; Amy J. Story, Borough Engineer; Alan W. Sam, Arborist; Joanne K. Lopinsky, Assistant Zoning Officer; members of the media; and other interested observers.

The Pledge of Allegiance followed a moment of silence.

PUBLIC HOUR. No one spoke to issues not included on the prepared agenda.

CONSENT ITEMS

Special Activity: East Irvin Block Party. The first item of Consent was to take action on a request to use East Irvin Avenue for a block party.

Mr. Fountaine described an application to use East Irvin Avenue, Pugh Street to Berry Alley, to conduct the annual Crime Watch neighborhood picnic on August 29 between the hours of 3:30 and 8:30 p.m.

Upon motion of Ms. Knauer, second by Mr. Kern, Council voted unanimously to approve the use of Irvin Avenue, as described, for this activity.

Special Activity: Freedom March on College Avenue. The only other item of Consent was to take action on a request to use College Avenue for the fourth annual Freedom March.

Mr. Fountaine read a request to use College Avenue, Garner Street to Allen Street, to conduct the fourth annual freedom march, sponsored by the Black Caucus. The march, which begins and ends at the HUB, is to take place on September 25, at approximately 2:30 p.m. He advised Council that the applicant agreed that, if there are 75 or fewer participants, the march will be held on the campus-side sidewalk along College Avenue; if there are 75 or more participants, they will use College Avenue but will not come to a standstill in route.

Upon motion of Ms. Knauer, second by Mr. Kern, Council voted 7-0-0 to approve the use of College Avenue, if needed, for this activity.

BIDS/CONTRACTS/AGREEMENTS

Bids for Street Sealing. The only item of this category was to take action on bids received for seal coating 12 Borough and 2 Harris Township streets.

Bids for Project 3R-2004 were opened on July 12, Mr. Fountaine said. Project 3R consists of 24,282 square yards of emulsified sealant to be used on Borough streets, and approximately 4,310 square yards of sealant to be used in Harris Township. Two contractors expressed an interest in doing the work; one bid was received:

Russell Standard Corporation ..... $ 27,311.82
Timothy Mohney, Vice-President
Mars, Pennsylvania

Mr. Fountaine noted that construction time is 60 days, anticipated to begin on July 29. The following streets are scheduled to be resealed under this project:

Ridge Avenue – Atherton Street to North Burrowes Street
Hartswick Avenue – Holmes Street to its end
Foster Avenue – Garner Street to Fraternity Row
Foster Avenue – Fraser Street to Atherton Street
Prospect Avenue – Burrowes Street to Fraser Street
Crestmont Road – Allen Street to Fraser Street
Logan Avenue – Allen Street to Fraser Street
West Lytle Avenue – Allen Street to its end
McAllister Street – Beaver Avenue to Calder Way
Homan Avenue – Garner Street to William Street
Hillcrest Avenue – Franklin Street to Sunset Road
Penfield Road – Royal Road to its end and, in Harris Township,
Mount Pleasant Drive and Gaylord Lane

The funding breakdown is as follows:

Borough	$23,195.50
Harris Township	4,116.32
Total Contract	$27,311.82

Mr. Fountaine informed Council that $25,000.00 is budgeted in Account 30-439-616 to do this work, and Harris Township Supervisors have approved their share of this contract.

Mr. Kern moved to award the contract for Project 3R to Russell Standard Corporation, in amount $27,311.82. Ms. Goreham seconded his motion, and it carried by a vote of 7-0-0.

ABC RECOMMENDATIONS

Traffic Signals: 3-Second Pedestrian Lead. The first item referred by an advisory group was to consider a proposal to incorporate a 3-second pedestrian lead interval on traffic signals.

