

**ALTOONA CITY COUNCIL MEETING MINUTES  
WEDNESDAY – AUGUST 14, 2013 - 7:00 P.M.  
COUNCIL CHAMBERS - 1320 WASHINGTON AVENUE, ALTOONA, PA**

The meeting was televised live on cable Public Access Channel 14 and re-broadcast Thursday, August 15, 2013.

**CALL TO ORDER** – by Mayor Schirf at 7:15 PM in Council Chambers.

**SILENT MEDITATION**

**PLEDGE OF ALLEGIANCE** - led by Boy Scouts Isaiah Freet and Jarod Markle

**ROLL CALL** – taken by City Clerk Linda Rickens Schellhammer

Present: Councilmen Butterbaugh, Cagle, Geis, Haire, Kelley, Neugebauer and Mayor Schirf

City Solicitor Larry Clapper announced that Council went into executive session prior to this Council meeting at 6:00 p.m. for the purpose of personnel matters, potential litigation and real estate matters; Larry Clapper stated that two resolutions were going to be added to the agenda and would be items k and l on this agenda and Larry read them into the record

**PRESENTATION** -Community Rating System Award presented to Mayor Schirf and Dave Diedrich, Dept. of Public Works by Molly Kaput of FEMA for the City's accomplishments in the National Flood Insurance Program; Ms. Kaput stated the following: the City has gone above and beyond the minimum requirements to make the area safer for flood risks; there are over 20,000 communities throughout the United States who voluntarily participate in the National Flood Insurance Program; 2469 or over 1 tenth of participating communities are in the Commonwealth of Pennsylvania; to join and remain in this program each must meet certain criteria; a small number or 5% of the national total choose to go above and beyond the minimum requirements; the program includes ten different class rating levels based on the number and type of activities voluntarily initiated by the participating community; each level corresponds to a percentage discount on national flood insurance policy premiums within the municipality; as a member of this elite group the City of Altoona is one of 24 Pennsylvania municipalities, or 1%, that have received this recognition; the City's October 2012 entry is acknowledged as a Class 8 Community Rating System Participating Community and the City is 1 of 13 communities in the Commonwealth to achieve this rating; this should save policy participants in the City of Altoona an average of \$82.00 per year savings on their flood insurance and in total an annual savings of over \$17,000; the City is commended for its accomplishment in flood plain management and on behalf of FEMA and the National Flood Insurance Program the City is congratulated

Mayor Schirf acknowledged staff and thanked Public Works Director Dave Diedrich; Dave thanked Jane Beveridge and Ryan Beasom for their work on this project and for going above and beyond

**ALL PUBLIC COMMENT Art** –Art Wilkin, 3504 Ft. Roberdeau, stated he is opposed to the Oneida Avenue vacation; Mr. Wilkin stated he presented an 88 signature petition at a previous meeting and an additional petition with additional signatures for a grand total of 102; Mr. Wilkin referred to the letter that was attached to the vacation petition and submitted to the City by the Gingrich Agency stating the agency did not sound as if the agency was totally committed to the project and only used the word possibility; vacation would reduce the direct street to Logan Boulevard to one; Mr. Wilkin said this vacation will push more traffic onto Baker Boulevard and Ft. Roberdeau; Mr. Wilkin stated garbage trucks and moving vans will have an access problem to get onto Logan Boulevard; Mr. Wilkin asked if staff considered access to emergency vehicles; Mr. Wilkin asked why the street vacation was being gifted to the Gingrich Agency when Council already gifted the grassy park area which is 8500 square feet

Robert Neidorf, 3402 Ft. Roberdeau, stated he was upset that Council did not make contact with him as he is a taxpayer

Gabe Pellegrini, Oneida Avenue, asked Council to postpone the vote for 90 days and meet with his group, Council and staff and eventually the Gingrich Agency

Christina Bennett, 411 E. Walton Avenue, provided Council with photos of trees that fell onto her property on June 25<sup>th</sup> after high winds; asking Council to remove the trees that are not from her yard; Lee Slusser stated this item is on the Shade Tree Commission's agenda on August 21<sup>st</sup> at 7pm at City Hall and encouraged Ms. Bennett to attend

Attorney Rick Geig, representing Gingrich Agency, stated the vacation of Oneida will not have a great impact on the neighborhood; Attorney Geig stated Gingrich has been there for 54 years and they have 21 employees and will add 5 or more; the property in the vacation area will now be on the tax rolls as well as the new addition to their building; the City will no longer need to maintain the grassy area or the road

Jack Quataran, 3827 Beale Avenue, stated he is opposed to amplified music in the outdoor area of the Cesare Battisti Club; stated his car was hit and run in February; stated this will increase traffic after 10 pm as well as increase trash, cause more noise from motorcycles

Donna Quataran, 3827 Beale Avenue, stated she still works and she wants peace and quiet at night

William Haberstroh, 3615 Burgoon Road, stated he has operated his business at

this address across from Gary Gingrich since 1988; stated Gingrich keeps their property well maintained; stated closing Oneida does not prevent access to this area and this addition and vacation is the best thing that can happen to the area and it's a perfect buffer to the neighborhood behind it; stated the Gingrich Agency project and vacation will enhance the neighborhood and may help to decrease the vacancy of businesses in the vicinity

Joann Lascoli, 3829 Beale Avenue, stated she is 86 years old and opposed to the outside music at the Cesare Battisti as it will vibrate her patio and she will not be able to use her patio and converse with family; asked that they consider using the upstairs ballroom

Donald Brett, 3512 Baker Boulevard, stated he has lived in the area for 37 years and thinks the Gingrich project is a great project and that Gingrich has beautiful landscape and a business that creates a small amount of traffic and that it is a first class business

Joyce Hughes, 4100 Beale Avenue, stated she was not aware of the petition and that this is a family area with a lot of homes around the Cesare and she is opposed to outside music

Mike Provanzano, Vice President of the Cesare Battisti, stated the outside music would be within what is allowed by law; stated the music would be 1 or 2 nights per week; stated the upstairs is booked throughout the week and every weekend for parties and weddings

Robert Burchfield, 3515 Oneida Avenue, stated changing the neighborhood will affect the green area

**PRESENTATIONS** – Monthly Financial Report, Omar Strohm, Finance Director; Omar reviewed report with Council and offered to take questions; Omar stated the Act 511 taxes are improving; the increase in earned income is due to a one time revenue when the tax collectors were going out of business and the money was forwarded to the Blair County Tax Collection Bureau and it was applied to the municipalities; this explains why it appears the City is behind at this time; there is also a 30 day distribution required now so collections are going well

**MANAGER'S REPORT** – this was distributed previously and there were no questions at this time

**MAYOR AND COUNCIL REPORTS** – Mayor Schirf thanked the Greater Altoona Career and Technology Center and Reliance Bank for the new home the students are building on Harrison Avenue

Mayor Schirf stated the Toy Town numbers are in and the traffic counters are done and that another count will be done after paving is done at the end of September

Mayor Schirf thanked residents and John Frederick for the improvement shown in recycling in the City

Vice-Mayor Cagle shared a letter from Central Blair Recreation Executive Director Mike Hofer thanking the electrical crew from the City for their help with the lights at Vets Field as well as the other park projects and especially Prospect Pool

## **RESOLUTIONS**

**a) approving the minutes of the Altoona City Council Meeting held Wednesday, July 10, 2013. (0091-13)**

**b) approving the minutes of the Altoona City Council Special Meeting held Monday, July 29, 2013. (0092-13)**

**c) awarding the Generator Systems for Fire Station Nos. 2, 3, and 4 Bid to Bettwy Electric of Newry, PA in the amount of \$145,280.00 with \$128,522.00 payable from FEMA Homeland Security Grant (City Account No. 10-54450-2400) and \$16,758.00 payable from Capital Contingency and further authorizing Interim City Manager Omar Strohm to execute all documents and the City Clerk to attest to same. (0093-13)**

**d) amending the 2012 CDBG Program to adjust estimated program income to reflect actual program income received between July 1, 2012 and June 30, 2013 with an additional \$68,877.63 added to the 2012 Single Family Rehabilitation Program and an additional \$29,099.60 added to Planning and Community Development Administration. (0094-13)**

**e) authorizing and supporting the filing of a petition with the Pennsylvania Liquor Control Board requesting an exemption from the Liquor Control Board's regulations regarding amplified music being played off a licensed premises located at 3901-3915 Beale Avenue, Altoona, PA and described in Exhibit "A" and declaring the City's intent to enforce the Noise Ordinance No. 5568 adopted June 27, 2007 in place of the LCB'S regulations regarding the same and further authorizing the Mayor to execute all documents and the City Clerk to attest to same. (0095-13)**

**f) approving the Repository Bid submitted by Gene Jennings of 3381 Colonial Drive, Duncansville, PA 16635 for property located at 1600 3rd Avenue, Altoona, PA, Control No. 12-43380, in the amount of \$500.00 and further authorizing Interim City Manager Omar Strohm to execute all documents and the City Clerk to attest to same.**

