

ALTOONA CITY COUNCIL MEETING MINUTES
WEDNESDAY – AUGUST 10, 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.

CALL TO ORDER – by Mayor Pacifico at 7:25 PM in Council Chambers following a public hearing which ran beyond 7:00 pm

SILENT MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer

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

Absent: Councilman Cagle

PRESENTATIONS

Eagle Scout Project – Shane Rhone presented his Eagle Scout Project to City Council which consists of a welcome sign on City right of way in the Juniata neighborhood of Altoona at the intersection of N. 8th Street and N. 4th Avenue; the start date for the project is September and the project will take approximately 4 weeks; Shane plans to fundraise in order to complete his project

2015 Audit Review – Dan Bradley of Young, Oakes, Brown & Co reviewed the 2015 audit

PUBLIC COMMENT

Dan Stuckey of 106 Halleck Place, Altoona, PA asked Council if they made a decision to allow the flag pole and tree; Mayor Pacifico stated he sent letters to 28 of Mr. Stuckey's neighbors regarding the flagpole and tree and has heard from 13 so far and is waiting to hear from the remaining neighbors; there was a lengthy discussion between Mr. Stuckey and Council, the City Manager and the City Solicitor regarding a legacy/maintenance plan, setting a precedent with the decision that is made by Mayor and Council going forward, the requirement of a certificate of insurance, setting up a trust for future maintenance needs and the need for a policy for requests from residents for projects on the City's right of way

Bruce Kelley of 43 Seneca Avenue, Altoona, PA stated a precedent was set in Allegheny Furnace when a beautification project was completed along the Mansion Boulevard island several years ago; Michael Kranich Jr., the person who proposed and spearheaded the project and provided funding has since moved out of that area

RESOLUTIONS

- a) approving the minutes of the Altoona City Council Meeting held Wednesday, July 13, 2016. (0087-16)
- b) approving a Repository Bid in the amount of \$600.00 submitted by Christopher Boyles of 1908 16th Street, Altoona, PA for property located at 1521-23 20th Avenue, Altoona, PA and further authorizing the City Manager to execute the Taxing District Form. (0088-16)
- c) approving a Repository Bid in the amount of \$200.00 submitted by Tina Caldarelli of 1027 4th Avenue, Altoona, PA for property located at 316 11th Street, Altoona, PA and further authorizing the City Manager to execute the Taxing District Form. (0089-16)
- d) denying a Repository Bid in the amount of \$250.00 submitted by Rodolfo & Silvia Padilla of 2010 7th Avenue, Los Angeles, CA for property located at 227 E. 5th Avenue, Altoona, PA and further authorizing the City Manager to execute the Taxing District Form. (0090-16)
- e) authorizing the City Manager to execute an Engagement Letter with Concord Public Finance which provides for a management fee associated with the refunding of certain refundable obligations, specifically Bond Series A of 2003 and Bond Series of 2009. (0091-16)
- f) awarding the 2016 ADA Ramp Upgrades to BCS Construction, Inc. of 1818 Union Avenue, Altoona, PA in the amount of \$110,565.00 payable from the Capital Budget (Line Item 45-54396-3210) and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0092-16)
- g) amending the 2015 Community Development Block Grant Program CDBG) adding securing and safeguarding of vacant property to the program description for the 2015 Safe Housing/Healthy Living Program (SH/HL). (0093-16)
- h) accepting the proposal for consulting services submitted by Urban Design Ventures of 212 East Seventh Avenue, Homestead, PA, for technical assistance with the Community Development Block Grant (CDBG) and HOME Programs for a 3 three-year period, and authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0094-16)
- i) awarding a demolition contract to Earthmovers Unlimited Inc., of P.O. Box 187, Kylertown, PA 16847, for demolition of 714 12th Street, Altoona, PA, in the total amount of \$87,419.00 with \$16,500.00 payable from the Community Development Block Grant Fund Blighted Property Program and \$70,919.00 from

the City's 2008 Bond and further authorizing the City Manager to execute all documents and the City Clerk to attest to same.
(0095-16)

City Clerk Linda Rickens Schellhammer read the resolutions into the record; a consent vote was taken by the City Clerk on all items and passed 6 to 0; Councilman Cagle was absent