At the July 12 Council work session, Mr. Fountaine recalled, Trans-Associates presented their completed study of retiming traffic signals at each of the 22 intersections within the College, Beaver, Atherton, and Park corridors. The study showed that, by retiming the signals, the intersections could be optimally coordinated to reduce vehicular delay and provide a benefit to pedestrians by increasing the number of times that the "walk" symbol appears. Trans-Associates also provided a comparison of the optimized signal retiming with a 3-second lead pedestrian interval (LPI) at 10 downtown signals on College and Beaver Avenues (between Garner and Burrowes). The comparison indicated that the benefit of the 3-second LPI fell between the existing conditions and the optimized timings. At the Transportation Commission's July 6th meeting, Trans-Associates provided a detailed presentation on the issues that are connected with the 3-second LPI and the protected left turn arrow at the intersections of College/Garner and College/Burrowes. The Transportation Commission recommended that Council request PaDOT permit the Borough to implement signal timing changes on Beaver Avenue between Burrowes and Garner Streets and on College Avenue between Pugh and Fraser Streets (not including the intersections of College/Garner and College/Burrowes). The timing changes recommended by the Commission will incorporate a 3-second LPI. The Commission also recommended that Trans-Associates continue to work with PaDOT to implement alternative signal timings at College/Burrowes and College/Garner to incorporate a modified 3-second LPI.

Aaron Fayish of Trans Associates explained that LPIs are 3-second advance "walk" indications that occur before vehicles receive a green signal. They are intended to reduce conflicts between pedestrians and turning vehicles. LPIs reduce some pedestrian/vehicle conflicts but not all. Implementation of them generally requires longer cycle lengths when compared to the optimized scenario. Longer cycle lengths, he said, lead to more pedestrian delays. Mr. Fayish did not believe it was possible to implement LPIs with normal signal phasing at locations where a lead left turn arrow exists (e.g. College/Garner's west crosswalk; College/Burrowes' west crosswalk; Atherton/College's west crosswalk; and Atherton/ Beaver's east crosswalk). Under these circumstances, additional measures could be recommended, such as removing the left-turn phases at some locations; unique phasing to allow LPIs; and/or additional signage at locations without an LPI.

Mr. Fayish reviewed the scope of the study, noting that they considered existing conditions, optimized traffic signal settings, and optimized traffic signal settings with LPIs. Using simulation, models for morning, mid-day, and afternoon peak hours were checked against new signal settings and compared with existing conditions. The results showed no significant differences in vehicle delays with optimization. The models also demonstrated the reductions in fuel consumption, vehicle emissions, and travel times along arterial streets were greatest for the optimized signal timing plans and that the introduction of LPIs reduced those benefits but still improved on existing operations.

Mr. Kern moved to seek approval from PaDOT to implement the recommended timings for the 3-second Lead Pedestrian Interval at 10 intersections within the downtown, excluding the approach to the two intersections that have a protected left turn arrow, and to seek PaDOT approval for the recommended timings to optimize the cycle lengths at each of the remaining 12 signalized intersections in the Borough. Ms. Dauler seconded his motion.

Although not part of this motion, Ms. Knauer expressed concern about eliminating left turn arrows at Burrowes and Garner. She remembered when they were not there, saying traffic could not move.

Responding to Ms. Goreham, Ron Seybert of Trans Associates said the signal at Atherton and Park will not change; it currently has a pedestrian lead, which is activated by pushing a button.

Answering Mr. Daubert, Ms. Story said, if approved, timing changes will be monitored for one year. Mr. Fountaine added that some criteria for evaluating their effectiveness will be produced.

Rick Gilmore, 608 East Prospect Avenue, thought a Penn State engineering class would like the opportunity to study the effectiveness of these new signal timings once they are installed.

Reacting to Mayor Welch, Mr. Fayish agreed that the opportunity for pedestrians to cross the travel lanes gets longer or shorter, depending upon the time of day—but is never shorter than what currently exists. He clarified that the 3-second lead time is not an additional time but is essentially 3 seconds unimpeded by on-coming traffic.

When the question was called, Council voted 7-0-0 for Mr. Kern's motion.

Bicycle Lane on Foster Avenue, University Drive to Sparks Street. The next item was to consider a proposal to establish an east-west bicycle corridor on Foster Avenue.

Mr. Fountaine pointed out that the 2004 Capital Improvement Program (CIP) includes a proposal to create an on-street bicycle connector between the Holmes-Foster and Highlands neighborhoods. Six potential alignments were identified for this connector. Staff evaluated the six alignments using criteria contained in the AASHTO publication, Guide for the Development of Bicycle Facilities (1999 edition), and suggested Foster Avenue as the preferred alignment. The results of this evaluation were presented to the Transportation Commission in July 2003. The Commission agreed with staff's assessment but wanted input from the Centre Region Bike Coalition prior to making a formal recommendation to Council. The evaluation and recommendation was reviewed by the Bike Coalition last fall. In February of this year, the Coalition concurred with the outcome of staff's evaluation but suggested that the Borough continue to also look for an east/west alignment downtown.

