

**Meeting Minutes**  
**State College Borough Council**  
**April 20, 2007**

The State College Borough Council met in a work session on Monday, April 20, 2007, in the State College Municipal Building Council Room, 243 South Allen Street, State College, PA. Ms. Dauler called the meeting to order at 11:05 a.m.

Present: Bill Welch, Mayor  
Catherine G. Dauler, President of Council  
Thomas E. Daubert  
Ronald L. Filippelli  
Elizabeth A. Goreham  
Craig R. Humphrey  
Absent: Donald M. Hahn  
Jeffrey R. Kern

Also present: Thomas J. Fountaine, II, Borough Manager; Thomas S. Kurtz, Assistant Manager; Carl R. Hess, Planning Director; Herman L. Slaybaugh, Zoning Officer/Planner; Michael S. Groff, Finance Director; Amy J. Story, Borough Engineer; Mark A. Whitfield, Director of Public Works; Thomas R. King, Chief of Police; Mark S. Henry, Health Officer; Cynthia S. Hanscom, Recording Secretary; members of the media; and other interested members of the public.

Public Hour. There were no comments from members of the public.

**West End/Urban Village Revitalization Plan.** Ms. Dauler reminded Council that they had received the draft final plan for the West End Revitalization Plan at their meeting of March 30. She said this is Council's opportunity discuss the different aspects of the plan. Keith Weaver with EDSA, Inc., and Karen Dickinson and Troy Truax, both from Delta Development, were in attendance to answer questions.

Mr. Humphrey asked the role of the Redevelopment Authority in the appropriation of funds. Mr. Hess explained the Redevelopment Authority had met and was reviewing the recommendations of the plan. The Authority is aware of the concepts of the plan and their role. He noted that transferring title to the Sparks Street parking lot could capitalize the Redevelopment Authority. There are also grants from the Pennsylvania Department of Community and Economic Development that may be available.

Ms. Goreham asked the importance of capitalizing the Redevelopment Authority. Mr. Hess explained it would provide funding for purchasing land for site assembly. As sites are acquired, there could be partnerships formed with property owners to redevelop for such things as work force housing. Ms. Goreham asked if a property owner could sell their property rather than redevelop. Mr. Hess indicated the best case scenario would be for the property owner to redevelop. There may be tax credit programs available to the property owner for certain types of redevelopment.

Mr. Daubert said there were parts of the plan that this Council may not want to pursue, such as a park in the Sparks Street parking lot. If that were the case, the land could not be used to capitalize the Redevelopment Authority. He also said it was difficult to make a decision on the projects listed, such as moving the train station and old Post House Tavern, because the cost was not known. Mr. Hess noted cost analysis for the projects would be done at a later time once the projects were prioritized.

Mr. Hess suggested that, once the plan was approved, Council instruct staff to begin work on the changes to the land use regulations. Mr. Daubert agreed that this should be done first. Mr. Humphrey noted that Rich Kalin, chair of the steering committee, suggested at a previous meeting that work should also begin on improving the linkages with the University.

Council discussed the parking proposed in the plan. Mr. Welch said removing the parking in the Sparks Street parking lot was counter-intuitive to the need for additional parking in the Urban Village. Mr. Weaver stated the shared parking scheme may allow for public parking off the alleys that could be metered. On-street metered parking is also an option. The proposal is to use the premier space on Sparks Street and move the parking to the interior of the blocks. He added that he saw the park at Sparks Street as the key to redevelopment occurring in the area.

Mr. Daubert said that funding for the Capital Improvement Plan is limited. Every year projects are eliminated or not included because the money needs to go to infrastructure improvements. He asked how the projects proposed in this plan would be funded without raising taxes. Mr. Fountaine replied that in developing the Capital Improvement Plan, Council would need to determine what resources are available. He agreed that maintaining the infrastructure was very important but there may be other opportunities for funding. Mr. Hess added that tax increment financing land grants from the state may be available to help fund the projects. Mr. Filippelli said

that a shift may need to occur in the funding of capital improvements. There are long-term benefits of this plan to all citizens, not just the property owners in the Urban Village.

Mr. Truax added that many of the smaller infrastructure improvements to this area, such as sidewalks and landscaping, would help to improve pedestrian safety and be a visual reminder that there were improvements occurring in this neighborhood. The larger projects would need private sector investments. He said both the infrastructure improvements and the zoning could be done simultaneously.

Council discussed the timing of the zoning changes. Mr. Hess said he would like to see Council pass new legislation by the end of the year. He added it would be expedient to continue working with the consultant. Implementation of the plan would entail a new approach to zoning in the Borough. Mr. Fontaine said there are different aspects to the implementation plan, which could include zoning, capital improvements, etc. One part could be to approve a zoning framework to be developed by the consultant.

Mr. Truax said the overall goal of the plan is to preserve the village character and unique quality of this neighborhood. Form, function, and look are important because they would provide design guidelines to reinforce the zoning that would be used to guide the redevelopment process. The plan is to keep the walkability and historic qualities that are needed to support the area. This vision should be clear to everyone so that uniform expectations are established.

Mr. Daubert asked how the existing historic design guidelines would fit into the plan. Mr. Hess replied that the Borough should not reinvent the guidelines. Mr. Weaver added that the existing guidelines were only advisory and Council may want to do more. Mr. Hess added that there may be ways to incentivize without legislating design.