ORDINANCES

Introduction

1) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA BY ADDING A NEW CHAPTER 362, TO BE ENTITLED "FLOODPLAIN REGULATIONS" TO INCLUDE PROVISIONS PREVIOUSLY SET FORTH IN ARTICLE XVII OF CHAPTER 535 OF THE CODE ENTITLED "PLANNING", INCLUDING APPLICABLE DEFINITIONS, TO RESTATE SAID FLOODPLAIN REGULATIONS IN CHAPTER 362 AND TO AMEND SAID FLOODPLAIN REGULATIONS BY: CHANGING REFERENCES TO OTHER PORTIONS OF THE CODE WHERE APPROPRIATE ADDING AND DELETING CERTAIN DEFINITIONS; PERMITTING DELEGATION OF CERTAIN ADMINISTRATION PROVISIONS; REQUIRE ACTION UPON FLOODPLAIN APPLICATIONS WITHIN 30 DAYS OF RECEIPT AND NOTICE TO APPLICANT WITHIN 15 DAYS OF THE DECISION MADE; REQUIRE WRITTEN CONSENT OF THE CITY TO APPROVE DOCUMENTS ONCE APPROVED, INCLUDE START OF CONSTRUCTION AND TIME PROVISIONS, ADD ENFORCEMENT, VIOLATION AND PENALTY PROVISIONS; REVISE APPLICATION AND VARIANCE PROCEDURES. SAID ORDINANCE ALSO PROVIDES: PURPOSE, RESTATEMENT, AND SEVERABILITY OF PROVISIONS; REAFFIRMS THE CODE OF THE CITY OF ALTOONA AS AMENDED AND PROVIDES AN EFFECTIVE DATE.

This Ordinance was read into the record by City Clerk Linda Rickens Schellhammer and introduced by the Governing Body

Introduction

2) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA BY INCLUDING A NEW CHAPTER 580, TO BE ENTITLED "SEWAGE FACILITIES PLANNING" TO INCLUDE THE PROVISIONS PREVIOUSLY SET FORTH IN CHAPTER 535 ENTITLED "PLANNING", ARTICLE XVIII ENTITLED "SEWAGE FACILITIES PLANNING" BY: 1. AMENDING THE GENERAL PROVISIONS TO REQUIRE APPROVAL OF A SEWAGE FACILITIES MODULE BY OR EXEMPTION FROM THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND CITY OF ALTOONA PRIOR TO ISSUANCE OF A BUILDING AND/OR OTHER APPLICABLE PERMIT; 2. ADDING DEFINITIONS; 3. ADDING ENFORCEMENT AND PENALTIES PROVISIONS; 4. REAFFIRMING OF THE CODE

OF ORDINANCES AS AMENDED; 5. PROVIDING A PURPOSE, RESTATEMENT, SEVERABILITY AND REPEALER OF PROVISIONS; AND 6. PROVIDING AN EFFECTIVE DATE.

This Ordinance was read into the record by City Clerk Linda Rickens Schellhammer and introduced by the Governing Body

Introduction

3) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA BY INCLUDING A NEW CHAPTER 620, TO BE ENTITLED "STORMWATER MANAGEMENT, EROSION AND, SEDIMENTATION" TO INCLUDE PROVISIONS AND AMEND THE SAME PREVIOUSLY SET FORTH IN THE FOLLOWING ARTICLES OF CHAPTER 535 ENTITLED "PLANNING,": 1. ARTICLE XV THEREOF ENTITLED "EROSION AND SEDIMENTATION CONTROL," AND ALSO AMENDING THE SAME TO REQUIRE CERTAIN BEST PRACTICES FOR ALL REGULATED EARTH DISTURBANCE ACTIVITIES AND REQUIRE EROSION AND SEDIMENTATION AND STORMWATER FACILITIES TO BE CONSTRUCTED TO MINIMIZE EROSION; 2. ARTICLE XVI THEREOF ENTITLED "STORMWATER MANAGEMENT," AND ALSO AMENDING THE SAME BY INCLUDING ADDITIONAL: GENERAL PROVISIONS; DEFINITIONS; STORMWATER MANAGEMENT TECHNICAL STANDARDS; STORMWATER PLAN REQUIREMENTS; OPERATION AND MAINTENANCE REQUIREMENTS; FEES AND EXPENSE PROVISIONS; ENFORCEMENT AND PENALTIES AND PROVIDE AN APPEALS PROCESS; AND ARTICLE XXXIX ENTITLED COMMON DEFINITIONS. SAID ORDINANCE ALSO PROVIDES: A REAFFIRMATION OF THE CODE AS AMENDED; PROVIDES A PURPOSE, RESTATEMENT, AND SEVERABILITY PROVISIONS; REPEALS, SUBJECT TO THE ORDINANCE, ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; AND PROVIDES AN EFFECTIVE DATE.