**(0096-13)**

**g) approving the Repository Bid submitted by Annette Detwiler of 1606 4<sup>th</sup> Street, Altoona, PA 16601 for property located at 1514 – 14 ½ 4<sup>th</sup> Street, Altoona, PA, Control No. 11-274800, in the amount of \$100.00 and further authorizing Interim City Manager Omar Strohm to execute all documents and the City Clerk to attest to same.**

**(0097-13)**

**h) approving the Repository Bid submitted by Thomas Montgomery of 1524 17<sup>th</sup> Avenue, Altoona, PA 16601 for property located at 1333– 35 16th Street, Altoona, PA, Control No. 11-318150, in the amount of \$500.00 and further authorizing Interim City Manager Omar Strohm to execute all documents and the City Clerk to attest to same.**

**(0098-13)**

**i) approving the Repository Bid submitted by Thomas Stewart of 1902 10<sup>th</sup> Street, Altoona, PA 16601 for property located at 1904 – 1906 10<sup>th</sup> Street, Altoona, PA, Control No. 11-295620, in the amount of \$125.00 and further authorizing Interim City Manager Omar Strohm to execute all documents and the City Clerk to attest to same. (0099-13)**

**j) appointing Attorney Dan Stants of Goldstein, Heslop, Steele, Clapper, Oswalt & Smith Law Office, 414 N. Logan Boulevard, Altoona, PA, to the position of Assistant City Solicitor for the City of Altoona. (0100-13)**

**k) creating an Ad Hoc Personnel Evaluation Committee consisting of individuals deemed appropriate by Council and Council shall designate a chairman from among said individuals. The responsibility of the committee would be to explore, develop and implement a formal personnel evaluation or review process for staff employees within the boundaries provided by the laws governing the City of Altoona. (0101-13)**

**l) creating an Ad Hoc City Manager Search Committee consisting of the Mayor and members of Council. The purpose of this committee would be to begin the process of seeking individuals to present to Council for possible hiring to replace Joe Weakland who retired as City Manager on July 31, 2013. Once a replacement is hired, the said Committee shall be automatically terminated. (0102-13)**

the resolutions were read by City Clerk Linda Rickens Schellhammer; there was a motion by Councilman Geis and a second by Councilman Butterbaugh to table item e; the City Clerk called the role for a vote and the vote did not pass; Vice-Mayor Cagle, Councilman Haire, Councilman Kelley and Councilman Neugebauer voted no; Councilman Butterbaugh asked to

have item e pulled for a separate vote; the consent vote was taken on all items excluding item e and passed 7 to 0 with all present; a separate vote was taken on item e and passed 4 to 3 with all present; Councilman Butterbaugh, Councilman Geis and Mayor Schirf voted no

## **ORDINANCES -**

### **Adoption – Vice-Mayor Cagle tabled**

**AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA BY DELETING AND REPEALING CHAPTER 358 THEREOF, "FIRE PREVENTION", WHICH ADOPTED THE "2009 INTERNATIONAL FIRE CODE" AND REPLACING THE SAME WITH A NEW CHAPTER 358, TO BE ENTITLED "FIRE PREVENTION" TO ADOPT THE "2012 EDITION OF THE INTERNATIONAL FIRE CODE", REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIAL AND DEVICES, AND FROM CONDTION HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUIDLINGS AND PREMISES IN THE CITY OF ALTOONA; PROVIDING FOR THE ISSUANCE OF PERMITS, LICENSES AND COLLECTION OF FEES THERFOR; REPEALING ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH AND PROVIDING AN EFFECTIVE DATE.**

Tabled until August 28th

### **Adoption - Mayor Schirf**

**AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF ONEIDA AVENUE BETWEEN LOGAN BOULEVARD AND KITTANNING LANE, ALTOONA, CONTAINING FOUR THOUSAND EIGHT HUNDRED NINETEEN AND EIGHT-FIVE ONE HUNDREDTHS SQUARE FEET IN AREA, IN THE CITY OF ALTOONA, PENNSYLVANIA; AND DIRECTING THAT THE SAME BE STRIKEN FROM THE OFFICIAL CITY PLAN.**

This ordinance was read by City Clerk Linda Rickens Schellhammer

Introduction – Mayor Schirf

Motion for Adoption – Councilman Haire

Second – Councilman Butterbaugh

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 5 to 2; Councilman Geis voted no and Mayor Schirf voted no

**DISCUSSION ITEMS – none**

**MEDIA –** Bill Kibler, *Altoona Mirror*, Chris Forshey and Steve Willett, WRTA

**ADJOURNMENT –** by Mayor Schirf at 8:55 p.m.