

State College Borough Council
April 19, 2004

The State College Borough Council met on April 19, 2004, 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
Jeffrey R. Kern Janet K. Knauer
Craig R. Humphrey [arrived late]

Absent: 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; Mark A. Whitfield, Director of Public Works; Mark S. Henry, Health Officer; Carl R. Hess, Planning Director; Herman L. Slaybaugh, Zoning Officer; Amy J. Story, Borough Engineer; members of the media; and other interested observers.

The Pledge of Allegiance followed a moment of silence.

PUBLIC HOUR.

Christopher Babic, Past Vice-President of the Off-Campus Student Union (OCSU) thanked Council for having nine street lights installed in response to their request for additional lighting. Then he introduced the new officers of the OCSU: Kristen Kofmehl (President), Adam Freegood (Vice-President), Alexis Francois (Vice-President), Kristen Sheetz (Director of Commerce), Dominic Mara (Director of University Relations), Phil Wagner (Director of Safety), Alec Baker (Director of Housing), and Paul Cronin (Past President). Mr. Babic said one or more officers would be in attendance at all Council meetings and they would be back on April 30 to discuss their plans for the next year with Council.

PUBLIC HEARINGS

Zoning Ordinance: Amendment to Redefine Motor-Vehicle-Oriented Business. The only item programmed for a public hearing was a proposal to redefine motor-vehicle-oriented business (MVOB) to allow curbside pickup under certain conditions.

On March 1, Mr. Fountaine said, Council received a proposal to amend the zoning ordinance to redefine “motor-vehicle-oriented business” to allow curbside pickup at some restaurants. The amendment was drafted in response to a challenge to the Borough’s regulations governing these establishments. As written, the amendment creates an exception for curbside pickup when restaurants have no more than five parking spaces for such service, where the parking for those spaces is located within the restaurant’s parking lot, and where the restaurant does not provide a drive-up to pickup window. Council referred the proposed amendment to the planning agencies and scheduled a public hearing to be held at this meeting. Neither the County nor the Centre Regional Planning Commissions commented on the amendment within the allotted 45-day review period. The State College Planning Commission reviewed it on March 3 and recommended Council approve the amendment but to remove “telephone” from the last paragraph where it defines curbside pickup so that it now reads, *“For purposes of this Section, curbside pickup is defined as the delivery of food in response to a customer’s pre-order, directly to a customer waiting in a vehicle.”* He recommended that, following review of any testimony received, Council authorize publication of its intent to enact the ordinance on May 3.

Mayor Welch called for audience participation. There being no one to address Council on this subject, he closed the hearing and returned the subject to the table.

In response to some confusion about the elimination of the word “telephone,” Mr. Williams counseled that a modifier was needed to prevent motorists from driving in and placing orders or motorists from being served by carhops.

Upon motion of Ms. Knauer, second by Mr. Kern, Council voted 5-0-0 to authorize publication of its intent to enact this amendment on May 3.

CONSENT ITEMS

Special Activities. All of the Consent items were requests to use public property for special activities and were reviewed, considered, and acted on as one unit.

Upon motion of Ms. Knauer, second by Ms. Goreham, Council voted unanimously to approve the use of public property for the following events: (1) a “*Take Back the Night*” march on April 21; a parade in recognition of the “*Week of the Young Child*” on April 23; a bike/hike to benefit the Association of Retarded Citizens on May 2; a Family Fun Fair on June 12; and an activity named “*Games Through American History*” on June 20.

BIDS/CONTRACTS/AGREEMENTS

Study & Design Services for Traffic Signal @ Whitehall/Blue Course Drive. The only item of this category was to consider a contract for engineering services to conduct a study and design a traffic signal for the intersection of Whitehall Road and Blue Course Drive.

Mr. Fountaine described a proposal from Trans-Associates for engineering services to study and design a traffic signal at the intersection of Whitehall Road and Blue Course Drive. The contract was separated into four phases:

Part I	Traffic Analysis & Concept Plan.....	\$ 5,166.00
Part II	Traffic Signal Design.....	8,678.00
Part III	Roadway Design.....	37,147.00
Part IV	Engineering Consultation during Construction	3,642.00
Total:	\$ 54,633.00

Not included in the proposal, Mr. Fountaine said, are services related to geotechnical investigation or structural pavement analyses. Improvements to the Blue Course Drive/Whitehall intersection were included in the Capital Improvements Program (Account 30-439-617). Half of the funding will come from Ferguson Township. He recommended that Council award Parts I and II and delay Part III until PaDOT indicates whether or not a third, center lane is needed. Part IV will be returned to Council when the contract is awarded for construction.

