

ALTOONA CITY COUNCIL MEETING MINUTES - WEDNESDAY – MAY 11, 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, May 12, 2016.

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

PLEDGE OF ALLEGIANCE was led by Boy Scout Troop 49 of Our Lady of Lourdes

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer

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

Mayor Pacifico announced resolution c, d and e were being pulled from this agenda

#### PRESENTATIONS

Recognition of the Altoona Area High School Marching Band – Mayor Pacifico presented a proclamation to Band Director Larry Detwiler and the AAHS Drum Majors for winning Best Overall Music Award, Best Overall Marching Award, Best Overall Band Front Award and Overall Grand Champion at the 63<sup>rd</sup> Annual NATO Parade of Nations at the Virginia National Music Festival in Norfolk, VA in April of 2016.

Altoona Fire Department 2015 Annual Report – Deputy Chief Mike Tofano  
The report is attached to the minutes and available on the City's website at [www.altoonapa.gov](http://www.altoonapa.gov)

Mayor Pacifico announced public comment and asked those speaking to speak from the podium and provide their name and address for the record and to limit their comments to five minutes and to appoint a spokesperson if a group was in attendance regarding the same issue

PUBLIC COMMENT – Betty Restauri of 3910 Beale Avenue, Altoona, PA spoke in opposition of outdoor music at the Cesare Battisti Club stating her opposition and the opposition of the neighborhood is based upon prior performance and peaceful enjoyment of the neighborhood; the petition presented previously to City Council by the Cesare is a petition of people who attend the club and who are from Williamsburg, Hollidaysburg, Gallitzin, and Duncansville, to name a few, and not the neighborhood; other comments by Mrs. Restauri: the current noise ordinance for the City and whether it would stand up in court, the addition and use of what were described by the Cesare as new curtains to deflect sound, the presentation of photos showing the curtains in place in years prior, the movement of the stage closer to the front of the building, the test that was done for noise and the decibels, comments made in previous minutes

and the exploration of a new noise ordinance by City Council and the previous Interim City Manager; Mrs. Restauri ignored Mayor Pacifico's request for her to end her comments as she had been speaking for over five minutes; Mrs. Restauri ignored the Mayor and continued to speak for well over eight minutes and then approached the City Clerk to present paperwork and to explain the paperwork

Jim Restauri of 3910 Beale Avenue, Altoona, PA stated he is a retired Police Officer from the State of Florida and he purchased a decibel meter and calculated the noise and it was over 90 decibels when the Cesare had outdoor music in the past; Mr. Restauri also stated the decibels should be 58 and not 62; the neighborhood is industrial and residential; some of the neighbors are handicapped or elderly and afraid to come to a City Council Meeting; Mr. Restauri stated the Cesare Battisti had the opportunity to play outdoor music for months before the previous LCB permit expired but they did not because the PLCB told them if they received any more complaints from the neighborhood that they would be shut down as a bar which would include their bar sales and gambling sales; Mr. Restauri stated the Cesare neighborhood is not like the Buccinese Club neighborhood which is for the most part industrial

Maureen Miller of 3440 Beale Avenue, Altoona, PA stated she is at the meeting as a neighbor and also representing her mother who lives at 3820 Beale Avenue; Mrs. Miller stated the neighborhood members in opposition of the outdoor music at the Cesare were told that the Cesare would never receive another permit because of all of the problems and she questioned why the Cesare was now being re-considered; the Mayor attempted to answer but was interrupted several times; Mrs. Miller stated she wants the Cesare to deal with this issue correctly as they did several years ago when her father was an officer and use their upstairs room which holds 250 people; the Cesare officers claim the upstairs room has to be kept open for events; Mrs. Miller also stated the people in charge of the Cesare do not live in the neighborhood and, there have not been any improvements as the tarp/curtains they are calling new were already in place; Mrs. Miller is also concerned that the neighborhood was not informed in advance of the request of the Cesare and the discussion of Council and she had to read about it in the newspaper

## RESOLUTIONS

- a) approving the minutes of the Altoona City Council Meeting held Wednesday, April 27, 2016. (0064-16)
- b) adopting the 2016 Housing and Urban Development (HUD) Action Plan for Community Development Block Grant (CDBG) and HOME Investment Partnership Programs and authorizing the City Manager to execute all documents and certifications and the City Clerk to attest to same and to

file appropriate statements, certifications and meeting minutes with the Department of Housing and Urban Development. (0065-16)

appointing Councilman Matt Cacciotti to the Goodman Trust Advisory Board to fill the unexpired term of Dave Moses. Said term shall expire the first Monday of January 2018. (tabled) (formerly c)

appointing an individual to the Goodman Trust Advisory Board for a term of three years. Said term shall expire the first Monday of January 2019. (tabled) (formerly d)

appointing an individual to serve as an alternate member of the Goodman Trust Advisory Board to fill the unexpired term of Councilman Matt Cacciotti. Said term shall expire the first Monday of January 2018. (tabled) (formerly e)

- c) accepting the proposal submitted on April 22, 2016, by Herbert, Rowland & Grubic, Inc. to conduct a Fair Annual Rental Value Study of the Water and Wastewater Systems of the Altoona Water Authority and authorizing the City Manager to execute the Statement of Authorization on behalf of the City. (0066-16)

City Clerk Linda Rickens Schellhammer read the resolutions into the record; Councilman Butterbaugh asked for item b to be pulled for a separate vote; a consent vote was taken by the City Clerk on items a and c and passed 7 to 0 with all present; a vote was taken by the City Clerk on item b and passed 6 to 1 with all present; Councilman Butterbaugh voted no

#### DISCUSSION ITEMS & ANNOUNCEMENTS

Mayor Pacifico announced a park clean up on Tuesday, May 31<sup>st</sup> at 8:30 a.m. with AAHS, Central Blair Recreation Commission and Operation Our Town; volunteers should pre-register at Central Blair Recreation Commission

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

ADJOURNMENT – by Mayor Pacifico at 8:30 pm