This Ordinance was read into the record by City Clerk Linda Rickens Schellhammer and introduced by the Governing Body

Introduction

4) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA BY ADDING A NEW CHAPTER 640, TO BE ENTITLED "SUBDIVISION OF LAND AND LAND DEVELOPMENT" TO INCLUDE ALL PROVISIONS PREVIOUSLY SET FORTH IN CHAPTER 535 OF THE CODE ENTITLED "PLANNING", INCLUDING THE APPLICABLE DEFINITIONS FOUND THEREIN, TO RESTATE SAID SUBDIVISION OF LAND AND LAND DEVELOPMENT PROVISIONS IN CHAPTER 640 AND TO: AMEND SAID SUBDIVISION OF LAND AND LAND DEVELOPMENT PROVISIONS BY CHANGING REFERENCES TO OTHER PORTIONS OF THE CODE WHERE APPROPRIATE; AMEND SAID LAND DEVELOPMENT TO INCLUDE ADDITIONAL

PROVISIONS FOR TRAFFIC STUDIES AND STREET TREE PLACEMENTS; INCLUDE DEFINITIONS; AND PROVIDE ENFORCEMENT PROVISIONS. SAID ORDINANCE ALSO PROVIDES: A REAFFIRMATION OF THE CODE AS AMENDED; PROVIDES A PURPOSE, RESTATEMENT, AND SEVERABILITY PROVISIONS; AND PROVIDES AN EFFECTIVE DATE.

This Ordinance was read into the record by City Clerk Linda Rickens Schellhammer and introduced by the Governing Body

Introduction

5) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA BY ADDING A NEW CHAPTER 800, TO BE ENTITLED "ZONING" TO INCLUDE ALL PROVISIONS PREVIOUSLY SET FORTH IN CHAPTER 535 OF THE CODE ENTITLED "PLANNING", INCLUDING APPLICABLE DEFINITIONS, TO RESTATE SAID ZONING PROVISIONS IN CHAPTER 800 AND TO AMEND SAID ZONING PROVISIONS BY: CHANGING REFERENCES TO OTHER PORTIONS OF THE CODE WHERE APPROPRIATE; DELETE THE PROHIBITION OF HAVING NO MORE THAN ONE FREE STANDING EXTERIOR SIGN ADVERTISING ANY BUSINESS IN ALL APPLICABLE ZONING DISTRICTS; PERMIT ELECTRONIC SCREEN SIGNS WITHIN 20 FEET OF THE 17TH STREET RIGHT-OF-WAY BETWEEN THE RAILROAD AND 4TH AVENUE; REQUIRE THAT ALL OFF STREET PARKING BE PROVIDED ON THE SAME PARCEL AS A STUDENT HOME IN ALL DISTRICTS PERMITTING STUDENT HOMES; REPEAL OF ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH INCLUDING REPEALING THOSE SPECIFIC SECTIONS OF CHAPTER 535 OF THE CODE ENTITLED "PLANNING" WHEREIN THE ZONING PROVISIONS WERE PREVIOUSLY SET FORTH. SAID ORDINANCE ALSO PROVIDES: A REAFFIRMATION OF THE CODE AS AMENDED; A PURPOSE, RESTATEMENT AND SEVERABILITY PROVISIONS; AND PROVIDES ENFORCEMENT PROVISIONS AND AN EFFECTIVE DATE.

This Ordinance was read into the record by City Clerk Linda Rickens Schellhammer and introduced by the Governing Body

Adoption – Councilman Butterbaugh

6) AN ORDINANCE OF THE CITY OF ALTOONA, BLAIR COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 5585 ENACTED ON AUGUST 27, 2008, THAT AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THIS CITY IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$22,000,000, IN ACCORDANCE WITH THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT, TO AMEND THE DESCRIPTION OF THE CAPITAL PROJECTS TO BE FINANCED BY SUCH BONDS TO INCLUDE PROFESSIONAL FEES RELATED TO THE ACQUISITION OF WATER AND SEWER FACILITIES, THE DEMOLITION AND

REDEVELOPMENT OF REAL ESTATE, ROAD RESURFACING AND THE CONSTRUCTION OF A SALT SHED. (ORD. NO. 5678)

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

Introduction – Councilman Butterbaugh

Motion for Adoption – Councilman Butterbaugh

Second – Councilman Neugebauer

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 6 to 0; Councilman Cagle was absent

Adoption – Councilman Neugebauer

7) AN ORDINANCE OF THE CITY OF ALTOONA APPROVING THE AGREEMENT CREATING THE INTERGOVERNMENTAL STORMWATER COMMITTEE SETTING FORTH: A TITLE; AUTHORITY AND APPROVAL FOR THE AGREEMENT; CONTENTS OF THE AGREEMENT INCLUDING THE INITIAL MEMBERS, TWO YEAR TERM OF AGREEMENT, PURPOSE AND OBJECTIVES, POWERS FOR THE COMMITTEE, MANNER AND EXTENT OF FINANCING, ORGANIZATIONAL STRUCTURE; A SEVERABILITY CLAUSE; A REPEALER OF INCONSISTENT ORDINANCES AND AN EFFECTIVE DATE. (ORD. NO. 5679)

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

Introduction – Councilman Neugebauer

Motion for Adoption – Councilman Neugebauer

Second – Councilman Cacciotti

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 4 to 2; Vice-Mayor Haire voted no; Mayor Pacifico voted no; Councilman Cagle was absent

MAYOR & COUNCIL DISCUSSION ITEMS AND ANNOUNCEMENTS - none

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

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