

**ALTOONA CITY COUNCIL MEETING MINUTES
WEDNESDAY – FEBRUARY 24, 2010 - 7:00 P.M.
COUNCIL CHAMBERS - 1320 WASHINGTON AVENUE, ALTOONA, PA**

The meeting was televised live on cable Public Access Channel 14 and rebroadcast Thursday, February 25, 2010.

CALL TO ORDER – by Mayor Schirf at 7:00 PM in Council Chambers.

SILENT MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer

Present: Councilmen Butterbaugh, Cagle, Geis, Ibrahim, Neugebauer, and Mayor Schirf

Absent: Councilman Kelley

ALL PUBLIC COMMENT- Attorney Rick Gieg spoke on behalf of Boulevard Partnership and requested Council move forward with the vacation request made by his client involving the area beside Yamoto Restaurant at the corner of Logan Boulevard and E. Plank Road rather than waiting until after a study is completed in the Garden Heights neighborhood; Attorney Gieg stated his client requested the vacation due to a safety hazard with cars cutting through to avoid the red light and also to create an outdoor patio area for the Yamoto Restaurant; Attorney Gieg referred to a letter from 2006 from former Planning Administrator Dave McFarland which stated the Planning Commission stated the vacation would have little to no effect on traffic flow, that it was not inconsistent with the City Comprehensive Plan and that it would not landlock any property; Attorney Gieg stated he has tried numerous times to get some relief for his client; Attorney Gieg referred to Joe Weakland's letter asking that the potential vacation be delayed for a period of time or until a study can be completed; Attorney Gieg stated a vacation request was made for this location a few years ago and was not granted; Attorney Gieg stated a study was not done on the other side of Plank Road before the vacation was granted in order to accommodate Sheetz Corporation nor was one done before Walgreen's went in on the other side; Attorney Gieg stated his client owns all of the property and is the only one to be impacted

Attorney Gieg stated this is a small request that does not need to be studied and asked for prompt passage; attorney Gieg also stated that with the fact that Sheetz is moving the store across the street and that was approved that he and his client are keeping all of their options open as to whether they may have to intervene in that case; Attorney Gieg he and his client think that Sheetz was treated differently and not in the same manner as Boulevard Partnership

Councilman Ibrahim asked about the 2006 study and where it could be reviewed; Attorney Geig stated from the planning department

Mayor Schirf asked Joe Weakland what the process would be and also stated to

Attorney Gieg that each case is looked at as an individual case and that it is not compared to any other case

Joe Weakland stated this matter would take an ordinance of City Council to include time for introduction and adoption; Joe Weakland stated the letter from Dave McFarland in 2006 was before the Martin's development ever existed; Joe Weakland also stated the residents of Garden Heights were promised a detailed traffic study of that entire neighborhood

Councilman Geis stated when Mr. Gieg's client made his previous vacation request that there was a petition of opposition from at least 50 people from the Garden Heights neighborhood; Councilman Geis stated that he feels that he has an obligation to the neighbors first to do what is needed to keep this neighborhood residential and that there is also \$30,000 from the developer of the Martin's to do a study for the Garden Heights residential neighborhood

Councilman Geis requested a meeting be organized with the Garden Heights neighbors on the third week of March in order to start to come up with solutions

Council Butterbaugh stated that even if the area is vacated there will still be prescriptive easement rights involved and it will still be open to foot traffic even if vacated

Tracy Barr, 1419 Pleasant Valley Boulevard, Altoona, PA, Giordano's Towing, stated the 911 next available city list for towing has changed and certain towing companies dealerships were taken away and it became next available and she asked Council if it could go back to the way that it was

Chief Freehling stated the ordinance was adopted in 2002 and there have not been any changes since then; Chief Freehling stated there used to be 10 towing companies on the list and now there are 9 and that none of the car dealerships were ever listed and that the list was only comprised of towing companies; Mayor Schirf asked Joe Weakland if staff could look into Ms. Barr's complaint and report back to Council

PRESENTATIONS – Annual Report, City of Altoona Planning and Community Development Department – Larry Carter, Director

Monthly Financial Report – Omar Strohm, Finance Director; January 2010, revenues at 1.43% of budgeted revenues; expenses during January are at 5.38% of this year's budgeted expenditures

Omar Strohm stated the City has not received any property or Act 511 taxes yet; also tax notices are due to go out on March 1st

MANAGERS REPORT- this was distributed previously;

Questions: Councilman Cagle asked about Nixle sign up and when can the City can tell how many are signed up; Chief Freehling stated Nixle is still working on

this issue

MAYOR AND COUNCIL REPORTS

Mayor Schirf mentioned the following:

Congratulations to Altoona Housing Authority for their superior achievement rating from HUD of 90%

