

ALTOONA CITY COUNCIL MEETING MINUTES
WEDNESDAY – AUGUST 27, 2014 - 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 28, 2014.

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

SILENT MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer

Present: Councilmen Butterbaugh, Cacciotti, Cagle, Haire, Kelley, Neugebauer and Mayor Pacifico

PRESENTATIONS-

Monthly Financial Review - Omar Strohm, Finance Director, reviewed the July statement of revenues and expenditures with City Council stating there is nothing outstanding to report at this time

Mayor Pacifico announced that Council held an Executive Session prior to the meeting to discuss personnel and that Council would be adding the introduction of an ordinance to this agenda

City Solicitor Larry Clapper read the proposed ordinance into the record as follows: An Ordinance of the City of Altoona amending the Code of the City of Altoona, Blair County, Pennsylvania, by amending Chapter 15 known as "authorities, boards and commissions" by adding a new Article XI to Chapter 15, to be entitled "Altoona General Authority" providing for: the intention and desire of the Council of the City of Altoona to organize a Municipal Authority under the provisions of the Municipality Authorities Act of 2001, as amended and supplemented, to be known as the "Altoona General Authority"; setting forth the form of the Articles of Incorporation; appointing the first members of the Board of the Authority; authorizing the execution and filing of the Articles of Incorporation; authorizing the taking of all such action as may be necessary or appropriate to organize said authority; and establishing an effective date.

PUBLIC COMMENT – Heather Eckels, 815 4th Avenue asked for the intent of the ordinance which City Solicitor Larry Clapper read into the record; Attorney Clapper stated the purpose of the ordinance was to prepare the City for the required legislation for a Community Revitalization Improvement Zone (CRIZ) in the event the City received a designation in the future.

Maureen Miller of 3440 Beale Avenue presented Council with a petition with neighborhood signatures and asked that the Cesare not be allowed to continue

the outdoor music as it is anywhere from 60 decibels to 90 decibels; Mrs. Miller stated many of the neighbors previously in favor of the music were told it was a one-time event for the Humane Society; Mrs. Miller stated the Cesare's petition is fraudulent and one of the examples given was the signature of a dead man on the Cesare's petition; Mrs. Miller stated on a recent Friday night after the Altoona Police had to shut down the music the patrons leaving the club were told to blow their horns nightly for the neighbors; Mrs. Miller stated this language was on the Facebook page of the band

Jack Quatrara of 3827 Beale Avenue asked City Council to rescind the outdoor music as this is allowed according to the law

Betty Jane Restauri of 3910 Beale Avenue stated the vote on the neighborhood petition was 18 to 5 against the music stating the music is unbearable and the Governing Body was misled and asked that the petition for outdoor music be rescinded; Mrs. Restauri stated this is turning the patrons of the Cesare against the neighborhood; the neighbors have asked for the music to be turned down to a good level but that has not worked

Joann Lascoli of 3820 Beale Avenue stated the Cesare says they can't use their upstairs hall because of scheduled activities but she does not believe this to be true all of time

Councilman Cagle asked if the decibel level of the music has ever been at or below the requirement and if so if it was acceptable; Mrs. Restauri stated she has printouts with the decibel levels and none have been below until last Friday when it was registered in the high 50's but they were only strumming

Councilman Butterbaugh asked about the process in the LCB code regarding rescinding; Larry Clapper stated there would need to be notice given to the LCB fifteen days prior

Councilman Haire stated the City's noise ordinance allows 58 decibels and under in a mixed residential and commercial zone

Larry Clapper stated the PLCB has zero tolerance and no outdoor music is allowed if the Cesare would fall under them instead of the City ordinance

MANAGER'S REPORT – the report was distributed previously

CRIZ/GENERAL AUTHORITY – Peter Marshall stated the CRIZ is an economic development tool; Larry Clapper stated there is an ordinance involved and if adopted a general authority will be developed and an area will need to be established; in order to be considered and to receive the designation from the state these steps need to be completed; the ordinance can be introduced this evening and there needs to be a public hearing and appointments need

to be made; if the City would not receive the CRIZ designation the general authority can be used for other things as well

Council decided they were not going to suggest the appointments now as they may discuss this at their Strategic Planning Meeting on September 8th

RESOLUTIONS

a)approving the minutes of the Altoona City Council Meeting held Wednesday, August 13, 2014. (0121-14)

b)authorizing a lease agreement with Waste Management of Pennsylvania for continued use of the land currently containing an operating transfer station and further authorizing the Interim City Manager to execute all documents and the City Clerk to attest to same. (122-14)

the resolutions were read and the consent vote was taken by City Clerk Linda Rickens Schellhammer; the consent vote passed 7 to 0 with all present

ORDINANCES – Introduction

AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA, BLAIR COUNTY, PENNSYLVANIA, BY AMENDING CHAPTER 15 KNOWN AS "AUTHORITIES, BOARDS AND COMMISSIONS" BY ADDING A NEW ARTICLE XI TO CHAPTER 15, TO BE ENTITLED "ALTOONA GENERAL AUTHORITY" PROVIDING FOR: THE INTENTION AND DESIRE OF THE COUNCIL OF THE CITY OF ALTOONA TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE MUNICIPALITY AUTHORITIES ACT OF 2001, AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE "ALTOONA GENERAL AUTHORITY"; SETTING FORTH THE FORM OF THE ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY; AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION; AUTHORIZING THE TAKING OF ALL SUCH ACTION AS MAY BE NECESSARY OR APPROPRIATE TO ORGANIZE SAID AUTHORITY; AND ESTABLISHING AN EFFECTIVE DATE.

This ordinance was read by City Clerk Linda Rickens Schellhammer and introduced by Councilman Butterbaugh

DISCUSSION ITEMS AND ANNOUNCEMENTS - Councilman Cagle stated the IT Committee has been meeting and implementing the IT Audit findings; the City will be moving to gmail which is good for mobile users and google docs; the City is also using online viewing of individual pay stubs

Councilman Cagle reported the Memorial Park Playground is now open and the Spray Park is nearing completion; a ribbon cutting is planned for September 3rd for the Prospect Playground which is now open

Councilman Haire reported the Labor Day Parade on Saturday, August 30th at 10 and the Cruise-In from 10 to 4

Councilman Kelley asked Peter Marshall for a timeline for advertising with APMM and ICMA for a City Manager with discussion on this either on September 8th or 10th

Councilman Haire asked is Peter is doing the manager search as the Interim City Manager or as a consultant

MEDIA in attendance included Bill Kibler for the *Altoona Mirror*, Steve Willet, WRTA Radio and Ben Manning, WTAJ TV-10

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