

Meeting Minutes
State College Borough Council
Work Session
November 4, 2005

The State College Borough Council met in a work session on Friday, November 4, 2005, in the State College Municipal Building, Room 241, 243 South Allen Street, State College, PA. Mr. Daubert called the meeting to order at 12:04 p.m.

Present: Bill Welch, Mayor
Thomas E. Daubert, President of Council
Catherine G. Dauler
Elizabeth A. Goreham
Craig Humphrey
Jeffrey R. Kern
Richard L. McCarl
James H. Meyer

Also present: Thomas J. Fountaine, Borough Manager; Carl R. Hess, Community Development/Planning Director; Thomas R. King, Chief of Police; Herman L. Slaybaugh, Zoning Officer; Sheila Lubold, Recording Secretary; members of the media; and other interested members of the public.

Public Hour. Eric Patridge, 113 McClary Court East, spoke about local government regulations regarding sexual orientation and provided Council with a handout. The handout described ordinances and policies in place in other communities in Pennsylvania, such as Harrisburg, Lancaster, and York, prohibiting discrimination on the basis of sexual orientation in public employment, education, union practices, etc. According to the handout, State College has sexual orientation policies prohibiting discrimination in housing, and he felt Council should implement sexual orientation policies with regard to other areas of the local government. Mr. Daubert advised Mr. Patridge that Council would consider his comments.

Meet with Developers. Borough Council met with George Woskob, Dan Abruzzo, and other developers in a roundtable discussion on issues related to development in the Borough.

The discussion was started by Mr. Abruzzo by stating the developers' hope for an open dialogue with Council on redevelopment ideas. The developers have reviewed local zoning ordinances and in the past, the ordinances have been favorable for student housing but not many other projects. Mr. Abruzzo felt that zoning and financial incentives could help to improve and prompt redevelopment in the downtown area.

Mr. Woskob added that developers have many issues and factors to consider when deciding on an investment. He felt the Borough had enough student housing and needed to look at attracting other projects for the downtown. He acknowledged the difficulty in making the downtown attractive for retail businesses because of questionable traffic, but said the developers had ideas on how to encourage owner-occupied housing. Mr. Woskob felt there was a need to phase in smaller projects to eliminate risk for developers. He also showed Council a picture of a "Georgetown" style building which he felt the Borough should be considering.

Mr. Abruzzo said the downtown businesses have been successful due to the support of students and tourism.

Mr. Woskob felt there were opportunities for development in the Borough but a study was needed to determine what would make developers interested in the Borough. Some issues already identified were the cost of land, lack of parking, and zoning restrictions on heights and RO areas. However, he added, there were some proposals for smaller scaled projects but it was difficult and the process needed to be easier.

Ms. Goreham felt the Borough needs to attract professionals who would pay earned income tax, but such people were looking for something more upscale.

Mr. Kern added the Borough also needs to have more affordable housing. Mr. Abruzzo said developers were trying to include housing that would be more affordable. Mr. Daubert was concerned that "affordable housing" is often associated with low income housing.

Mr. Daubert asked if there were other suggestions in addition to changing the zoning and financial incentives especially since the Borough is unable to offer many financial incentives.

Mr. Kern felt Council should consider delaying the high tax assessments for housing units until the unit was fully occupied. He also felt that delaying the charge for tapping fees until a project was completed may provide more of an incentive for developers.

Mr. Welch questioned if the developers planned to develop areas that are already built-up by rebuilding. Mr. Woskob and Mr. Abruzzo stated it would most likely be best to tear down numerous buildings and replace them with new units.

Mr. Fontaine added that when deciding on areas to redevelop, it should be kept in mind that a number of the buildings along College Avenue have architectural history. Mr. Woskob felt the focus would be in areas that do not have established neighborhoods.

Council adjourned for a short recess.

Noise Ordinance Waiver for HUB Lawn Terrace. Council met with Stan Latta, Penn State Director of Union and Student Activity, to discuss a waiver to the Borough's Noise Ordinance for six performances or events after dark on weekends (in addition to the AfterFest activity) on the performance area adjacent to the HUB-Robeson Center. These six activities would use amplified sound and be approved, sponsored, and managed by the Office of Unions and Student Activities. Amplified performances during weekend daylight hours and community sponsored events would not count against this total.

Council reviewed revisions suggested at a previous meeting as well as Mr. Kern's suggested revisions. Mr. Kern stated the University approved his editing and thought Council could move forward. Another short discussion was held and a few minor grammatical changes were made to the most recent updates.

The revisions to the waiver would give the Chief of Police or a member of his staff the authority to terminate an event if the level of amplified sound exceeds the limits set forth in the waiver.

Ms. Dauler added that residents objected to the "thudding" and how the noise carries. The bass notes were the most audible and people do not realize those are the sounds that carry and people find difficult to listen to. Ms. Dauler felt that Council should try a test year and then review the policy for possible changes and improvements.

Ms. Goreham questioned if the problem of the sound affecting Sunday church services had been addressed. Mr. Latta had addressed the issue and there would be no amplified sound before 1 p.m. on Sundays.

Council also held a short discussion on different locations that should be used to monitor the sound levels. Mr. King suggested a reading be done from a location near the library and the municipal building since residents at Addison Court are likely to report complaints. Council felt this was a good idea.

Council also agreed to change the monitoring location from the corner of Locust and Beaver Avenues to Locust and Foster Avenues.

Review items on Council's November 7, 2005, Agenda. Mr. Daubert reviewed items listed on the Council's agenda for November 7, 2005. The first item discussed was the Request for an Inter-Municipal Transfer of a Liquor License. Mr. Daubert stated unless a continuance is requested Council would hold a public hearing on the issue at the next meeting.

Council started to discuss the possible transfer, but Mr. Fontaine advised Council that such a discussion would be more appropriate at the meeting on November 7. He also reminded Council that Council could add conditions and, if Council votes to approve the transfer, any conditions would be included in the license and enforced by the Liquor Control Board. On the other hand, Council could reject the request for transfer, but the applicant had the right to appeal Council's decision. If the transfer were approved on appeal, no conditions would be attached.

Council next discussed the signature development projects. Ms. Goreham noted the Planning Commission recommended that this not be extended beyond Allen Street and was concerned about the impact on the area east of Allen Street. She felt Council should think this through carefully. Ms. Dauler stated that someone from the Planning Commission should attend the meeting to speak about how they arrived at their decision. Mr. Daubert felt that Council needs to move ahead with the project.

Mr. Daubert also asked Council to make him aware of any topics they would like on the agenda for the Borough/University Liaison Meeting on November 18, 2005. Mr. Daubert, Ms. Dauler and Mr. McCarl would attend.

There being no further business, Council adjourned to an executive session at 1:47 p.m.

Respectfully submitted,

Cynthia S. Hanscom
Assistant Borough Secretary