Mr. Hess reviewed the pros and cons of other connectors considered by the Commission, noting Foster Avenue had the most advantages with the least number of disadvantages. Three problems with Foster are (1) the right turn only at University Drive, which bicyclists would have to honor; (2) the walkway across Central Parklet would be shared and too congested several times during the year; and (3) there would be a loss of commuter parking on Foster Avenue. Answering Mr. Humphrey, Mr. Hess said they looked at shifting the on-street parking to side streets, moving long-term motorists to a Borough parking facility, and sharing the bicycle lanes with parking. Responding to Mayor Welch, Mr. Hess admitted he had no hard numbers for cyclists using the lanes but the proposal is geared to commuter and recreational usage. Ms. Knauer asked about crossing Atherton Street. Mr. Hess concurred

that PaDOT would have to approve any signal installed for the bicycle lane, and that signal would have to be in agreement with the Alpha Fire Company and in conjunction with the signal preemption system.

Paul Simpson, 1301 East Branch Road (College Township), felt on-street, single-direction bike lanes protect cyclists the most and that most cyclists traveling east-west are going downtown or to campus. Because vehicle speeds increase with wider travel lanes, he suggested Council make the travel lanes narrower. For this reason, Mr. Simpson did not want the on-street parking removed and was willing to risk the opening of car doors in his path against speeding motorists. He recommended the bicycle path across Central Parklet be separately installed south of the existing pedestrian walkway, closer to Memorial Field, and the signal to cross Atherton Street be at Foster Avenue.

Ms. Knauer wondered if Calder Way could be used as a counter route to Foster Avenue. Mr. Hess replied that a loop path was never analyzed and he worried that cyclists would not respect the separate east-west designations.

Mr. Humphrey moved to have staff prepare a preliminary design of the project for inclusion in the 2005 Capital Improvements Program. Ms. Knauer seconded his motion, and it carried unanimously.

Bicycle Lane on Garner Street, Beaver Avenue to Easterly Parkway. Council was next asked to consider a proposal to establish a bicycle lane on Garner Street and to relocate existing commuter parking.

At its May 18 meeting, Mr. Fountaine reported, the Transportation Commission voted unanimously to recommend a bicycle lane be painted on Garner Street from Beaver Avenue to Easterly Parkway. The cost to paint the lanes is estimated at $600.00. A survey was sent to the 35 residents along Garner Street. Twenty-two residents responded: 12 in favor of the bicycle lane and 10 opposed to it. Six of those opposed to the bicycle lane cited loss of parking as the reason for their opposition. Mr. Fountaine advised that 59 parking spaces on the east side of Garner Street would be removed in order to establish a 5-foot bike lane on each side of Garner Street. Currently, parking on Garner includes 13 commuter parking spaces between Holly Alley and Fairmount Avenue, and 46 residential parking spaces between Fairmount Avenue and Hamilton Avenue and between Irvin Avenue and Easterly Parkway. There is no parking permitted anytime on the west side of Garner between Beaver Avenue and Easterly Parkway. Mr. Fountaine noted that Council discussed the Commission's recommendation on July 12 and requested the subject be placed on this agenda for consideration.

Mr. Kern moved to table action on the Garner Street bicycle lane until the parking impacts are better understood. He felt the north-south bike lane should be developed in conjunction with the east-west bicycle lane to coordinate the parking impacts in the neighborhoods near downtown. Mr. Daubert seconded his motion, and it was approved by a vote of 5-2-0. Ms. Knauer and Ms. Goreham opposed the motion because they wanted to discuss the subject.

RER: Replot 111 West Marylyn Avenue and 114 West Whitehall Road. Next, Council was asked to approve the replot of 111 West Marylyn Avenue and 114 West Whitehall Road.

Mr. Fountaine advised that the Planning Commission received a request to replot 111 West Marylyn Avenue and 114 West Whitehall Road. Each lot contains a single-family home, is in the R-2 district, and both are owned by the same couple. The plan is to shift the common rear lot line to make one lot larger. The Planning Commission reviewed and approved the plan on July 7 and forwarded it to Council for action. Staff is of the opinion that the plan complies with zoning and subdivision ordinances and there is no reason not to approve it. Neither lot is large enough to support a duplex, he noted.

