

**Meeting Minutes**  
**State College Borough Council**  
**December 5, 2005**

The State College Borough Council met in a regular meeting on Monday, December 5, 2005, at 7:30 p.m., in the State College Municipal Building Council Chambers, 243 South Allen Street, State College, PA. Mayor Welch called the meeting to order at 7:30 p.m.

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

Also present: Thomas J. Fountaine, II, Borough Manager; Terry J. Williams, Borough Solicitor; Carl R. Hess, Planning Director; Mark A. Whitfield, Director of Public Works; Amy J. Story, Borough Engineer; Michael S. Groff, Finance Director; John P. Marchek, Risk Manager; Cynthia S. Hanscom, Assistant Borough Secretary; members of the media; and other interested observers.

Mr. Welch began with a moment of silence and the pledge of allegiance.

Approval of Minutes. Mr. Kern moved to approve the following minutes:

September 30, 2005, Work Session  
October 3, 2005, Regular Meeting  
October 10, 2005, Work Session  
October 17, 2005, Regular Meeting  
October 21, 2005, Work Session

Ms. Goreham seconded the motion, which passed unanimously.

Public Hour: There were no public comments received.

**PUBLIC HEARINGS**

Proposed 2006 General Fund & Special Fund Budgets. Mr. Fountaine said the 2006 budget was distributed to Council and made available for public inspection on November 16. At that time, Council received an overview of the budget and submitted questions for discussion on December 10. As presented, the budget total of \$26,439,640.00 is broken down into the following amounts:

General Fund	\$ 14,847,658.00
Capital Project Fund	1,137,440.00
Refuse Fund	2,894,193.00
Sanitary Sewer Fund	4,815,461.00
Parking Fund	2,861,508.00
Highway Aid Fund	648,831.00
Bellaire Court Fund	54,740.00
Bus Terminal Fund	15,820.00
Adjustment for Inter-Fund Transfers	(836,011.00)

Although the budget proposal is revenue neutral, it incorporates Council's previous resolution to provide property tax relief for qualified homeowners while shifting taxes from the Business Privilege Tax to commercial and other property not otherwise qualified for the Homestead Exclusion. The Homestead Exclusion is proposed at \$25,000 for qualified owner occupied properties. A summary of the budget proposal has been posted on the Borough's web page and the full document has been available for public inspection in the Borough Secretary's office. Additional work sessions on the budget will be held following this meeting, December 12, 14, and 16, prior to adopting it on December 19.

Pat Vernon, property owner in the Borough, commented the repeal of the Business Privilege Tax and the increase in the real estate tax would create a 37.5 percent increase in real estate taxes. He noted that was 300 percent more than what was paid in the Business Privilege Tax. The Business Privilege Tax was spread over more taxpayers so the impact of the tax was less. He believed that real estate professionals were not aware that the change could impact them at this rate and believed there should be more opportunity for them to comment. He noted the rental market was very soft. There has been a decrease in rental rates, an increase in fuel, and an increase in the cost to provide fire protection. He believed the Borough was "headed down a dangerous path" if the large rental properties are forced to file for reassessment, which would ultimately impact the school district. He understood the goal was to have those who put the stress on Borough services to be the ones that pay. However, the students who live on campus

use the Borough's services, as do all those who live outside the Borough and "play" in the Borough every weekend. He felt it was unfair to translate this to the real estate professionals.

Ms. Goreham welcomed his and other property owner's comments on the budget and suggested that there were work sessions scheduled for December 12 and 16, at which time Council would take comments on the budget.

There being no other comments, Mr. Welch closed the public hearing.

#### CONSENT ITEMS

Special Activity: Saint Paul's United Methodist Church Christmas Program. Mr. Fontaine noted a request had been received to use a part of the sidewalk along St. Paul's United Methodist Church (252 East College Avenue) and the metered area directly in front of the church on Monday and Tuesday, December 19 and 20, from 5:00 to 9:00 p.m. for a live performance of the nativity.

Mr. Daubert moved to approve the use of the sidewalk and meters. Mr. Kern seconded the motion. The motion passed with a 7-0-0 vote.

Resignation of a Member of the Planning Commission. Mr. Fontaine indicated Donald M. Hahn, member of the Planning Commission, is requesting that his resignation from the Planning Commission become effective January 1, 2006, at which time he will serve on Council.

Mr. Daubert moved to accept Mr. Hahn's resignation. Mr. Kern seconded the motion, which passed unanimously.

#### ABC RECOMMENDATIONS

2006 Tree Commission Work Program. Mr. Fontaine indicated the 2006 Tree Commission work program was distributed with the agenda. Tree Commission Chair William Elmendorf is in attendance to present the plan. Council should receive the work program and schedule it for discussion during a work session.

