

ALTOONA CITY COUNCIL MEETING MINUTES
WEDNESDAY – APRIL 13, 2016 - 7:00 P.M.
CITY OF ALTOONA TRAINING FACILITY & COUNCIL CHAMBERS
1320 WASHINGTON AVENUE, ALTOONA, PA

The meeting was televised live on cable Public Access Channel 14 and re-broadcast Thursday, April 14, 2016.

CALL TO ORDER – by Mayor Pacifico at 7:09 PM in Council Chambers

SILENT MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer

Present: Council members Butterbaugh, Cacciotti, Cagle, Haire, Jordan, Neugebauer and Mayor Pacifico

Mayor Pacifico announced that Council held an Executive Session prior to the Council Meeting for the purpose of potential litigation and personnel matters

Mayor Pacifico announced that a resolution would be added to this agenda and City Clerk Linda Rickens Schellhammer read the resolution into the record as follows: authorizing the City Manager to accept the quote of Mike Ventre Excavating of 813 Ventre Road, Altoona, PA for the site work at the City of Altoona's Jefferson Park, in the amount of \$7211.00, payable from Central Blair Recreation Commission's Jefferson Park Fund, and for the City Clerk to attest to same.

PUBLIC COMMENT – Steve Elfelt of 116 Spruce Avenue, Altoona, PA expressed his concern as a resident of Altoona regarding the IRC and the fact that recycling is a state law stating John and Katrina of the IRC were hired to bring the City into compliance; Mr. Elfelt asked Council to adopt the IRC funding resolution

RESOLUTIONS

a)approving the minutes of the Altoona City Council Meeting held Wednesday, March 23, 2016. (0042-16)

b)appointing an individual to the Fire Civil Service Board to fill the unexpired term of Dave Behe. Said term shall expire the first Monday of January 2018. (0043-16)

c)rescinding Resolution 0077-15 involving a Lease Agreement between the City of Altoona and Altoona Night Train for the use of Westmont Ballfield. (0044-16)

d)calling upon our Legislators for their support of Senate Bill 535 and House Bill 71 which would enable all municipal police, including the Altoona Police

Department, to use the same motor vehicle speed-timing equipment (radar) as the Pennsylvania State Police. (0045-16)

e)approving an application to PEMA for reimbursement for Winter Storm Jonas and authorizing the City Manager to execute all documents and the City Clerk attest to same and further authorizing the attached Designation of Agent Resolution be approved and signed by City Council and certified by the City Clerk. (0046-16)

f)awarding the 2016-2017 Street Sign Materials Bid to Vulcan Signs of P.O. Box 1850 Foley, AL 36536 for Item No. 1 – Reflective Sheeting, and Item No. 3 – Bolts, Nuts & V-Locs, in the amount of \$2,363.48 payable from the Highway Aid Fund Account and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0047-16)

g)awarding the 2016-2017 Street Sign Materials Bid to Chemung Supply Corp. of P.O. Box 527 Elmira, NY 14902 for Item No. 2 – Telespars & Pilots, in the amount of \$6,888.50 payable from the Highway Aid Fund Account and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0048-16)

h)awarding the 2016-2017 Street Sign Materials Bid to Custom Products Corporation of P.O. Box 54091 Jackson, MS 39288 for Item No. 4 – Pre-made Signs, in the amount of \$16,909.00 payable from the Highway Aid Fund Account and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0049-16)

i)awarding the 2016 Guide Rail Repair and Construction Project Bid to Green Acres Contracting Co., Inc. of 148 Pennsylvania Avenue, Scottdale, PA 15683 in the amount of \$18,997.50, payable from the Capital Budget and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0050-16)

j)awarding the Tree Revitalization Project Bid to Bennetti Tree Service of 162 Bennetti Drive, Altoona, PA in the amount of \$9,635.00 payable from the Shade Tree Commission Line Item and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0051-16)

k)granting a Deed of Easement between the City of Altoona and Vicini Realty, LLC for encroachment into the City's right-of-way for a handicap ramp access at 1211-1215 Eleventh Street, Altoona, PA and further authorizing Mayor Matthew Pacifico to execute all documents and the City Clerk to attest to same. (0052-16)

l)approving the Repository Bid submitted by Rebecca Sundberg of 1117 6th Avenue, Altoona, PA for property located at 1115 6th Avenue, Altoona, PA in the

amount of \$200.00 and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0053-16)

m) approving the Repository Bid submitted by Rhonda Brumbaugh of 247 Main Street, Roaring Spring PA for property located at 1025 4th Avenue, Altoona, PA in the amount of \$300.00 and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0054-16)

n) amending Resolution 0083-13 entitled, Recycling Guidelines for the City of Altoona as follows: The Intermunicipal Relations Committee, the City of Altoona Code Enforcement Department and the Altoona Police Department are hereby authorized to enforce the provisions of these Recycling Guidelines, and any and all Solid Waste and/or Recycling Ordinances, as may be amended from time to time, enacted by the City of Altoona. Any and all monies collected and received by the City in such enforcement through the efforts of the Intermunicipal Relations Committee only, shall be allocated to the Intermunicipal Relations Committee and paid to it by the City on at least a quarterly basis. (0055-16)

o) authorizing the City Manager to accept the quote of Mike Ventre Excavating of 813 Ventre Road, Altoona, PA for the site work at the City of Altoona's Jefferson Park, in the amount of \$7211.00, payable from Central Blair Recreation Commission's Jefferson Park Fund, and for the City Clerk to attest to same. (0056-16)