Upon motion of Ms. Knauer, second by Ms. Dauler, Council voted unanimously to approve the replot, as described.

Zoning Ordinance: **Amendment to Adjust Building Height in the ROA and R3H Districts**.

In May, Mr. Fountaine said, the Planning Commission reviewed height regulations applicable in the R-OA and R-3H zoning districts and recommended a modification. The change arose during the review of a recent development plan which proposed a new building between a very high building and a lower building. Currently, the height of any new building is required to be within 20 percent above or below the average height as calculated using the first two buildings located on either side of it. In this case, the adjacent high building skewed the average, forcing the developer to build higher than intended. The proposed amendment corrects the problem by using 35 feet (maximum height permitted in the zoning district) rather than a higher building's actual height in the calculation. The Commission also recommends that the height range be increased from 20 to 30 percent of the average height calculated from the heights of adjacent buildings. Staff supports the amendment and believes its adoption would result in a clearer and better ordinance with more flexibility, Mr. Fountaine added.

Ms. Knauer moved to receive the amendment and schedule a public hearing on August 16th. Ms. Dauler seconded the motion and it was approved by all members of Council.

Zoning: Urban Village (UV) District Economic Development/Market Feasibility Study.

Mr. Fountaine described how Borough and Ferguson Township staff discussed the possibility of expanding the economic development/market feasibility study of the UV district to include land immediately adjacent, in Ferguson Township, and decided that it was prudent to include that area in the study. The Borough's Planning Commission considered the matter on July 14 and agreed. On several occasions the Planning Commission discussed a draft scope of work for a market feasibility study of the UV district and, on July 14, agreed to transmit this to Council for approval. (Should Ferguson Township agree to participate in this project, the scope of work will need to be modified to include an expanded study area.) If Council agrees with the Commission, a formal invitation would have to be extended to the Ferguson Township legislative body. If Ferguson's Supervisors accept the offer, the scope of work for the economic development/market feasibility study would be expanded and a cost-sharing formula developed. Following approval by the Borough and Ferguson, a Request for Proposals would be drafted.

Ms. Knauer moved to authorize staff to extend a formal invitation to Ferguson Township to join the Borough in performing an economic development/market feasibility study of the UV district and its surrounds in Ferguson Township and, if accepted, to expand the study to include land in Ferguson. Mr. Kern seconded her motion, and it was approved by a vote of 7-0-0.

Parking Garage on Beaver Avenue: Planning Commission's Comments On….

On July 6, Mr. Fountaine reported, the State College Planning Commission reviewed plans for the Beaver Avenue parking garage for consistency with the Borough's Comprehensive Plan, as required by the Municipalities Planning Code, and returned their comments to Council.

Mr. Humphrey moved to receive the Commission's comments and to discuss them with the Commission on June 21. Ms. Goreham seconded the motion, and it was approved unanimously.

OLD BUSINESS ITEMS

Walnut Springs Park: Wetlands Project. The only item of Old Business was to review the Walnut Springs wetlands project and receive staff's recommendations.

Mr. Fountaine noted that, on May 10, Council discussed the wetlands project in detail. At that time, Council was told that the Borough's application for a $160,000.00 grant to restore the Westerly Parkway detention basin was approved but with insufficient funds to do the project. Alternatives were to (a) do nothing and return the money; (b) do a corrective project in the same drainage swale; or (c) do a smaller project on the Parkway. Because a new

wetland was proposed in the 1991 master plan for developing Walnut Springs Park, staff recommended the money be used (as well as the matching funds included in the Borough's Capital Improvements Program) to complete that phase of the plan. The Department of Environmental Protection (DEP) agreed that it was an eligible project. The Walnut Springs wetland project was reviewed by several environmental groups, DEP staff, wetland specialists from the University, and residents in the area of the project. If implemented, the wetlands will serve to encourage infiltration of storm water, help remove sediments prior to entering Thompson Run, and provide additional educational and recreational opportunities. A neighborhood group, the Walnut Springs Park liaison committee, also reviewed the proposal. This committee had a number of questions and noted the difficulty in commenting on a proposal without key details that would normally be included in the final project design. They also raised concerns about the Borough's past record of maintaining Walnut Springs Park and questioned the validity of a management plan that is dated, given the development has occurred at Thompson Woods since that plan was adopted. The liaison committee recommended the Borough proceed with the wetland project design, and asked for a final opportunity to comment on the plan once the design was completed. Before proceeding with the wetlands design, Council asked that staff prepare a recommendation as to whether or not the park management plan should be revised and if the wetland project should be continued. After reviewing the plan, staff concluded that the plan should be updated before proceeding with the wetlands project. The maintenance work at the dam is included in the 2004 Capital Improvement Program, and staff will proceed with this work. Based on the uncertainty of direct benefits to the Borough and the changes in land use on properties adjacent to Walnut Springs Park, Mr. Fountaine recommended the Borough not proceed with the design and construction of the wetland project and that DEP be notified of our intent to cancel this project. He also recommended that staff work through the Capital Budget process to pursue development of a new management plan for the Park.

