

State College Borough Council
Work Session
June 14, 2004

The State College Borough Council met in a work session on June 14, 2004, in the Council Chambers of the State College Municipal Building, 243 South Allen Street. President Daubert called the meeting to order at 7:30 p.m.

Present: Thomas E. Daubert, President
 Catherine G. Dauler Craig R. Humphrey
 Jeffrey R. Kern James H. Meyer

Absent: Elizabeth A. Goreham and Janet K. Knauer

Also present were: Thomas J. Fountaine, II, Borough Manager; Ronald A. Davis, Assistant Manager; Barbara J. Natalie, Assistant Secretary; Michael S. Groff, Director of Finance; Mark A. Whitfield, Director of Public Works; Carl R. Hess, Planning Director; Herman L. Slaybaugh, Zoning Officer; and other interested observers.

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

REPORT FROM LIBRARY BOARD. Mr. Fountaine introduced David Miller and Cathy Zangrilli (Council's representatives to the Schlow Memorial Library Board of Trustees), who were in attendance to update Council on the Library Board's plans for the coming year.

Ms. Zangrilli said their building fund campaign is winding down. One hundred four volunteers raised \$3.2 million in contributions; \$2.5 million has been secured in grant funds from the Commonwealth; and an \$800,000.00 grant (in conjunction with the Centre Area Transportation Authority) has been awarded to include a mass transit passenger area as part of the building plans. Demolition of the old library is almost complete. A hazardous material was encountered during demolition but that has been abated. Contracts totaling \$6.8 million have been awarded to construct the new building. John Haas & Associates was employed as the Owner's Representative to coordinate contractors' work and to process documents needed for grant reimbursements. If all goes according to plan, the library will move into its new building in August, 2005.

In response to Mr. Daubert, Ms. Zangrilli said the *Schlow Memorial Library* is truly a regional facility; there has been some discussion among Board members to include the participation of the Centre Region in the name but that decision has not been made.

Mr. Miller felt the Schlow family name should be retained. He knew Charles Schlow, a well-respected, munificent man whose contributions and dedication resulted in the library State College enjoys today. He also noted that libraries across the state are in trouble; the Commonwealth has not been generous to libraries of late, and he encouraged Council to discuss this with their legislators. Mr. Daubert expressed concern about Ferguson Township's continued participation in the library and what would result if they decided to discontinue membership.

Mr. Daubert asked about the landscaping between the new library and the municipal building. Ms. Zangrilli reported she saw the landscape plan, and it is quite nice. Responding to Mr. Meyer, she thought the brick pavers would be continued along Allen Street to match the municipal building's front walk.

DESIGN REVIEW BOARD'S (DRB) RECOMMENDATIONS FOR CHANGES. Mr. Fountaine advised that, on April 5, Council received a report from the DRB that included suggestions for improving design guidelines and for processing development reviews. The changes recommended, together with staff's analysis of each, are:

- a. reassign the review of porch enclosures from the DRB to the Historic Resources Commission (HRC) whenever the single-family home is a contributing structure in a historic district. *Staff notes that reviewing commercial design in the Borough is not in keeping with the mission of the DRB and recommended such projects be relinquished to the HRC for review.*

Mr. Daubert worried about porches being replaced with rooms that turn the structures into boxes. Mr. Slaybaugh responded that this addition is the only one requiring review—and that review cannot prevent its occurrence because the DRB is an advisory body only. Moving the review responsibility to the HRC will not change that. Nevertheless, Ms. Dauler believed the process did have merit and wanted to preserve it. Council agreed and asked staff to draft an ordinance to shift this responsibility to the HRC.

- b. amend the sign ordinance to require review of all sign applications made for the commercial district. *Staff reported that the DRB currently reviews signs for the Planned Commercial District but does not review sign changes for the Commercial District, and recommended all signs be reviewed by them. The reasons were the high visibility of signs in the downtown, compatibility, and higher standards for good design.*

Ms. Dauler felt that, if businessmen were required to seek approval of the DRB for signs, it would discourage them from doing business downtown. John Hiester, Chairman of the DRB, noted that businessmen outside the downtown must go through the review process; this has not discouraged them from locating in State College. Mr. Kern said businesses in other districts undergo sign reviews because the business impacts on the surrounding neighborhood; however, he had no problem with the downtown being a unique, vibrant area. Ms. Dauler and Mr. Humphrey agreed.

- c. amend the zoning ordinance to require all façade changes proposed in the commercial district to be reviewed by the DRB. *Staff recommended the guidelines be changed so that any sign or façade change or addition in the commercial district would be reviewed by the DRB because such changes can have a dramatic impact on the character of the commercial district.*

Teresa Sparacino, Downtown Improvement District (DID) Director, advised that a façade improvement program is being initiated by the DID. Rather than subject businessmen to a separate review, she preferred to have members of the DRB serve on the DID reviewing board. Kevin Gombotz, member of the DRB, suggested that reviews are not bad and may help to prevent the high turnover of businesses in the commercial district. Mr. Kern, Ms. Dauler, and Mr. Humphrey did not want to further encumber businesses.

- d. revisit the current minimum standards for living space and egress applicable in rooming houses and revisit the standards used for garbage collection and storage. *Because the minimum guidelines for living space are often exploited by developers, staff recommended the Planning Commission and Council revisit standards for rooming houses and increase current minimum living spaces in these buildings as well as revisit standards being used for garbage collection and storage.*
- e. carefully review where infill development should be permitted. *Because infill projects are often located on an alley, resulting in a higher traffic volume than is intended for alleys, because of poor design, and because such projects have already detracted from the character of neighborhoods, staff recommended the Planning Commission and Council carefully review where infill should be permitted.*

Mr. Daubert noted that this suggestion is in progress.

- f. amend the subdivision and land development ordinances to require that non-conforming conditions be brought into conformity upon redevelopment. *While poor designs often result from the redevelopment of a non-conforming lot, staff noted that any requirement to bring non-conforming uses into conformity upon redevelopment is often impossible because of grandfathering laws.*

Mr. Kern was not opposed to the suggestion but did not want to require conformity to the point where it would be undesirable for an owner to redevelop or upgrade his or her property. If restrictions are too insensitive, they can lead to a “do nothing” attitude. Council asked staff to look at the legalities of the DRB’s suggestion and prepare something for consideration.

- g. to direct that the Planning Commission review guidelines for the adaptive reuse of old and historic buildings and amend the guidelines so that renovation does not result in a loss of all character. *Staff supported the creative reuse of existing structures and suggested the Planning Commission and Council review guidelines for adaptive reuse of old and historic buildings with the intention of amending the guidelines so that renovation does not result in a loss of all character.*

Mr. Daubert noted that this suggestion is in progress.

- h. amend the zoning ordinance to require a photographic array that shows proposed development within the context of its surroundings to be submitted with development plans. *To enable a better review of the proposed development, staff recommended submission requirements be changed to state that adjacent buildings must be shown in a single photograph, or sketch or photographic array.*

All members of Council agreed with the DRB’s suggestion and asked for an amendment that would effect it. Mr. Daubert recommended that all plans that come before reviewing boards be in a form that can be projected onto the wall so that everyone in the room can see it. Mr. Kern noted that a simple transparency can accomplish that.

CATA’S SIGNAL PRIORITIZATION SYSTEM REQUEST. In 2001, Mr. Fontaine said, CATA was awarded a Research and Demonstration grant to study the feasibility of a transit signal priority system along the North Atherton Street corridor between Curtin Road and North Atherton Place with a spur on Vairo Boulevard. This corridor serves the highest ridership areas outside the core campus. The transit signal priority system is similar to the signal preemption used by the Alpha firefighters because it uses the same hardware on the signal and on the vehicle. The difference is in the frequency that is transmitted between the vehicle and intersection. Signal preemption automatically changes a light to green regardless of where the cycle is; the priority system is a passive form that “requests” either an early green light or an extended green light.

Tim Geibel, Centre Region Planning Agency (CRPA) Transportation Planner, explained CATA’s request to implement a signal prioritization system. This project began two years ago and it took one year to complete the final analysis. The corridor under consideration involves 11 intersections (Curtin Road to Vairo Boulevard with one offshoot in Patton Township). The bus driver will activate the signal to extend a green light or shorten a red one; that will reduce the signal’s cycle by a maximum of 10 seconds. He expected 21 vehicles requesting preemption to pass through each intersection; about 9 to 13 of those requests will be granted. The benefits are that it will save buses up to 60 seconds of time along this corridor; the hardware will be installed on all signals along this route, which can be used by the Alphas; and a test of the system in this smaller community will have been achieved for others throughout the Commonwealth.

