

ALTOONA CITY COUNCIL MEETING MINUTES
WEDNESDAY – OCTOBER 8, 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, October 9, 2014.

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

SILENT MEDITATION

PLEDGE OF ALLEGIANCE - led by Boy Scout Troop #341

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer

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

PRESENTATIONS- A Fire Prevention Month Proclamation was presented to Fire Inspector Tim Hughes & Arson Dog Tyra; Fire Inspector Hughes stated the NFPA motto this year is “Working Smoke Detectors Saves Lives – Test Yours Every Month”; AFD 2013 statistics include visits to 7 schools, 13 daycare facilities for a total of 339 adults and 2870 children during Fire Prevention Week; AFD participated in fire drills with all of the schools to include 1225 adults and 3579 children; AFD had 106 adults and 223 children make fire station visits; AFD also did staff in-service training for several companies and included live fire extinguisher training and consisted of 415 adults

Fire Inspector Hughes introduced Tyra, a three year old chocolate lab obtained through the State Farm grant program; State Farm paid for the dog and her training and for the Fire Inspector to travel to Maine for 200 hours of training; State Farm also paid for Tyra’s medical for a total cost of \$25,000; Tyra’s proper title is Ignitable Liquid Detection Canine; Tyra is certified by Maine State Police and is trained using a food reward system whereby she eats if she smells ignitable liquids; Fire Inspector Hughes stated Tyra does constant training each and every day throughout the day in order to get fed; Tyra trains on odor; Fire Inspector Hughes provided a demonstration with Tyra with 10 micro liters (2 eye droppers) of gasoline; Tyra also does evidence sniffs and people sniffs

LERTA – Planning Director Lee Slusser stated as part of the Act 47 Plan and the Downtown Revitalization Plan it was recommended that the City look at enacting a LERTA as an incentive to draw commercial investment into the downtown; a LERTA is a tax abatement program that provides financing at the front end of a project, generally when they need cash the most; a LERTA helps to finance projects which make the least impact on the municipalities taxes; LERTA is a State defined program and a blighted area has to be defined; Council received a map of the proposed area; the area has been presented to

the Altoona Redevelopment Authority, the Altoona Planning Commission, the Altoona Area School Board, ABCD and GAEDC and Pat Miller and Lee Slusser will present it to the Blair County Commissioners at their meeting next week; those named were encouraged to change the map as they saw fit; the map then began to expand to include some potential economic development opportunities which may happen as a result of the redevelopment of Wright Elementary School; in order to spur economic development the map also includes Chestnut Avenue as well as 6th Avenue through the main high school campus; if the area in the map were to become a LERTA it would have to be adopted by all three taxing bodies to include the Blair County Commissioners, the Altoona School Board and Altoona City Council; the next step in the process would be the organization of a public hearing

Executive Director Pat Miller of GAEDC stated they are looking at a five year LERTA with a 20% increment so that by the sixth year the developer would be paying their full share of the new increment of new real estate tax as they continue to pay their base tax on what that property is actually taxed at; this is a recommendation out of the Act 47 Recovery Plan as well as a recommendation out of the Downtown Investment Strategy; LERTA was introduced and passed in Harrisburg in the 1980's and then shortly thereafter Pleasant Valley Boulevard and Logan Boulevard and Downtown were part of a LERTA; in the 1990's the Northern I-99 Enterprise Zone Area which encompassed a good portion of the City of Altoona but extended the whole way to the Bald Eagle Interchange along I-99 was part of a LERTA district; currently there are three active LERTA areas to include the William Ward Industrial Park in Greenfield Township, the Tyrone Industrial Park which encompasses the Borough of Tyrone and Snyder Township and the 28 acres associate with the Convention Center Commons Project Borough of Hollidaysburg and Allegheny Township; they are proposing the area that is identified on the map that was circulated at the beginning of the meeting; the next steps include one more meeting with the Blair County Commissioners who have been in the loop from the beginning and very supportive; if the votes are there at the City and School District level then typically the County will follow; if it appears that all three taxing bodies want to move forward the Solicitors will meet as well as advertise and conduct a public hearing and request a quorum present for all three of the taxing bodies in order to vote and finalize the boundaries and the legal description for those boundaries as the official LERTA District; within the next few months the three taxing bodies would then be asked to adopt a five year LERTA by resolutions or ordinance with LERTA active and ready to go by January 1, 2015

Councilman Butterbaugh asked if it would be wise to expand it now and get it all at one time; Councilman Kelley asked if it should be extended in Juniata and on Sixth and Seventh Avenue in each direction; Pat Miller stated they are trying to follow the recommendations of Act 47 and the Downtown Investment

Strategy; they are trying to target the investment into the area they are trying to build up

Councilman Haire asked what qualifies a project to go into this other than being inside the zone or district

Pat Miller stated the amount of investment that they are going to make; if you bought an existing business and as a result of improvements that you make to that business- in order to retrofit that business for your business use, and when you pull a building permit and at the end of that construction period you occupy it – there is a new assessed valuation for property tax purposes that you will be entitled to the abatement of that new real estate tax; you will pay what that current real estate tax is- but if you have made an investment in that building that you have purchased that increases your real estate tax – that is what you will be entitled to receive the abatement on; in the first year you would pay your existing real estate tax; in the second year you would pay 20% of the new tax so that by the sixth year you would be paying 100% of the new tax based on your investment