Ms. Dauler moved to abandon the planned design and construction of the wetlands project, notify the Pennsylvania DEP, and requested that a new master plan for Walnut Springs Park be pursued. Mr. Meyer seconded her motion.

Mr. Knauer was disappointed in staff's recommendation. She felt it was a project with merit that followed a lot of hard work and review by professionals. Mr. Kern was of the opinion that turning down a wetlands grant was not a good message to send to the Commonwealth. The Borough has a storm water management problem that has to be addressed; having a grant to do some of the work now will be less costly than doing it in the future without grant funds. Mr. Meyer did not believe a new master plan and construction was doable in the time allotted; he thought the money should be returned to DEP.

Mr. Sam said DEP arranged one extension on this grant and is unlikely to approve a second. Time is running out, and he thought the design and construction would be impossible to achieve by next summer's end. Ms. Knauer thought that, if an extension could be achieved, the project should be done.

Ann E. Bolser, 730 East McCormick Avenue, explained that the neighborhood group did not believe they could comment on a plan that did not exist. She asked if this project would address the storm water problems this grant was designed to correct.

Robert R. Rightmyer, 785 Walnut Spring Lane, stated that this wetlands project is not part of the master plan, that there is a wetland in the Park, that this is a new concept, that this project is being undertaken out of sequence, and he reiterated that the master plan needs to be updated to reflect changes that have taken place in and around the Park. He suggested a committee be formed to renew the master plan.

When the question was called, Council voted 2-5-0 and Ms. Dauler's motion was defeated. She and Mr. Meyer voted in favor of the motion.

Mr. Kern moved to proceed with the construction of the wetlands project but only in conjunction with a new master plan for the Park. Ms. Knauer seconded his motion and it carried by a vote of 5-2-0. Ms. Dauler and Mr. Meyer voted against the motion.

NEW BUSINESS ITEMS

Sign Ordinance: **Request for Change and Moratorium on Enforcement**.

On July 12, Mr. Fountaine said, the Director of the Downtown Improvement District (DID) spoke to Council about inconsistencies in the Sign Ordinance and asked for an opportunity to have a committee, composed of business owners/operators and municipal representatives, review the Ordinance and make suggested changes. During the review, she requested that all enforcement of the Ordinance be suspended. Council members asked that the subject be put on this agenda for a vote.

Ms. Knauer moved to decline the request on the moratorium. She felt that any changes suggested by the DID should be considered by using normal review procedures. Ms. Goreham seconded the motion and it was approved by a unanimous vote of Council.

Mr. Meyer pointed out that the ordinance is defective; those businessmen who received notifications of noncompliance took down their unauthorized signs and have since used their windows to draw attention to themselves in legal, but more undesirable ways. He noted there are businesses that have pages torn from magazines in their windows that are in compliance with the ordinance while others' neon signs are not. Both he and Mr. Kern believed the ordinance is flawed and should be fixed. He moved to have staff work with the business community to draft recommendations for Council's review. Mr. Kern seconded his motion, and it carried by a vote of 7-0-0.

Parking: Request to Purchase Municipal Spaces or Amend the In-Lieu Fee. The only other item of New Business was to consider a proposal to permit a private developer to receive eight parking spaces in the Beaver Avenue parking garage in lieu of providing the required residential parking on site.