Mr. Geibel mentioned that the COG Transportation Committee will not apply for grant money to do this unless they have the full support of the municipalities involved, and he assured Council that, after six months, if the governing bodies are not satisfied with the results, all of the equipment will be removed by and at the expense of CATA. He reported that Patton and Ferguson Townships and the State College Transportation Commission have voted to support a study by PaDOT, and Council is being asked to do the same.

Mr. Humphrey asked if the pre-model included safety issues (e.g. pedestrians who expect a light to change when, in fact, it will not). Mr. Whitfield said the pedestrian signals are timed with the green light on side streets so that should not be a problem.

Mr. Kern wondered why PaDOT would agree to this request since the Borough was told that a 3- to 5-second delay for pedestrian crossings would disrupt the sync of the conjunctive signal system's timing and cause the Park/Atherton intersection to fail. He estimated that, by Mr. Geibel's calculations, 50 percent of the signal cycles would be disrupted causing traffic to queue on Park Avenue and prohibit pedestrian crossings at Park/Atherton. Mr. Geibel said the pre-model showed no significant backup of cars on Park Avenue, but admitted the model did not include pedestrian crossings.

Mr. Meyer wanted to know what CATA planned to do with the minute saved. Mr. Geibel said it would reduce costs and wear-and-tear on the vehicles; time saved could be used for more frequent runs. Mr. Meyer preferred to have the buses off the roads during the added downtimes.

Responding to Mr. Daubert, Mr. Geibel advised that CATA does not have the money to expand the preemption system. This is only a demonstration to see how it will work in a smaller community.

Council asked that the subject be put on its agenda for consideration on June 21.

ELM STREET PROGRAM. Mr. Fountaine reported that Act 7 of 2004 was enacted by the state to create a new program called the *Elm Street Program*. The program is to develop and revitalize established residential neighborhoods that were in existence before 1961. Managed by the Department of Community & Economic Development (DCED), municipalities may receive assistance in preparing and implementing a plan to revitalize neighborhoods in close proximity to a commercial district. Grants can be awarded for an Elm Street Manager, infrastructure and structural improvements, marketing and promoting urban residential living, public/private investments, promoting home ownership, addressing social and economic concerns, achieving consistency with existing commercial/residential revitalization efforts, the establishment of a neighborhood improvement district, a review of zoning and land use ordinances to foster improved neighborhoods, or a review of educational and recreational opportunities and facilities. In the application for grant money, evidence of support by residents, merchants, and government officials must be exhibited, and a 10 percent match in funds or in-kind services must be committed.

Mr. Hess noted that the next application period begins on July 1st for the 2004-2005 round of funding. He distributed a map showing the area eligible to be covered by this Act, and mentioned that other factors are considered by DCED in approving applications including area poverty, crime, and unemployment. If approved, the program would have to be administered by a manager and, because the Downtown Improvement District has experience in these matters, he suggested they be used for this program. Mr. Hess suggested areas eligible and in need of revitalization, in his opinion, are west of Atherton Street in the UV district, areas to the south of the commercial district along Atherton and Allen Streets, and the Lytle Addition. There is also money for public improvements, façade improvements, and for links between the downtown and the neighborhoods. Mr. Fountaine mentioned that, if Council agrees to ask for funding, neighborhoods will be contacted to see which is most likely to do well in the application process.

Council agreed that this was a worthwhile pursuit and instructed staff to prepare an application.

EAST-WEST BICYCLE PATH ON FOSTER AVENUE. The explanation of the east-west bicycle route proposed to be constructed along Foster Avenue was postponed until July 6.

RESOLUTIONS BEING CONSIDERED BY THE PENNSYLVANIA LEAGUE OF CITIES & MUNICIPALITIES (PLCM) ON JUNE 23RD. Mr. Fountaine distributed the five resolutions being considered by the PLCM on June 23rd and asked the members to give the voting delegate (Daubert) and alternate delegate (Knauer) direction as to how they should vote on the issues.