Mr. Knauer moved to award a contract for Parts I and II, the study and design of a traffic signal at the Whitehall/Blue Course intersection, to Trans-Associates, in amount \$13,844.00.

Mr. Kern questioned the amount quoted since signals at the intersections of Whitehall/College and Whitehall/Waupelani are not being synchronized. Ms. Story said she would be surprised to find that the contractor does not have to run a module to determine the impact on area intersections; even if they do not have to, she said, \$8,000.00 for installing a signal is not out of the ordinary.

Mr. Kern asked if Trans-Associates will consider the impact of future development south of Whitehall at Blue Course Drive. Ms. Story said they would not. The signal is being designed to current conditions and would be changed, if needed, if the land is developed.

When the question was called, Council voted 5-0-0 to approve the motion.

ABC RECOMMENDATIONS

Cherry Alley: Petition to Vacate. The only item referred to Council by an advisory group was a request to vacate Cherry Alley.

Mr. Fountaine reminded members that, in February, a request from Saint Paul’s United Methodist Church to vacate Cherry Alley was submitted to Council. Cherry Alley surrounds St. Paul’s education building to the south and east and connects McAllister Street to Calder Way. Vacation is being requested to facilitate the expansion of their facility at that location. As required by law, the subject of vacating this right-of-way was forwarded to the Centre

County Planning Commission, the Centre Regional Planning Commission, and the State College Planning Commission. The agencies had 45 days in which to comment on the proposal. The County did not comment on the closing. On March 4, the Regional Planning Commission voted to recommend that the Alley be vacated. State College's Planning Commission is scheduled to discuss the vacation on April 22. Mr. Fountaine noted that Penn Towers condominium, an abutting property owner, has not signed the petition to vacate. The Church was notified of the deficiency, and staff is awaiting the status of obtaining that signature. To proceed with this request, Council must schedule a public hearing, giving 15 days' prior notice. He recommended the hearing be held on May 17.

Upon motion of Ms. Knauer, second by Mr. Daubert, Council voted 5-0-0 to schedule a public hearing on the vacation request on May 17. [*Mr. Humphrey arrived at the meeting but, having arrived at the close of discussion, did not vote on this item.*]

OLD BUSINESS ITEMS

Zoning Ordinance: Amendment to Require a New Deed be Recorded with Subdivision and Lot Consolidation Approvals. The first item of Old Business was to take action on an amendment to the zoning ordinance to require a new deed be recorded in conjunction with approved subdivision and lot consolidation plans.

On April 5, Mr. Fountaine advised, Council conducted a public hearing on an amendment that would require a new deed be recorded whenever a lot addition or replot is approved. No one spoke to the issue, and Council authorized publication of its intent to enact the amendment at this meeting. Currently, the Borough does not require a new deed to be recorded, which has led to problems in tracking deeds and tax parcel numbers for replotted lots. Because the County Assessment Office does not assign a tax parcel number until a deed is recorded, many consolidated lots continue to carry two tax parcel numbers even though the land has been replotted into one lot. The amendment would require a new deed be recorded showing correct boundaries. A single tax parcel number would then be assigned to each lot, and the Borough's records could be corrected. He recommended it be approved.

Ms. Goreham moved to enact Ordinance 1775, amending the zoning ordinance to require a new deed be recorded in conjunction with lot consolidations and subdivisions. Mr. Kern seconded her motion, and it carried by a vote of 6-0-0.

Handbill Ordinance: Amended Fines. Next, Council was asked to take action on a proposal to amend the Handbill Ordinance to increase fines for violation.

At Council's March 19 work session, Mr. Fountaine noted, members discussed an amendment to the fine for illegally distributing handbills. Currently, the ordinance allows a fine of from \$1.00 to \$50.00 for violating the ordinance, and staff is recommending the fine be increased to a minimum of \$50.00 and a maximum of \$300.00. The current fine was set in 1942 when the ordinance was introduced. During discussion, he said, Council asked that the word "municipal" be inserted before the word "building" where the ordinance describes places where the distribution of handbills is prohibited. If enacted, *the distribution of any commercial handbill, circular, card, booklet, placard, balloon, toy, object, or other matter displaying commercial logos, business identification, or advertising whatsoever would not be allowed in or upon any street, public place, front yard, courtyard, stoop, vestibule, or hall of any municipal building or in the letter box therein, or on or in any vehicle, pole, post, tree, or other object on any thoroughfare of the municipality.* He recommended that the amendment be approved.

Ms. Knauer moved to enact Ordinance 1776 to amend the Handbill Ordinance, as described by the Manager. Ms. Dauler seconded her motion.

In response to Mr. Kern's concern about political advertisements, Mr. Williams suggested that political ads not be included as an exception in the ordinance because the exclusion is well covered by the courts as a matter of free speech. To include one exception, he said, is to imply that there may be others not included and then the issue of defining each exception becomes a problem.

Council voted unanimously for the motion, as stated.

Zoning Ordinance: Amendment to Off-Street Parking Regulations. The next item was to consider an amendment to the zoning ordinance to change off-street parking regulations.

Mr. Fountaine recalled that Council conducted a public hearing on a proposal to amend the zoning ordinance to change off-street parking regulations on March 15. No one spoke to the issue, and Council authorized publication of its intent to enact the amendment at this meeting. The revisions are designed to fragment massive parking areas through the use of landscaping, reduce the number of spaces that may be in a parking bay, improve storm water recharge, permit pervious surface materials, and reduce the number of compact car spaces required from 50 percent of the total number of spaces to 25 percent of the total. He recommended the amendment be approved.

Ms. Knauer moved to enact Ordinance 1777, amending the zoning ordinance to change regulations governing off-street parking areas, as described.

Patrick Vernon, a resident of Lemont who owns rental properties in the Borough, said this amendment could have an injurious affect on over 500 property owners who have property close to downtown State College. In this particular case, the regulations could decrease the value of property by removing the ability of an owner to use his or her holding to its full potential because it will reduce the net total of spaces that can be placed on a lot. The regulations will also prevent the owner from upgrading his or her property because to do so will mean that they will have to comply with these regulations and reduce the number of parking spaces on the lot. Mr. Vernon did not understand what impelled this proposal, and he doubted that anyone affected by it was aware that it was being considered. Ms. Knauer pointed out that the public hearing was published in a display ad and legal ad; it was the subject of a legal ad during the Commission's discussions and was posted on the Borough's web site. She thought Council was doing everything it could to inform the citizens.

Mr. Hess noted that off-street parking regulations have been deliberated by the Planning Commission for at least 18 months. Members felt that the massive parking lots in the front of buildings created a visual blight and they wanted to reduce the size of these lots or have them relocated to the rear of buildings. Ultimately, members recommended that the lots be made less offensive through the use of landscaping and islands. Island use was included to address the new state-wide storm water management requirements but the Commission is recommending fewer of them. Mr. Hess demonstrated that the proposed regulations may cause an overall reduction of one or two parking spaces, depending on the configuration of the existing lot, but they will not result in a substantial loss of parking.

In response to the Mayor and Mr. Kern, Mr. Slaybaugh said that existing parking lots would have to conform to these regulations only if a building is replaced or the lot is expanded.

When the question was called, Council voted 6-0-0 for the motion.

Zoning Ordinance: Infill in the Urban Village (UV) District. The only other item of Old Business was to consider an amendment to the zoning ordinance to allow infill in the UV district, with exceptions, and to eliminate rooming houses as a permitted use.

Mr. Fountaine reported that, in October 2003, Council held a public hearing on a proposal to amend the zoning ordinance to prohibit infill in the UV district. Action was tabled pending further discussion with those who live and work in the neighborhood. Following those discussions, Council considered the input and the Planning Commission's recommendations, which were to allow infill (except when a lot abuts an R-2 district) and eliminate rooming houses as a permitted use in UV. At the last work session, Council indicated it wanted to vote on the original proposal at this meeting. Council may:

- (1) vote to approve the amendment heard in October, in which case all infill would be prohibited in the UV district (if Council takes this action, the Planning Commission's recommendations become moot); or
- (2) vote to deny the amendment heard in October, thereby reinstating the current regulations that allow infill in the UV district;

If Council chooses to pursue the Planning Commission's recommendations (to allow infill except where it abuts R-2 and where it applies to rooming houses and eliminate rooming houses), members may move to:

- (1) authorize publication of its intent to enact an amendment to allow infill except where it abuts an R-2 district (this is not a significant change from the original proposal and could be adopted following publication of a revised notice of intent to adopt); and/or
- (2) direct staff to prepare an amendment that would eliminate rooming houses as a permitted a permitted infill use and schedule a public hearing on that amendment (a public hearing is required because the inclusion of rooming houses is a substantial change to the pending ordinance and the adoption process has to start over.)

He recommended that (a) Council deny the pending amendment and authorize publication of Council's intent to enact an amendment that would allow infill except where the lot abuts an R-2 district (enactment could take place on May 5) and (b) direct staff to prepare a separate amendment to eliminate rooming houses as a permitted use in the UV district and schedule a public hearing on it (the hearing could be held on June 7).

Mr. Kern moved to approve the motion, as recommended by the Manager. Ms. Dauler seconded his motion.

Answering Mr. Humphrey, Mr. Hess said Council's experience with infill projects in other zones has not been positive and the use was banned in every district except UV. Infill projects tended to consume green space, have unsatisfactory interior space, create high density, produce more traffic and noise, and were generally not conducive to the best interests of the neighborhood. However, the Planning Commission and those who live and work in the UV believe that infill can benefit that area because of its close proximity to west campus and because of UV's evolving uses.

Ms. Goreham read correspondence from Rebecca Hirsch, 218 South Gill Street, a resident who lives near a number of infills. She opposed the use, both as a resident as a member of the Design Review Board. Based on her experience, she felt infill development is profit-driven to the point that developers skimp on quality and leads to poor quality design. Most, she said, tend to be student apartments. Ms. Hirsch said there are a number of infills in her neighborhood and the 200 block of South Barnard Street is lined with student apartments with infills to the rear. The area is loud and she and her husband spend a lot of time on the phone with police. Landlords do not live anywhere near their rental properties and she suspected they were unaware of what happens in them most of the time. A lot of her neighbors have moved out of the Borough, largely because of the noise. Ms. Hirsch pointed out that, because infills are located on alleys, they tend to create a lot of traffic in the alleys. Students tend to drive too fast, making alley use for bicycles and walking impossible. Based on the history of infill development, she felt infill should be done only in a way that does not damage the rest of the neighborhood or corrode the quality of life for those who live there.

Ms. Goreham said she would vote against the motion because Council's plan for the UV district (attractive housing, small businesses, a neighborhood environment) is not represented in the proposal before Council. Ms. Knauer agreed; she felt infill has been a disaster for State College and for the students who live in them.

Dan Jones, a property owner in the UV district and a landscape architect, spoke for infill development. He thought it was unrealistic to expect the UV district to ever become a single-family neighborhood. Infill, he said, is a nation-wide respected and effective technique for creating housing for singles or small families. Mr. Jones felt that, if infill can succeed anywhere in the Borough, it can in UV where the neighborhood can attract students and serve west campus through a mix of uses. He pointed out that the convergence of a building is not "infill" and should not be allowed. And, he added, mixed land use is an important opportunity but the owners of property in the UV district have not responded to it. Mr. Kern countered that, under current legislation, a garage converted into an apartment qualifies as "infill." A lot of housing in the UV district is substandard, beyond its economic life and barely holding its own—certainly not historic property. He was not in favor of allowing a property owner to continue making a profit for another 20 years by eking out an income through a substandard structure in what used to be the remnants of a back yard. These main structures are not pretty, they should not be occupied, they are not well-functioning and should have been upgraded or replaced with a quality structure. The proposal before Council, Mr. Kern said, does not fix the problem; it simply prolongs it. Ms. Knauer stated she was not opposed to infill but was opposed to passing an ordinance that

would continue a mistake; she wanted something better—an ordinance that would produce quality housing without creating problems.

Mr. Jones argued that infill has worked in other communities because incentives legislated for give-and-take conditions enticed owners to improve their property for economic gain. Several Council members pointed out that those incentives do not exist; because they do not exist, continuing infill would not improve the district. Mr. Hess countered that the UV allows a variety of methods to trade space for amenities; the incentives may not be adequate but he believed it was more likely that the market did not support them. The question, then, becomes, “Is the return on the investment adequate?” and the consensus among developers is that it is not. The Planning Commission is working on other ways to achieve a better outcome for UV; hopefully, those recommendations will come before Council in May.

Although he did not like infill, Mr. Daubert considered the proposal before Council better than what exists and said he would vote for it. He also wanted improved residential redevelopment in the UV district. Some of the housing needs to be replaced. He suggested some economically viable alternatives would resolve most of the problems. Mr. Vernon interjected that, while a property owner is waiting a year for an existing building to be razed and rebuilt, he or she is without an income to pay bills that continue.

Ms. Dauler did not believe all infills were undesirable. Everyone lives in neighborhoods where single-family homes create the same problems. Council’s vision for infill was to keep the scale of the neighborhood but allow residents to remain in the main structure while collecting revenue from a secondary structure. She thought it would be a mistake to deny the proposal before Council. Ms. Dauler also believed it was important to send a message to those who own property in the UV that Council is serious about its desire to improve their neighborhood. Ms. Goreham heard different opinions from property owners in the UV district; she heard that the lots were small, that infill was not the solution; and that storm water problems would be created if infill is permitted. She wanted the Planning Commission to develop standards that would produce quality housing and allow small businesses to thrive. She did not want to “settle” for less.

Mr. Williams informed Council that the ordinance before Council has been on the table since October, 2003. If Council discontinues consideration of it, protection under the “pending ordinance” rule disappears. Members should consider whether or not they want to continue that protection before they vote on the motion.

Alec Baker, 232 East Nittany Avenue, Director of Housing for the Off Campus Student Union, said students want to live off campus but often live in substandard housing. He was concerned that, if student housing is discouraged, there will be fewer places where students can choose to live in the Borough. Ms. Knauer and Ms. Goreham clarified that Council wants to improve the quality of housing for students, not reduce it.

Donna Conway, owner of both commercial and rental properties in the UV district, did not see a problem; all infill would be north of College Avenue and there are no single-family residences in the area. Fifty-nine properties are on lots too small for infill. There have been only three infill projects in the past three years. She didn’t believe there was a lot of interest in infill in the UV district. Ms. Conway didn’t feel Council should base their decision on a few infill projects that turned out to be incompatible in residential areas. Mr. Daubert informed Ms. Conway that the construction of other proposed infills were denied because they were inappropriate and, in some instances, dangerous to its occupants.

Ms. Dauler said Council members should read *City Comforts* so they would understand the benefits of infill. She thought members were ignoring the big picture and dwelling on small issues. She felt it was unfortunate that negative infills have occurred but encouraged Council to enact the ordinance proposed to eliminate rooming houses.

Voting on the motion, Council voted 4-2-0 to deny it. Mr. Daubert and Ms. Dauler voted for the motion.

Ms. Knauer moved to enact the ordinance considered in October, 2003 (which prohibits infill in the UV district); direct that staff prepare a separate amendment to eliminate rooming houses as a permitted use in the UV district; and schedule a public hearing on the amendment

to eliminate rooming houses on June 7. Mr. Kern seconded the motion and it carried by a 4-2-0 vote (Mr. Daubert and Ms. Dauler voted against the motion).

Mr. Kern moved to direct the Planning Commission and staff to, with due diligence, review the zoning, planning, incentives, and design criteria in the UV district, including market studies, to determine what design criteria and incentives would be appropriate to reach Council's housing and land use goals. Ms. Knauer seconded the motion.

Mr. Daubert thought the motion was counterproductive and suggested any directive to the Planning Commission be better thought out in a work session. Ms. Knauer disagreed; she thought the motion was global and covered Council's concerns. Mr. Kern explained that his motion did not include anything that the Planning Commission is not already working on. Mayor Welch suggested that the deliberations include whether or not the legislation being considered is economically feasible; to do otherwise is a waste of time.

The question was called and Mr. Kern's motion passed 5-2-0. Ms. Dauler and Mr. Daubert voted against it.

NEW BUSINESS ITEMS

Festival of the Arts/2004. The first item of New Business was to consider an ordinance designating a time and place for the conduct of the 2004 Festival of the Arts.