Mr. Fountaine mentioned that this subject was discussed at Council's July 12 work session, where Brad Karch requested Council consider a proposal to permit his development group to pay a fee to the Borough to receive exclusive use of eight parking spaces in the Beaver Avenue garage. The proposal would allow the development of a residential building on 310 and 320 West Beaver Avenue by providing part of the required parking off site in the Beaver Avenue parking garage. Mr. Fountaine explained that Mr. Karch is a partner in the proposed redevelopment of 310 and 320 West Beaver Avenue. The proposal calls for the razing of the existing Balfurd dry cleaning buildings on these two parcels and the construction of a residential building targeted to the student housing market. Based on preliminary discussions with staff, the proposed development will be eight to ten spaces short of meeting the on-site parking requirement. Mr. Karch initially proposed adding the R3H zoning district to the list of districts that would allow off-site parking to support uses in the general commercial zoning district but this proposal was not endorsed by the Planning Commission nor was it pursued with Council. Mr. Karch then proposed the purchase of eight parking spaces in the Beaver Avenue garage as a way of meeting his project's minimum parking requirement. At that time, staff reported that the direct sale of individual parking spaces for this purpose would be a new policy, if approved. Staff also had concerns with the exercise of eminent domain to take property for the garage if a part of the spaces are sold to private parties, and it was noted that the sale of spaces to a private party would complicate the tax financing for the project. For these reasons, staff recommended that Council not approve the sale of private parking spaces as proposed by Mr. Karch. During Mr. Karch's discussion with Council on July 12, it was suggested that the Borough consider modifying the fee-in-lieu option to allow a portion of required parking for residential spaces to be provided through that mechanism. At the present time the fee-in-lieu option allows owners of *non-residential* uses in the general commercial district to provide all or a portion of the required parking by contributing $10,000.00 per parking space to the Borough's parking development fund instead of providing the parking either on site or through an off-site parking agreement. That option is not available for new buildings (or portions thereof) erected for residential uses although existing buildings converted from non-residential to residential uses may provide up to six spaces through the fee-in-lieu option. Among the alternatives Council discussed was a provision to permit a developer to pay an in-lieu fee for up to 10 percent of the required parking if the developer provides 90 percent of the required parking on site. Council also discussed the need to increase the in-lieu fee amount to accurately reflect the cost of construction. Following

discussion, Council requested that this proposal be placed on this agenda for a decision as to whether or not to accept the proposal to amend the fee-in-lieu option as it applies to new residential construction in the general commercial district.

Ms. Knauer moved to decline Mr. Karch's proposal to purchase eight spaces in the Beaver Avenue parking garage. Mr. Humphrey seconded her motion and it was approved unanimously.

Mr. Meyer moved to have staff prepare a proposal to amend the fee-in-lieu-of-parking ordinance to accommodate some percentage of the required parking for new residential buildings in the commercial district. Mr. Kern seconded the motion.

Brad Karch, 181 Big Bear Lane, said his preliminary plan for the building on the corner of Beaver and Atherton will require 97 parking stalls. He can provide 85 on site but, because of rock outcroppings, needs 12 others. Mr. Karch said he would be willing to pay $260,000.00 for these spaces. Mayor Welch wondered what the cost differential was between on-site parking and the quarter-of-a-million dollars.

Mr. Daubert spoke in opposition to the motion. His reasons were that Council, following a long debate, decided that residential buildings in the central business district needed to supply their own parking. He still believed that was a good decision. That leaves the option of proving hardship under the zoning ordinance, and Mr. Daubert doubted that Mr. Karch could do that since the spaces can be provided on site, except that they will be at greater cost. Council member Humphrey and Dauler agreed.

Mr. Kern did not think Council should turn down $260,000.00 for 8 to 10 parking spaces. The building will be constructed, with or without Council's acceptance of the money because the zoning ordinance permits it. Mr. Meyer agreed. He pointed out that, because of the cost of the land and the increased costs to construct a building in an urban setting, it takes "X" number of square feet to make a project profitable. Mr. Meyer didn't believe the 85 spaces would be used by the tenants and that some of them would actually be rented to commuters, which will, in turn, reduce the demand for government-provided parking. Mayor Welch pointed out that, if the in-lieu-of-parking fee is amended to accommodate this request, Mr. Karch gets nothing in return. Mr. Meyer said that is correct—the spaces would not be guaranteed for his exclusive use. Mr. Daubert argued that Council is not considering 85 students; there would be hundreds of student residents vying for the 85 spaces. However, Mr. Kern affirmed Mr. Meyer's reasoning by stating that he personally rents seven spaces from a similar residential complex in the downtown.