Congratulations to John Robertson who received a proclamation for his community award and Central Blair Recreation Commission for the outstanding dinner that was held for the scholarship program fund

Congratulations to the Altoona Police officer who received the Operation Our Town award

Congratulations to the Boys Scouts who received a proclamation on their 100th Anniversary and held a celebration at City Hall

Thanks and congratulations to the Highway Department who worked hard through a difficult and challenging snowstorm

Thanks to Police Dept and staff who contacted residents during the recent snowstorm; the City is sent a message that the snow emergency routes are to be cleared when a snow emergency is declared

Thanks to the Fire Dept who has been under some difficult situations in the dead of winter with fires recently on Logan Boulevard and across from City Hall

Dave Butterbaugh thanked the neighbors for coming together during the snowstorm

Councilman Cagle stated the website meeting went well and there is a plan in place and all of the initiatives of Council that have been discussed over the last few years will be enacted

RESOLUTIONS

a) approving the minutes of the Altoona City Council Meeting held Wednesday, January 27, 2010. (0032-10)

b) approving the Repository Bid from the County of Blair for property located at 606 8th Avenue, Altoona, PA in the amount of \$1.00 based upon the information in a letter from the Blair County Commissioners dated January 26, 2010 and attached hereto, which states the property must be demolished in accordance with the rules and regulations of the City of Altoona prior to the transfer of ownership from the County of Blair to Charles Bisignano who will pay all demolition costs. (0033-10)

c)amending the 2007 CDBG Program transferring the balance of \$780.13 from the completed Juniata Community Center Bathroom Accessibility Project to the LAURA 7th Street Bridge Passive Park Project. (0034-10)

d)approving the Repository Bid from Doug Madden of 1615 25th Avenue, Altoona, PA for the property located at 1005 Lexington Avenue, Altoona, PA, Control No. 014-152850, in the amount of \$100.00 and further authorizing City Manager Joseph F. Weakland to execute all documents and the City Clerk to attest to same. (0035-10)

e)approving the Repository Bid from Doug Madden of 1615 25th Avenue, Altoona, PA for the property located at 612-14 4th Avenue, Altoona, PA, Control No. 12-61530, in the amount of \$100.00 and further authorizing City Manager Joseph F. Weakland to execute all documents and the City Clerk to attest to same. (0036-10)

f)approving the Repository Bid from Doug Madden of 1615 25th Avenue, Altoona, PA for the property located at 408-10 Cherry Avenue, Altoona, PA, Control No. 14-68220, in the amount of \$100.00 and further authorizing City Manager Joseph F. Weakland to execute all documents and the City Clerk to attest to same. (0037-10)

g)accepting the supplement to the Federal Aid Reimbursement Agreement No. 098695 for the Penn and Park Avenue Pedestrian Bridges over Spring Run Creek and further authorizing the City Manager to execute all documents and the City Clerk to attest to same if necessary. (0038-10)

h)authorizing the acceptance of the proposal for Construction of the Penn and Park Avenue Pedestrian Bridges over Spring Run Creek submitted by R.H. Bailey, LLC of 111 Walton Street, Philipsburg, PA in the amount of \$156,383.00 to be reimbursed under an agreement with the Pennsylvania Department of Transportation and authorizing the City Manager and City Solicitor to execute all documents and the City Clerk to attest to same if necessary. (0039-10)

the resolutions were read by the City Clerk; the consent vote was taken and passed 6 to 0; Councilman Kelley was absent

ORDINANCES

Introduction

An ordinance entitled "Driveway Construction" to require all persons connecting to City Streets, Avenues, Roadways, and Rights-of-Way, including those to be offered for public dedication, to obtain permits

therefore; to require submission of plans and fees as part of the permit application; to require driveways to comply with City of Altoona Standards and Specifications, as well as PennDOT design requirements; to provide penalties for violation and establish an effective date.

This Ordinance was read by City Clerk Linda Rickens Schellhammer and introduced by Mayor Schirf

Adoption

Mayor Schirf

An ordinance of the City of Altoona amending Ordinance 5521 adopted July 23, 2003, as amended, known as the "Altoona Planning Code", amending the Zoning Map, adopted by Title Three Section 403, for property located at 1617 – 1631 North 4th Avenue, Altoona, PA, changing from Neighborhood Business Commercial to General Industrial. (ORD NO. 5606)

This ordinance was read by City Clerk Linda Rickens Schellhammer

Introduction – Mayor Schirf

Motion for Adoption – Councilman Butterbaugh

Second – Councilman Ibrahim

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 6 to 0; Councilman Kelley was absent

DISCUSSION ITEMS - none

MEDIA QUESTIONS – Bill Kibler, *Altoona Mirror*, Chris Forshey, WRTA Radio

ADJOURNMENT – by Mayor Schirf at 8:35 p.m.