Council discussed the Sparks Street parking lot and whether or not converting it to a park would be the best use of the land. Mr. Weaver explained that a key issue is assembling bigger pieces of land to have projects developed on a block-by-block basis. The park was a key piece in selling this concept to the property owners. Mr. Truax added that the park provides a linkage between the Urban Village community and the west campus. He recommended Council look at the park proposal as a tool to create a central theme.

Ms. Goreham commented that developing work force housing was very important and should be pursued. A major concern was also the transportation issues and bike lanes that link to existing bike routes. She asked if traffic calming measures were considered. Mr. Weaver said that the Borough may need to work with the Pennsylvania Department of Transportation (PADOT) on what programs were available.

Ms. Goreham also commented she was concerned about the use of materials and how continued use of historic and compatible materials could be ensured. Mr. Hess stated encouraging the use of building materials through incentivizing could control the use of materials to maintain the historic character of the Urban Village.

Ms. Goreham asked how this plan would be continued into Ferguson Township. Steve Miller, Ferguson Township Supervisor, stated he sat on the Urban Village Steering Committee and was waiting to see what happened to determine if the plan could be coordinated with efforts in Ferguson Township.

Mr. Fontaine said that Council would continue their discussion at the May 4 work session. The goal was to approve the plan at the May 21 regular meeting, he added.

Council took a short recess and reconvened at 12:26 p.m.

**Consideration of Amending the Anti-Discrimination Ordinance to Include Employment.** Mr. Fontaine noted that Council received a request to amend Borough ordinances to include employment issues and extend protections for sexual orientation and gender identities. The subject had been deferred several times until it was finally scheduled for this meeting.

Dr. W. Terrell Jones, Chair, Centre County Advisory Council to the Pennsylvania Human Relations Commission, stated that it was time for the State College Borough to be as inclusive as possible in its policy for employment in the community. It was important to include sexual orientation, sexual identify and marital status in the ordinance. He noted that Council had received several documents on how other communities had passed policies and ordinances on this issue. He said that in an open meeting in February, some people who were not in favor suggested that the Human Relations Commission was asking for special rights for special groups. This was not the case. He said he was asking Council to ensure that all people have the same rights for job opportunities and public accommodations in this community.

Joanne Tosti-Vasey, member of Centre County Advisory Council to the Pennsylvania Human Relations Commission and President of the Pennsylvania National Organization for Women (NOW), noted that there were 14 municipalities that have expanded upon the Pennsylvania Human Relations Act to include marital status, familial status and family responsibilities in their local requirements. She reviewed the definitions for marital status, familial status and family

responsibilities, the last of which would include older workers who were taking care of aging parents. Ms. Tosti-Vasey also reviewed other state legislation where additional protections beyond the civil rights act were legislated. She urged Council to consider a broad ordinance to be all inclusive for employment practices in the Borough.

Council discussed pending state legislation that would include familial and marital status in Pennsylvania. Ms. Tosti-Vasey cautioned the bill had died three times on the house floor. She was recommending a local ordinance be passed regardless of what would happen at the state level so that people have a closer access to report claims. She also stated that having a local ordinance would give state legislators a greater impetus to pass state-wide legislation.

Mr. Daubert asked how the ordinance would affect smaller businesses. Ms. Tosti-Vasey noted that the state law applies to employers with 15 or more employees. She said this would be appropriate for a local ordinance.

Mr. Welch asked if other municipalities had seen an impact from the passage of a local ordinance. Mr. Fontaine said he had talked with officials at West Chester and they had no complaints filed.

Mr. Filippelli asked if this ordinance would be taken to other municipalities in the Centre Region and Centre County. Dr. Jones said the Commission's goal was to make the same proposal to all of the municipalities. Ms. Tosti-Vasey said the request was before Council at this point because this Council was perceived to be the most progressive legislative body community in the County. Mr. Filippelli said he hoped that organizers would push for a county-wide ordinance to include a larger area.

Justine Andronici, Co-President of Nittany NOW, said she supported this proposal as it would send a real message to the community that all were welcome. As an employment lawyer, she said she believed that this was an emerging area in law. It was very important to understand that subcategories for inclusion sends a message to employers and educates them about appropriate conduct. These ordinances do not prohibit an employer from firing someone if they do not show up for work. Adverse employment actions and legitimate business actions would not be prohibited. Some of these issues can raise anxiety but it would be saying to employers that it is not appropriate to make employment decisions in the community because of animus.

One individual who did not wish to identify herself said she is afraid of being harassed and stalked by members of the community. She said she was a transsexual woman who identifies as a lesbian. She encouraged Council to move forward with this ordinance and to include gender identity for both employment and public access. She mentioned instances where she had been kicked out of restrooms and had CATA drivers pull away when she got to the door. By putting this in writing, it will send a message that this behavior was not acceptable.

Connie Matthews said she had pending legal action but was not prepared to talk about her case today. She noted that she had been discriminated against because she was a lesbian. She said discrimination in any form was very personal and very painful. By having this ordinance, there would be a proactive stand that tells people that certain behaviors are not acceptable.

Ms. Dauler commented that this Council seemed to agree that they would like to see a local ordinance for review. Mr. Daubert asked that the ordinance include a definition of familial status. Mr. Fontaine said he would notify Dr. Jones when this ordinance would come before Council for further review.

There being no further business, the meeting adjourned to an executive session at 1:17 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary