

ALTOONA CITY COUNCIL MEETING MINUTES  
WEDNESDAY – JANUARY 14, 2015 - 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, January 15, 2015.

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

PROCLAMATION HONORING VINCENT “VINNY” MARTINO was presented to the family by Mayor Pacifico naming Vinny an Honorary Firefighter of the City of Altoona; Fire Chief Tim Hileman accepted the Proclamation on behalf of the Martino family who attended the meeting; Chief Hileman stated he would also present the family with a badge for Vinny; Chief Hileman stated Vinny touched the firefighters in many ways and that Vinny would be truly missed

PRESENTATIONS – Cooperation and Indemnity Agreement - Pat Miller, Executive Vice President, ABCD Corp. and Lori Bechtel-Wherry, Chancellor, Penn State Altoona; Pat Miller stated the following: it is the intent of ABCD through ADG LLC to purchase the majority of the three story building that was originally associated with the Penn Furniture Store for the purpose of redeveloping it to allow Penn State Altoona to continue to grow its downtown campus; this represents a 5.6 million dollar investment through a partnership where ABCD purchases the property which is referred to as the Penn Building; the design team, already hired, plans out the renovations; the improvements are financed through public and private funding and a long term lease will be entered into with Penn State Altoona; the building is a condominium and the university will use four of the five condo spaces; the fifth condo space is currently owned and being operated by the Allegheny Ridge Corporation; one source of funding is through the Commonwealth’s Keystone Communities Program where ABCD has requested grant in the amount of \$400,000 which will be utilized as part of the overall financing of the project ; this grant will be converted to a term loan to ADG, LLC with repayment to revolve back into a fund within ABCD Corp. to support future projects in downtown; this is the second time this particular fund was used; the adjacent Aaron Building was renovated with a \$250,000 loan; the proceeds are being used to go back into this particular project which demonstrates the revolving nature of the Keystone Communities Program

and how it benefits the community over time; a requirement is as host municipality, the City of Altoona must enter into a cooperation agreement with the applicant agreeing to reimburse the Commonwealth for any expenditures deemed to be ineligible as a result of a project audit at the completion of the project; City Solicitor Larry Clapper prepared a cooperation and indemnity agreement stating such and indicating that ABCD will indemnify and hold harmless the City in the event of any costs deemed to be ineligible; Pat Miller asked the City to execute the agreement

Penn State Altoona Chancellor Lori Bechtel-Wherry stated the plans for the building are to move some of the pre-professional programs to the downtown, specifically rail transportation engineering faculty and program, additional business faculty, and the security risk analysis program; the basement would be used primarily for research labs for rail transportation engineering faculty and students, the second floor would be used for offices for faculty and smaller classrooms and the third floor would be used for engineering programs and classrooms; currently 60,000 square feet is needed to adequately support the engineering programs and this will help Penn State meet that need; this will free up additional space at the Ivyside Campus while continuing development in downtown Altoona in order to bring many more students into downtown

Sister Cities Update – Chairman Debra Flaig stated the Sister City agreement was signed in November 1999 and formed in early 2000 with this being the 15<sup>th</sup> year; 22 students and 6 adults will be visiting Altoona from St. Polten April 11-18 and the committee is looking for host families for students in grades 9-12, transportation for 30 and luggage and assistance with a reception celebrating the 15<sup>th</sup> anniversary

Mayor Pacifico announced that an Executive Session was held prior to the meeting for the purpose of personnel and potential litigation

ALL PUBLIC COMMENT – none

MANAGER'S REPORT – the Managers Information Memo was distributed previously; there were no further questions or comments

## RESOLUTIONS

a) approving the minutes of the Altoona City Council Meeting held Wednesday, December 10, 2014. (0001-15)

b) authorizing the Interim City Manager or designee in his absence to execute the Tree Removal Mitigation Right of Entry and Contribution

Agreement between the Commonwealth of Pennsylvania and the City of Altoona which will pay a lump sum advanced payment of \$34,000.00 for the purchase and planting of replacement of trees along Broad Avenue between 25<sup>th</sup> Street and 31<sup>st</sup> Street and further authorizing the City Clerk to attest to same. (0002-15)

c)authorizing the Interim City Manager to enter into an agreement with Keller Engineers of 420 Hollidaysburg, PA, for Consulting Engineering Services for the period 2015-2020 with projects assigned on an as needed basis and further authorizing the City Clerk to attest to same. (0003-15)

d)amending the 2013 CDBG Program transferring \$15,694.35 from the 6<sup>th</sup> Ward Community Center Roof Improvement Project and \$12,000.00 from the 2013 Altoona Housing Authority Curb & Sidewalk Project to the 2013 Single Family Rehabilitation Program. (0004-15)

e)amending the 2014 CDBG Program project description of the 2014 Juniata Memorial Park Project removing the installation of security cameras and adding curbing and basketball standards and backboards. (0005-15)

f)approving the Repository Bid submitted by Jodie Anne Potter of 623 Harvestview Lane, Duncansville PA for property located at 505 11<sup>th</sup> Street, Altoona, PA, (map no. 0102-02-94-1) (control no. 11-302910) in the amount of \$200.00 and further authorizing the Interim City Manager to execute all documents and the City Clerk to attest to same. (0006-15)

g)approving the Repository Bid submitted by John S. Knicely of 2733 Jefferson Street, Altoona, PA for property located at 2107 Washington Avenue, Altoona, PA, (map no. 0105-03-18) (control no. 14-283890) in the amount of \$200.00 and further authorizing the Interim City Manager to execute all documents and the City Clerk to attest to same. (0007-15)

h)approving the transfer of a City of Altoona 2004 Ford F-250 Pickup Truck (Serial # 1FTNF21P04E42417) to the Intermunicipal Relations Committee in the amount of \$5000.00 and authorizing the City Clerk to execute all documents. (0008-15)

i)amending the 1993 Central Blair Recreation Agreement by adding the indemnification of Central Blair Recreation Commission and adding Central Blair Recreation Commission as an additional insured and further authorizing the Interim City Manager to execute all documents and the City Clerk to attest to same. (0009-15)

j)approving the Tri-Party Cooperation and Indemnification Agreement by and among Altoona Blair County Development Corporation, Altoona Development Group, LLC and the City of Altoona, in which the City agrees to indemnify the Commonwealth with regard to certain grant monies in the amount of \$400,000 being obtained by ABCD to accomplish the remodeling of the former Penn Furniture Building located at 1421 12<sup>th</sup> Avenue for use by Penn State in exchange for ABCD agreeing to indemnify the City for any liability with regard to the said project and authorizing the Interim City Manager to execute all documents and the City Clerk to attest to same. (0010-15)

k)AUTHORIZING PRELIMINARY ACTION TO ISSUE A GENERAL OBLIGATION NOTE TO FINANCE VARIOUS CAPITAL PROJECTS; APPOINTING A FINANCIAL ADVISOR AND BOND COUNSEL; AND AUTHORIZING RELATED ACTION.

WHEREAS, The Council of this City (the "Council") desires to finance the costs of acquiring vehicles and constructing street and other capital improvements (the "Projects"); and

WHEREAS, The Council has determined to issue a general obligation note to a bank, in the approximate principal amount of \$2,200,000 (the "Note"), to finance the Projects; and

WHEREAS, The Council desires to appoint its financial advisor and bond counsel, and to authorize other preliminary action to issue the Note.

NOW, THEREFORE, BE IT RESOLVED, by the Council of this City, as follows:

SECTION 1. This City shall proceed with the Projects and issue the Note, in the approximate principal amount of \$2,200,000. Appropriate officials and agents of this City are hereby authorized to consummate the issuance of the Note.

SECTION 2. Concord Public Financial Advisors, Inc. (the "Financial Advisor") is hereby appointed to serve as the financial advisor to this City in connection with the issuance of the Note. The Financial Advisor is authorized to take all action necessary to solicit loan proposals for the Note, and present the results at a future meeting of this Council.

SECTION 3. The law firm of Rhoads & Sinon LLP (the "Bond Counsel"), as bond counsel to this City, is authorized to proceed with all action necessary to consummate the issuance of the Note, in conjunction with this City's Solicitor, by preparing all required legal documents and opinions.

SECTION 4. The City Clerk shall certify and deliver a copy of this Resolution to the Financial Advisor and Bond Counsel. (0011-15)

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

DISCUSSION ITEMS & ANNOUNCEMENTS

Mayor Pacifico stated City Solicitor Larry Clapper received a letter from the Altoona Water Authority regarding two members of Council being included on a negotiating team; Mayor Pacifico volunteered to serve on the team and Vice-Mayor Neugebauer volunteered; Councilman Haire stated he would volunteer to be an alternate and fill in if needed; City Solicitor Larry Clapper stated he will draft a letter and forward it to the Altoona Water Authority Transition Committee Salary Recommendations – Councilman Butterbaugh served on the Transition Committee and recommended the salary ordinance be adopted

Mayor Pacifico stated he does not agree with the recommended salary and asked if it could be performance based with evaluation from staff and department heads with raises being optional with a cap on it; Council would vote every year

Councilman Haire asked if what the Mayor suggested could legally be done

City Solicitor Larry Clapper stated you have to set an amount before the term; the next increase could not be made until the next term as pay cannot be increased or decreased during a term

Councilman Butterbaugh read the recommendation of the Transition Committee which was to establish the Mayor's salary at \$75,000 per year plus healthcare benefits and travel expenses as per the City's travel policy and no pension benefits

This number was based on research and comparison to other municipalities throughout Pennsylvania; Councilman Haire stated the numbers were as low as 50,000 and as high as 95,000 with the average at 75,000

Councilman Haire stated there hasn't been an increase in Council salaries since the last change in the form of government took place; the Committee looked at what the salary would be at a 1% increase and a 2% increase which was roughly 6,000; the cpi would put it at 7,000; the Committee seemed to be happy with 5,000 which is 116.00 more than the current council salary; the increase would only apply to the new people running and those currently in the middle of a term would keep their current salaries

Larry Clapper stated that under the terms of the Charter, Council has to adopt a salary ordinance for the newly elected in 2016 by February 15, 2015

Councilman Cagle asked if the Mayor had thought about a different dollar amount that he would want to propose since it could not be based on performance; Mayor Pacifico stated he did not have another number in mind

at this time; Councilman Haire stated there is a problem if the Mayor shows up and just collects a salary; Councilman Kelley stated you have that with any elected official and if the person elected is doing a terrible job council will be able to set the salary for the next election and the voters ultimately have the final say at the ballot box; Councilman Butterbaugh stated there will be high expectations for the Mayor and it's going to be a Mayorathon with a lot of new ground covered the first four years; Councilman Cagle stated he was in favor of the salary ordinance as proposed as was Vice-Mayor Neugebauer; Mayor Pacifico stated there appears to be a consensus of Council; a proposed salary ordinance will be introduced at the January 28<sup>th</sup> council meeting

#### Other Announcements

Vice-Mayor Neugebauer attended a ribbon cutting for the Altoona Area School District Alumni Room which is located on the 2<sup>nd</sup> floor of the Altoona Public Library

Councilman Cagle reminded the public that tickets are being sold for CBRC's Community Classic Dinner and Auction on February 28<sup>th</sup>

MEDIA – media attendance included Bill Kibler, *Altoona Mirror* and Steve Willet, WRTA who had several questions of Council and staff

ADJOURNMENT – by Mayor Pacifico at 7:45 pm