Resolution 1. Mr. Kern objected to the gas tax being used to build roads to accommodate automobiles; he thought it should be used for mass transportation. If taxes are used to build roads, it becomes a self-fulfilling prophecy that there will be more cars and fewer people using mass transit systems.

Resolution 2. Rather than attempt a mass of changes that will most likely be denied because the legislators will be overwhelmed with the prospect of deliberating them, Mr. Daubert thought the PLCM should strive for one or two tax changes that are more likely to be approved.

Mr. Kern believed that a tax on alcohol would be most beneficial to State College but it is not included in the reform package. Mr. Meyer said the Commonwealth would not have to impose a new tax on alcohol—allocating each municipality’s fair share of the taxes collected would be sufficient.

Mr. Kern noted the number of commercial properties that do not now pay their fair share of real estate taxes because they are permitted to deduct expenses, and noticed that the PLCM is proposing to reduce property taxes. He felt any reduction would eradicate State College’s tax base. Ms. Dauler emphasized that the PLCM is advocating *less reliance* on real estate taxes by proposing other options for revenue.

Mr. Daubert was opposed to the implementation of a County sales tax, fearing State College would not receive an adequate share of the money collected. Mr. Fountaine pointed out that the money would be redistributed through an established formula.

Ms. Dauler argued for support of the tax reforms being proposed. She said Council has been lobbying for tax reform for years and should not pass judgment on the proposals until enabling legislation has been developed. Mr. Fountaine agreed. Tax reform is being supported by all levels of municipal government throughout the Commonwealth. He suggested this Council support it until there is a reason to oppose one or more segments of it.

Resolution 3. Four of the five Council members in attendance steadfastly opposed any proposal to approve gambling in bars.

Resolutions 4 and 5. Bid Limits and Drug and Alcohol Treatment for Minors received no comment.

SCOPE OF SERVICES ASSIGNED TO THE PLANNING COMMISSION

REGARDING THE URBAN VILLAGE (UV) DISTRICT. As requested by Council, Mr. Fountaine said, the Planning Commission is beginning a comprehensive planning process for the UV district. The Commission drafted an overall scope of work that will serve as a guide for completing this project (which he distributed). Within the framework of this guide, the Commission drafted a scope of work for a market analysis of the UV. Staff’s recommendation to the Commission is to retain a consultant with expertise in economic development/market analysis to complete the work. He mentioned that the Planning Commission is scheduled to make its final revisions to the two guides at its June 16 meeting. The Commission will then request authorization to retain a consultant to complete the market analysis. (The Planning Department’s budget contains a line item in the amount of \$3,500.00 for consulting services.) Upon completion of the market analysis, staff will provide a recommendation on the level of funding it believes will be necessary to complete the work. At this session, Council is being asked to review the two guides and provide comment to the Planning Commission prior to the Commission’s June 16 meeting.

Ms. Dauler noticed that the process being proposed here involves two task forces; the original proposal involved a steering committee of stakeholders. Ms. Dauler found it disquieting that the Commission is excluding those who live and work in the community from the planning process. Mr. Kern agreed; if the plan is to be successful, it has to be supported by the community at large. Looking at the possibility of achieving a quorum during the summer months and Council’s timetable for completion of the project, Mr. Hess reported that the Commission felt they could accomplish more in a shorter period of time than a large group could. Mr. Kern and Ms. Dauler stated they would rather extend the study period by two months and have consensus than eliminate involvement by those who have an

interest in the outcome. Council suggested some specific and formal process be developed for involving the parties listed on Page 4 of the Outline in the planning process, that the Planning Commission establish milestones for progress reports to Council, and that the Commission extend the study time until March 1, 2005.

Mr. Daubert asked about the cost of a consultant to do this work. Mr. Fontaine guessed the work could be done for \$10,000.00 although, at this point, he had no credible basis for that estimate.

ITEMS OF INTEREST. Mr. Kern told Council that PaDOT has grant money available for pedestrian safety programs. It is not a lot of money but felt State College should apply for funding. Mr. Fontaine said staff will submit a proposal by August 1.

There being no other business to come before Council, the meeting was adjourned at 9:52 p.m.

Respectfully submitted,

Barbara J. Natalie
Assistant Borough Secretary