Ms. Knauer agreed with Mr. Daubert. She was on Council when the decision was made to require residential developers to provide sufficient parking because of the problems encountered when students brought cars but had no place to park them.

Philip E. Wagner, a student residing at 409 East Fairmount Avenue, said parking is still a problem in State College. He thought developers should be responsible for providing their own services rather than relying on government to provide them.

The question was called on Mr. Meyer's motion but failed by a 2-5-0 vote. Mr. Kern and Mr. Meyer were the only Council members voting for the motion.

VOUCHERS. Upon motion of Ms. Knauer, second by Ms. Goreham, Council voted unanimously to receive vouchers for the month of June, 2004 for the Borough of State College, in amount $1,928,782.74, and, acting as agent for the Centre Region Council of Governments, vouchers totaling $591,818.07.

MINUTES. Upon motion of Ms. Dauler, second by Ms. Knauer, Council voted 7-0-0 to approve the minutes of June 7 and June 14, 2004, as submitted.

OFFICIAL REPORTS AND CORRESPONDENCE

President's Report. President Daubert announced an ***executive session***, held on July 12, to discuss a personnel matter and the potential purchase of property for municipal use.

Mr. Daubert also reviewed items to be discussed at the Centre Region Council of Governments' meeting being held on July 26, none of which were discussed.

Liaison Reports. Ms. Goreham requested Council's input on four points she planned to offer to the ***ad hoc Regional Park Committee*** as this legislative body's position on parks and recreational programs and facilities:

1. The Borough of State College prefers continuing the current practice of having community-wide use and maintenance of park land, managed through COG, but ownership and capital improvements being the responsibility of the host municipality.
2. That State College would not object to COG taking ownership of the Oak Hall Park as long as this does not imply any future financial obligations.
3. That changes to the current practice of parkland ownership constitutes a new program.
4. That State College favors the establishment of a COG administrative committee for parks and recreation composed of elected officials to work with Centre Region Parks and Recreation.

Mr. Kern disagreed with No. 1; he wanted to leave open the opportunity for COG to own all parkland. Just like the library, the Borough needs to talk about jointly owning parks. COG applies for grants together, constructs parks together, and now is discussing a management committee for this program. He thought it was time to discuss the consolidated management and ownership of parks. Mr. Humphrey believed regional ownership would negate any possibility of keeping Welch Pool. Mr. Daubert agreed; Parks & Rec's recommendation has consistently been to eliminate Welch Pool and construct a larger pool in a township. Ms. Knauer also disagreed with Mr. Kern; she used the library as an example of how regional management sometimes fails to work. Mr. Meyer pointed out that there are a lot of unanswered questions about parkland being acquired by COG; he also did not want to confuse pools with parks because they are separate budgets. Ms. Knauer felt the Borough should not be assessed 38 percent of a park in Oak Hall, even if it is a regional park. Mr. Meyer suggested the COG formula may have to be changed if COG is to own parks throughout the Centre Region. Ms. Dauler accepted that the best way to acquire grant funds was to agree on a funding mechanism among the various participants. It was the consensus of Council that the Borough should not take a position on regional ownership of park land until everyone has commented.

Mayor Welch questioned the creation of an administrative committee for the parks and recreation program. Mr. Daubert said the committee would work the same as any other COG committee (e.g. transportation, codes) to monitor what staff is doing and report to the elected officials rather than to an independent authority. Mayor Welch did not see any point in having a group of elected officials looking over the shoulder of the Authority. He knew of no such group overseeing the Water Authority. Mr. Daubert explained that the Parks & Rec Authority exhibited a concerted effort—even following a counter motion approved by the General Forum—to update the Welch Pool and build a new pool in one of the townships. Ms. Dauler also informed Council that the plans for Circleville Farm propose a vast aquatic facility, which is to be constructed by the developer and managed by the Parks & Rec Authority.

Staff/Committee Reports. Mr. Fountaine said the Centre Region managers are working with Adelphia to renew the ***cable franchise agreement*** and to poll residents on issues related to cable television. The managers are planning to discuss their efforts with the COG General Forum in August.

There being no other business to come before Council, the meeting was adjourned at 9:53 p.m.

Respectfully submitted,

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Barbara J. Natalie
Assistant Borough Secretary