Mr. Elmendorf began by thanking Council for supporting trees in State College over the years and thanked Mr. McCarl for his liaison services this year. Residents and visitors receive an aesthetic benefit from the landscape of State College. Mr. Elmendorf highlighted a survey conducted for Holmes-Foster Park and a plan presented by Penn State landscaping students. He hoped that Council would be able to take a look at the plan and make recommendations in early 2006.

Ms. Goreham asked about the state of the Borough's trees in relation to diseases, such as oak wilt. Mr. Elmendorf indicated that oak wilt was found in trees in Patton Township, which was attributed to poor tree service. In the Borough, high quality service is maintained.

Mr. Daubert moved to receive the work program and schedule it for discussion during a work session on December 12. Mr. Kern seconded the motion, which passed unanimously.

2006 Transportation Commission Work Program. Mr. Fontaine noted the 2006 Transportation Commission work program was included in the agenda and Chair Christopher Falzone was in attendance to present the plan.

Mr. Falzone indicated that some of the work listed in the plan was on-going. He noted the Commission had tackled traffic speed mitigation in the Highlands, looked at mitigation on Sparks Street with parking and line of site issue. He believed traffic issues in the Urban Village would have a major impact in the coming year. He predicted the Commission would be re-looking at pedestrian channelizing devices, bicycle lanes on Garner Street, and countdown signals and pedestrian lead times at the intersections.

Mr. Daubert asked about the development of an Official Borough Street map. Mr. Falzone noted this was a new item. Mr. Hess said that this was a component of the Municipalities Planning Code. The map would show the layout of streets with existing and future public improvements. The map would serve as a long-range planning document to give notice to property owners that there is an interest in public projects. If a property owner wishes to develop their property, the municipality has one year to move forward with easements. The official map currently being used by the Borough is the zoning map.

Ms. Goreham stressed the need for bike racks in the 100 block of South Allen Street. Mr. Kern noted the work program includes an item on bicycles. He suggested this could be added. Mr. Fontaine noted bike racks were part of the Capital Improvement Program budget and were listed as a high priority item.

Mr. Kern moved and Ms. Goreham seconded a motion to receive the work program and schedule it for a work session on December 12. The motion passed with at 7-0-0 vote.

Council May Receive the 2006 Planning Commission Work Program. Mr. Fontaine said the 2006 Planning Commission work program was distributed to Council. Council should receive the work program and schedule it for a work session.

Mr. Daubert asked about the downtown ad hoc committee. Mr. Hess explained it was a committee formed from the Downtown Improvement District with the Planning Commission to work toward meeting the goals of Council in the downtown.

Mr. Humphrey asked about the Elm Street designation with the Pennsylvania Department of Community and Economic Development. Mr. Hess explained the Elm Street program was a fairly new program modeled after the Main Street management program. It supports older neighborhoods in close proximity to the downtown by providing support in efforts to revitalize the areas adjacent to the downtown. The focus is to improve residential areas and encouraging home ownership.

Mr. Kern moved to receive the Planning Commission work program and schedule it for a work session on December 12. Ms. Dauler seconded the motion, which passed with a 7-0-0 vote.

## OLD BUSINESS

Urban Village Market Feasibility Study. Mr. Fontaine noted that Council had received the Urban Village Market Feasibility Study at their meeting of November 16 and made preliminary comments at their meeting of November 30. Recommendations from the plan include:

- Work with stakeholders to prepare a revitalization plan for the UV that will establish the framework for specific actions.
- Develop a range of implementation tools including zoning changes and incentives, the establishment of a redevelopment authority, creation of tax increment districts, use of historic property tax credits, and Elm Street designation.
- Change the mix of uses and focus of Railroad Avenue by creating a mixed-use node at either Gill or Sparks, improving the pedestrian linkages between the UV and west campus, and capitalizing on the walking distance market area that extends from west campus to Holmes-Foster.
- Assemble / redevelop property north of West College Avenue (excluding properties located directly along West College Avenue), between Atherton on the east and Corl Street on the west for mixed-use redevelopment at higher densities (average of 15 units per acre, suitable for townhomes).
- Pursue opportunities for higher density mixed-use development between Atherton and Barnard as an anchor on the eastern edge of the UV.
- Authorize staff to draft a scope of work and a request for proposal to prepare a revitalization plan for the Urban Village.

Ms. Dauler moved to recommend Council accept the report and authorize staff to begin working on the recommendations. Mr. Humphrey seconded the motion.

Ms. Goreham asked if by accepting the study there would be a broad authorization of all of these recommendations. Mr. Fontaine explained Council was only accepting the report. Each item would be brought back before Council for approval before implementation. Currently, staff would like to work on a scope and a request for proposal for revitalization. Mr. Kern indicated the motion should indicate such. Mr. Daubert added a reasonable time limit should be in place to insure that this does not get delayed.

Council called the question on the motion, which failed as all members were opposed.

Mr. Kern made an alternate motion that the report be accepted and staff be authorized to begin working on the recommendations, to be submitted back to Council within three months. Ms. Goreham seconded the motion.

John Simbeck, 601 Enterprises, 601 West College Avenue, indicated he was a land owner in the urban village area but not a resident of the Borough. He was glad to see the report completed but believed there were problems that could be solved quickly. The study included grand ideas that would affect land owners and property in major ways. He believed there were minor changes that could occur that would create substantial results. He strongly encouraged Council to keep the property owners involved and that the University should also be included in any implementation measures.

Mr. Vernon noted that he had been involved with the properties on West College Avenue for several years. The structures were large but built on small lots usually only 50 feet wide and 100 feet in depth. Many of the lots only have rear access. He asked if assistance would be available to maintain the older houses on both the north and south sides of West College Avenue. The structures are valuable because they are rentals but converting them to single family homes would be difficult and unrealistic because of the noise and traffic. Mr. Welch noted that the report offers ideas on how to preserve those properties. The next step is to determine what needs to be done to enhance the area. Mr. Fontaine indicated implementation tools include changes in

zoning and tax increment financing to address the potential solutions. He agreed that there was significant architecture on that street that should be preserved.

Ms. Dauler noted there should be concern with what is happening to the neighborhood properties south of College Avenue that would be affected by changes in the Urban Village. She agreed that there should be encouragement to preserve the historic-looking structures.

Mr. Daubert commented the plan encourages the preservation of everything on West College Avenue; however, he believed there would be some redevelopment.

The question was called on the motion, which passed with a 7-0-0 vote.

#### NEW BUSINESS

Bicycle Crossing Sign at McKee Street and Park Avenue. Mr. Fontaine indicated staff has been preparing plans for the installation of a bicycle crossing sign and flashing warning signals for the intersection of McKee Street and East Park Avenue. In order to gain PennDOT approval, Council must pass a resolution. Mr. Daubert moved to approve the resolution for the bicycle crossing sign. Ms. Dauler seconded the motion. The vote was 7-0-0 in favor of the motion.

Project 5-2005 Sanitary Sewer Rehabilitation. Mr. Fontaine indicated that Council is being asked to approve a change order for Project 5-2005 Sanitary Sewer Rehabilitation. From maintenance records it was determined that approximately 1,250 linear feet of sanitary sewer along Lehman Way needed critical repair. The sewer line replacement would cost approximately \$118,750. The contractor for Project 5-2005 Sanitary Sewer Replacement, Intercounty Paving Assoc., agreed that the main line could be slip-lined. The contract price to slip-line is \$34.00 per linear feet. Additionally, there are 20 laterals that will have to be reconnected at a unit price of \$200.00 each. The total cost for this section of additional sanitary sewer is \$46,500.00, which is available in the sanitary sewer fund, 08-429-724. Additionally, there is a short section of deteriorated storm sewer pipe located at the intersection of West Foster Avenue and D Alley, which is adjacent to utility lines, making it very difficult to dig and replace. The 47 feet of storm sewer can be slip-lined for \$1,880.00, which is available in the Liquid Fuels budget. Since the amount of the change order is greater than 15 percent of the original contract price, approval is requested from Council.

Mr. Kern moved to approve the change order to Project 5-2005 for \$48,380.00. Ms. Dauler seconded the motion, which passed with a 7-0-0 vote.

Extend the Cable Franchise Agreement Between the Borough and Adelphia. Mr. Fontaine said a resolution was prepared by staff to extend the franchise agreement with Adelphia Central Pennsylvania, LLC, for six months while negotiations to renew the agreement continue. If approved, the agreement will expire on June 30, 2006.

Mr. Kern moved to approve Resolution 892 to extend the cable franchise. Ms. Dauler seconded the motion, which passed unanimously.

#### OFFICIAL REPORTS AND CORRESPONDENCE

##### President's Report

Council President announced two executive sessions, one following the regular meeting to discuss potential litigation and the second following the work session to discuss personnel matters.

#### ITEMS OF INFORMATION

Mr. Meyer reviewed several interesting points from an old State College visitors guide in an attempt to ascertain the year in which it was published. It was estimated that based on the number of residents (27,584) and the number of full-time police officers (17), the visitors guide was published in the early 1960s.

Council adjourned to a work session at 8:20 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary