

ALTOONA CITY COUNCIL MEETING MINUTES
WEDNESDAY – SEPTEMBER 28, 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, September 29, 2016.

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

Absent: Councilmember Cagle and Councilmember Neugebauer

PRESENTATIONS

Eagle Scout James Barry Jr. – Tuckahoe Park Benches – Mayor Pacifico and Public Works Director Nate Kissell thanked Eagle Scout Barry and presented a sign that will be placed in Tuckahoe Park recognizing his project which included replacement of several benches and concrete bases

Mayor Pacifico announced that Ordinance 6 on the agenda will be tabled at this time

PUBLIC COMMENT – Diane Beiswinger, 2810 W. Chestnut Avenue, Altoona, PA, asked Council what was going to be done about the feral cats stating she is frustrated and believes euthanizing is the only answer

Council and City Manager Marla Marcinko conveyed to Ms. Beiswinger that between now and her visit to the Council Meeting two weeks ago that they are currently researching best practices in other municipalities and accepting suggestions and information regarding local programs and resources

RESOLUTIONS

a) approving the minutes of the Altoona City Council Meeting held Wednesday, September 14, 2016. (0115-16)

b) authorizing the City Manager to terminate the Road Maintenance Agreement with Chevron Appalachia, LLC which permitted the use of tanker trucks to haul water on designated City roadways, and for the City Clerk to attest to same. (0116-16)

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 5 to 0;

Councilman Cagle was absent; Councilman Neugebauer was absent

ORDINANCES

Adoption – The Governing Body

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. (ORD. NO. 5682)

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

Introduction – The Governing Body

Motion for Adoption – Councilman Butterbaugh

Second – Councilwoman Jordan

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 5 to 0. Councilman Cagle was absent; Councilman Neugebauer was absent

Adoption - The Governing Body

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 THE CODE OF ORDINANCES AS AMENDED; 5. PROVIDING A PURPOSE, RESTATEMENT AND

SEVERABILITY OF PROVISIONS; AND 6. PROVIDING AN EFFECTIVE DATE.
(ORD. NO. 5683)

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

Introduction – The Governing Body

Motion for Adoption – Councilman Cacciotti

Second – Councilman Butterbaugh

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 5 to 0. Councilman Cagle was absent; Councilman Neugebauer was absent

Adoption - The Governing Body

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; AND PROVIDES AN EFFECTIVE DATE. (ORD. NO. 5684)

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

Introduction – The Governing Body

Motion for Adoption – Councilwoman Jordan

Second – Councilman Butterbaugh

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 4 to 1. Mayor Pacifico voted no. Councilman Cagle was absent; Councilman Neugebauer was absent

Adoption - The Governing Body

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. (ORD. NO. 5685)

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

Introduction – The Governing Body

Motion for Adoption – Vice-Mayor Haire

Second – Mayor Pacifico

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 5 to 0. Councilman Cagle was absent; Councilman Neugebauer was absent

Adoption- The Governing Body

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 ZONING PROVISIONS PREVIOUSLY SET FORTH IN CHAPTER 535 OF THE CODE ENTITLED "PLANNING", INCLUDING APPLICABLE DEFINITIONS FROM ARTICLE XXXIX OF CHAPTER 535, RESTATING AND RENUMBERING SAID ZONING PROVISIONS IN NEW CHAPTER 800 AND TO AMEND SAID ZONING PROVISIONS BY: CHANGING REFERENCES TO OTHER SECTIONS 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. THERE ARE NO ZONING MAP/DISTRICT CHANGES AS PART OF THIS ORDINANCE. 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. (ORD. NO. 5686)

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

Introduction – The Governing Body

Motion for Adoption – Vice-Mayor Haire

Second – Councilman Butterbaugh

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 5 to 0. Councilman Cagle was absent; Councilman Neugebauer was absent

Councilman Butterbaugh

6)AN ORDINANCE OF THE CITY OF ALTOONA PROVIDING FOR THE VACATION OF A PORTION OF UNOPENED WATERLOO ROAD SITUATE BETWEEN WEST CHESTNUT AVENUE AND FOREST PARK ROAD AND BROAD AVENUE, ALTOONA, CONTAINING ONE THOUSAND SEVEN HUNDRED AND ONE SQUARE FEET IN AREA, IN THE CITY OF ALTOONA, PENNSYLVANIA; DIRECTING THAT THE SAME BE STRICKEN FROM THE OFFICIAL CITY PLAN AND PROVIDING AN EFFECTIVE DATE. (TABLED)

Mayor Pacifico made a motion to table and Councilman Butterbaugh seconded the motion; the City Clerk called the roll for a vote and the vote passed 5 to 0; Councilman Cagle was absent; Councilman Neugebauer was absent

MAYOR & COUNCIL DISCUSSION ITEMS AND ANNOUNCEMENTS

Councilwoman Jordan provided a Pyramid Advisory Council update stating the new building/bed expansion should be ready by January 2017; they are also providing community volunteers for clean ups, etc. in the City and if interested contact Melanie Dotts by phone at 941-3513 or email at mdotts@pyramidibhc.com

Mayor Pacifico announced that the Christmas Parade will be held December 1st at 6pm; the theme is the Sights and Sounds of Christmas

Mayor Pacifico announced on Sunday, October 16th from 4pm to 7pm the first annual Fall Taste of Downtown Altoona will be held; tickets are \$20.00 and downtown restaurants and eateries will be participating with food samplings; ticket proceeds will benefit the downtown art organizations; tickets can be purchased at all art organizations downtown

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

ADJOURNMENT – by Mayor Pacifico at 7:40 p.m.