Mr. Fontaine reminded members that Phil Walz attended Council's work session on April 12 to discuss the 2004 Arts Festival and request that Council permit this activity again this year. As requested, the Festival will occupy the same area as in 2003. This year's Festival will begin with Children & Youth day on July 6 and end with the sidewalk sales of arts and crafts on July 11. To enable the Festival to take place in a controlled environment, an ordinance is enacted each year to designate the time and place for the Festival and to suspend certain other activities designated by ordinance. Mr. Fontaine recommended that Council support the Festival by enacting the ordinance.

Upon motion of Ms. Knauer, second by Mr. Daubert, Council enacted Ordinance 1779, designating a time and area for the conduct of the Arts Festival in 2004.

Markle Street, 223. The only other item of New Business was to consider enacting a resolution to authorize the condemnation of 223 Markle Street.

Mr. Fontaine distributed a Resolution, prepared at the direction of Council, authorizing staff to file a Declaration of Taking with the court to acquire a property described as 223 Markle Street. The property is being taken in anticipation of the extension of Beaver Avenue through to University Drive at some point in the future. Mr. Fontaine recommended the resolution be approved.

Mr. Kern moved to enact the Resolution, as presented. Ms. Goreham seconded his motion. Ms. Dauler did not understand why Council would purchase this land when the proposal to extend Beaver Avenue is not likely to ever occur because of the exorbitant costs that would be incurred. She opposed the purchase and said she would vote against the motion.

When the question was called, Ms. Dauler did vote against the motion but it was approved by the remaining members in attendance.

VOUCHERS. Upon motion of Ms. Knauer, second by Ms. Goreham, Council voted 6-0-0 to receive vouchers for the month of March 2004 for the Borough of State College, in amount \$1,744,155.66, and, acting as agent for the Centre Region Council of Governments, vouchers totaling \$782,737.27.

MINUTES. Upon motion of Ms. Knauer, second by Ms. Dauler, Council voted unanimously to approve minutes of previous meetings as follows and as submitted:

- | | |
|-----------------------------------|-------------------------------|
| A. Regular Meeting, March 1; | B. Regular Meeting, March 15; |
| C. Special Meeting, March 18; and | D. Work Session, March 19. |

OFFICIAL REPORTS AND CORRESPONDENCE

Mayor's Report. Mayor Welch announced that, for the 20th year in a row, State College has been named a *Tree City, U.S.A.*

President's Report. ABCs: Campus & Community Partnership... President Daubert declared two positions on the Campus & Community Partnership United Against Dangerous Drinking vacant (those formerly occupied by retired Manager Marshall and retired Council member McManis) and appointed current Manager Thomas J. Fountaine, II, and Janet K. Knauer to fill their seats on this board.

Executive Session. Mr. Daubert also announced an *Executive Session*, being held following this meeting to discuss pending litigation and a personnel matter.

Liaison Reports: Uniform Construction Code. Mr. Kern reported that state legislation on an amendment to the uniform construction code has been moved out of committee into the House and will be voted on May 10. The legislation specifically allows Labor & Industry to contract with a municipal entity to inspect state buildings, a practice that was not previously permitted.

Parking: Reserved Spaces in McAllister Deck. Ms. Dauler wanted Council to understand that, before any decision is made to provide assigned spaces for downtown employers and workers, members should know that a \$15.00 bus pass is available from the Centre Area Transportation Authority (CATA) to park near the Bryce Jordan Center and ride the Loop Bus, which runs every few minutes until past midnight. The Downtown Improvement District is also negotiating with CATA to provide a "Ride for \$5" fare, which is also cheaper than leasing space in the garages.

Staff/Committee Reports: Source Investigation Program. Chief King responded to an article in *The Collegian* which said the Borough is overzealous in its enforcement of underage drinking and is filling its coffers from fines imposed for underage drinking. He explained that fines are broken out into three recipients: the District Justice receives a percentage; since most offenders are sentenced to attend a *youthful offenders program*, the Community Health Center gets \$175.00 for expenses; the offender loses their license for 30 days and PaDOT receives their money; but the Borough of State College receives nothing. Mr. King noted that the number of fines levied for this infraction is down this year as compared to the last four years and said the law is enforced because they believe it saves lives and is a worthwhile effort.

There being no other business to come before Council, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Barbara J. Natalie
Assistant Borough Secretary