Councilman Butterbaugh stated technically this is for the Altoona School District and the County because the City already has land value tax which is a citywide LERTA

Pat Miller stated that was pointed out in the Act 47 Recovery Plan that there is a conflict between LERTA and how the City is currently taxing but it does not mean that may not be changed at some point; it still will provide a developer an incentive with the Altoona School District and County tax being abated; the Act 47 Recovery Plan states it will work if the School District and the County participate

Pat Miller asked if they should proceed and he received an informal unanimous yes from City Council

PUBLIC COMMENT – Betty Jane Restauri of 3910 Beale Avenue thanked City Council for indulging the neighbors and realizes that as public servants it is a thankless job and thanked them for service to the community; Mrs. Restauri submitted suggestions regarding section 470-6 of the proposed noise ordinance stating the proposed section lacks direction by failing to address three areas with specificity; Mrs. Restauri and the Cesare neighborhood would like reasonable and clear cut administration of the new ordinance which is cut and dry and black and white and will eliminate conflict and individual officers interpretation; Mrs. Restauri stated the ordinance fails to state the enforcement is in effect 24/7, the ordinance fails to state that a warning is not required and that the issuance of citation for any violation should be to the person, persons or the establishment and in the case of a business establishment the citation recipient should include any representatives of the establishment, board

members or owners on behalf of the establishment; in the unlikely event that there is not onsite representation available the citation should be written to owner or board member president of the establishment; these items being addressed will help with individual visits and will make things more black and white for responding police officers; this can be written in the police officers SOP where they will see that no warning is required and they can issue a citation

MANAGER'S REPORT – the report was distributed previously and there were no further questions

RESOLUTIONS

1) approving the minutes of the Altoona City Council Meeting held Wednesday, September 24, 2014. (0136-14)

2) WHEREAS, the Little Juniata River and Beaverdam Branch of the Juniata River Watershed in Blair County are considered impaired and the MS4 jurisdictions of Blair County (Allegheny, Antis, Blair, Frankstown, Freedom, Juniata, and Logan Townships; Bellwood, Duncansville, Hollidaysburg and Newry Boroughs; and the City of Altoona) are required to submit a plan to the Pennsylvania Department of Environmental Protection (PA DEP) for managing the associated Total Maximum Daily Load (TMDL) of these impairments; and

WHEREAS, the City of Altoona is one of the MS4 jurisdictions in Blair County and is a member of the Blair County MS4 Working Group; and

WHEREAS, through funding support from the Chesapeake Bay Foundation (CBF), the Center for Watershed Protection (CWP) was hired to work with the MS4 jurisdictions in Blair County to develop a TMDL Plan for the impaired sections of the Little Juniata watershed and develop Chesapeake Bay Pollution Reduction Plans for the Beaverdam Branch and Little Juniata watersheds; and

WHEREAS, the CWP has proposed a TMDL Plan and Chesapeake Bay Pollution Reduction Plan for the aforementioned watersheds which the MS4 jurisdictions must submit to the PA DEP; and

WHEREAS, the members of the Blair County MS4 Working Group have recommended its submission to PA DEP; and

WHEREAS, the Council of the City of Altoona wish to acknowledge the proposed TMDL and Chesapeake Bay Pollution Reduction Plans and approve its submission to PA DEP for review and approval.

NOW, THEREFORE, BE IT RESOLVED, that the City of Altoona hereby acknowledges the TMDL and Chesapeake Bay Pollution Reduction Plans prepared on behalf of the Blair County MS4 Working Group Plan and approves submittal of the Plan to PA DEP for review and approval. The Council of the

City of Altoona authorizes the Interim City Manager, or acting City Manager in his absence, to execute and sign such documents as may be necessary to effectuate the intent of this Resolution and for the City Clerk to attest to same. (0137-14)

3)amending the 2014 Community Development Block Grant Program (CDBG) changing the description and project locations of the Neighborhood Police Patrol Program. (0138-14)

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 SPECIFICALLY CHAPTER 470 ENTITLED "NOISE", TO REPEAL, IN ITS ENTIRETY, THE NOISE PROVISIONS THEREIN AND REPLACE THE SAME WITH NOISE PROVISIONS WHICH INCLUDE: GENERAL PROVISIONS; DEFINITIONS; UNLAWFUL NOISE PROHIBITED; EXEMPTIONS; PENALTY FOR VIOLATION; ADMINISTRATION; EMERGENCY WAIVERS; REPEAL ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; PROVIDE SEVERABILITY OF PROVISIONS AND PROVIDE AN EFFECTIVE DATE. (tabled)

Taking into consideration the e mail handed out prior to the meeting and the comments given at this meeting by Mrs. Restauri regarding the proposed noise ordinance Councilman Kelley motioned to table the ordinance at this time; Mayor Pacifico seconded the motion and all were in favor; Councilman Kelley stated this will avoid the City spending extra advertising money as the ordinance appears to still be a draft and there may be additional suggested changes

DISCUSSION ITEMS AND ANNOUNCEMENTS - Councilman Butterbaugh thanked Keystone Crossroads and WPSU for the community forum they sponsored to discuss issues facing the City

Councilman Haire congratulated the Salvation Army on opening a new store in Indiana

The City Clerk announced that the leaf collection information and map are now on the website and collection starts October 27th

The City Clerk announced that Trick or Treat is on Thursday, October 30th from 6 to 8 pm

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 7:50 p.m.