City Clerk Linda Rickens Schellhammer read the resolutions into the record; Vice-Mayor Haire asked to have item n pulled for a separate vote; a consent vote was taken by the City Clerk on all items excluding item n and passed 7 to 0 with all present; a separate vote was taken by the City Clerk on item n and passed 6 to 1 with all present; Vice-Mayor Haire voted no

ORDINANCES

Introduction

1) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO REVISE CHAPTER 405 ENTITLED "LEASE AND/OR CONVEYANCE OF CITY OWNED LANDS" TO: ADD A NEW SECTION 405-2 C TO AUTHORIZE THE EXECUTION OF AN AGREEMENT OF SALE FOR CONVEYANCE OF THE FOLLOWING CITY OWNED STRIP OF LAND TO JAMES M. RILEY AND THERESA M. RILEY BASED UPON APPRAISAL BY RICHARD J. JOHNSTON FOR THE AMOUNT OF \$2000.00: A 27.51 FEET BY 215.44 FEET BY 37.34 FEET BY 210.34 STRIP OF LAND LOCATED OFF T-609 (A/K/A CEMETERY ROAD AND 23RD STREET) WHERE THE SAME INTERSECTS WITH LANDS NOW OR FORMERLY OF THE POLISH CATHOLIC CEMETERY AND LAND OF DAVID C. RILEY AND MARY CAROL RILEY IN LOGAN TOWNSHIP, BLAIR COUNTY, PENNSYLVANIA; REPEAL ALL OTHER ORDINANCES OR PARTS THEREOF IN

CONFLICT THEREWITH; PROVIDE SEVERABILITY OF PROVISIONS AND PROVIDE AN EFFECTIVE DATE.

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

Adoption

Councilman Butterbaugh

2)AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA BY AMENDING CHAPTER 633 ENTITLED "STREETS AND SIDEWALKS", TO ADD A NEW ARTICLE VI TO BE ENTITLED "STREET VACATIONS" PROVIDING FOR: A PURPOSE, PROCEDURE FOR VACATING A STREET, INCLUDING BY PETITION OF A MAJORITY IN NUMBER OF OWNERS OF PROPERTY ABUTTING ON THE LINE OF THE PROPOSED STREET TO BE VACATED AND FOR VACATING A STREET WITHOUT SUCH A PETITION; RESERVATION OF EASEMENTS FOR UTILITIES FOR ALL SUCH STREETS VACATED; UTILITIES AND DRAINAGE RESPONSIBILITIES; STRIKING VACATED STREETS FROM THE CITY BLOCK PLAN; REPEAL OF ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; SEVERABILITY OF PROVISIONS AND PROVIDING AN EFFECTIVE DATE. (Ord. No. 5674)

This ordinance was read into the record by City Clerk Linda Rickens Schellhammer

Introduction – Councilman Butterbaugh

Motion for Adoption – Mayor Pacifico

Second – Vice-Mayor Haire

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 7 to 0 with all present

Adoption

Councilman Neugebauer

3) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO ADD A NEW CHAPTER 555 TO BE ENTITLED "PROTECTION OF PUBLIC PROPERTY", TO: 1. DEFINE TERMS AND PROVIDE INTERPRETATION OF TERMS; 2. PROHIBITING POSSESSION OF OR TAMPERING WITH PUBLIC PROPERTY ON STREETS, ALLEYS, OR PUBLIC GROUND; 3. PROHIBITING TAMPERING WITH OR POSSESSION OF STAKES, POSTS AND MONUMENTS, WARNING LAMPS, SIGNS OR BARRICADES; 4. PROHIBITING REMOVAL OF MATERIAL FROM STREETS, ALLEYS OR PUBLIC GROUNDS; 5. PROHIBITING DEPOSITING OF HARMFUL SUBSTANCES ON STREETS, ALLEYS, SIDEWALKS OR PUBLIC GROUNDS AND/OR PROPERTY NOT OWNED BY THE PERSON CAUSING SUCH DEPOSITS AND PROVIDING

FOR POSTING OF FINANCIAL SECURITY IN CERTAIN SITUATIONS WHICH MAY INVOLVE THE LIKELIHOOD OF HARMFUL SUBSTANCES BEING SO DEPOSITED; 6. PROVIDING FOR EXCEPTIONS, ENFORCEMENT AND PENALTIES; 7. REPEAL ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; 8. PROVIDE SEVERABILITY OF PROVISIONS; AND 9. PROVIDE AN EFFECTIVE DATE. (Ord. No. 5675)

This ordinance was read into the record by City Clerk Linda Rickens Schellhammer

Introduction – Councilman Neugebauer

Motion for Adoption – Councilman Neugebauer

Second – Councilman Butterbaugh

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 7 to 0 with all present

DISCUSSION ITEMS & ANNOUNCEMENTS

Mayor Pacifico stated he and Chief Freehling visited the Cesare Battisti Club last Friday to view the changes that were made to the outdoor pavilion which included moving the stage and tarping the sides of the pavilion; Mayor Pacifico asked the Cesare if they could have a band or a disc jockey set up and play in order to experience the noise level; Council will be informed of the date in the event they would like to attend

Councilman Neugebauer thanked Public Works Director Nate Kissell for assistance with the walking bridge and stop sign at W. 14th Avenue

Councilman Cagle stated he and Mayor Pacifico recently attended a Pennsylvania Municipal League board meeting and legislative day in Harrisburg and topics included storm water management, body cameras for police and opioid addiction in PA

MEDIA – media attendance included Bill Kibler, *Altoona Mirror*

ADJOURNMENT – by Mayor Pacifico at 7:48 pm