

ALTOONA CITY COUNCIL MEETING MINUTES
WEDNESDAY – JANUARY 11, 2017 – 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, January 12, 2017.

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, Cagle, Haire, Jordan, Neugebauer and Mayor Pacifico

Mayor Pacifico announced that Council held an Executive Session on Wednesday, January 4 and Monday, January 9 regarding personnel matters

Mayor Pacifico announced that resolution K would be added to the agenda; the City Clerk read resolution k into the record

PRESENTATIONS – none

PUBLIC COMMENT – John Gray, President and Director of the Foundry Inc. stated he promised Council an update as follows: there are seven gentlemen living at the Foundry and they are employed; one gentleman is visually impaired and is working with the Office of Vocational Rehabilitation; next week they will be at full capacity

RESOLUTIONS

a)approving the minutes of the Altoona City Council Meeting held Wednesday, December 7, 2016. (0001-17)

b)approving a Settlement Agreement with Brian Hallinan and authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0002-17)

c)amending and restating the Fee Resolution 0084-16, as amended to include: Altoona Parking Authority Rate Increase. (0003-17)

d)amending the 2015 Community Development Block Grant Program transferring \$2,110.99 from the Housing and Community Development Project to the 2015 Hamilton Park Project. (0004-17)

e)amending the 2016 Community Development Block Grant Program Street Reconstruction Project from proposed locations to actual locations. (0005-17)

f) approving a Repository Bid in the amount of \$200.00 submitted by Michael Colombo of 400 Pemberley Drive, Hollidaysburg, PA for property located at 1816-1818 7th Avenue, Altoona, PA and further authorizing the City Manager to execute the Taxing District Form. (0006-17)

g) approving a Repository Bid in the amount of \$850.00 submitted by Dustin Long of 904 N. 4th Avenue, Altoona, PA for property located at 1429 3rd Avenue, Altoona, PA and further authorizing the City Manager to execute the Taxing District Form. (0007-16)

h) approving a Repository Bid in the amount of \$250.00 submitted by Dustin Long of 904 N. 4th Avenue, Altoona, PA for property located at 2918-2926 Spruce Avenue, Altoona, PA and further authorizing the City Manager to execute the Taxing District Form. (0008-16)

i) approving a Repository Bid in the amount of \$200.00 submitted by James & Molly Bush of 1114 17th Avenue, Altoona, PA for property located at 1112 17th Avenue, Altoona, PA and further authorizing the City Manager to execute the Taxing District Form. (0009-17)

j) approving the Collective Bargaining Agreement between the City of Altoona and the IAFF Local 299 Altoona Firefighters, for the period from January 1, 2017 through December 31, 2021 and authorizing City Manager Marla Marcinko to execute all documents and the City Clerk to attest to same. (0010-17)

k) authorizing membership in the Pennsylvania Public Entity Energy Consortium ("PPEEC") and for the City Manager to execute all documents and the City Clerk to attest to same. (0011-17)

City Clerk Linda Rickens Schellhammer read the resolutions into the record.

Vice-Mayor Haire asked for an explanation of item k since it was added to the agenda; Public Works Director Nate Kissell stated this resolution is for membership in an electric cooperative; at some point the City will be able to take advantage of pricing with other public entities including school districts and other municipalities; the next step will be to enter into an agreement which seems favorable for the City to do so as they have nice products at a very low cost

Councilman Butterbaugh asked when the City would enter into the agreement; Nate Kissell stated possibly at the February Council meeting pending due diligence

a consent vote was taken by the City Clerk on all items and passed 7 to 0 with all present

Mayor Pacifico announced that there were five ordinances for introduction to be added to the agenda pertaining to the City of Altoona and the Altoona Water Authority; the City Clerk read each of the ordinances into the record and public comment was offered and there was none given; the five ordinances were introduced by the Governing Body

ORDINANCES

Introduction – The Governing Body

1)AN ORDINANCE OF THE CITY OF ALTOONA INCURRING "LEASE RENTAL DEBT," AS DEFINED IN THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT, IN THE OUTSTANDING PRINCIPAL AMOUNT OF \$13,617,762.40, EVIDENCED BY ITS GUARANTY OF 100% OF THE PAYMENTS DUE UNDER A DEBT OBLIGATIONS PREVIOUSLY ISSUED BY THE ALTOONA WATER AUTHORITY TO THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY (PENNVEST), IN CONNECTION WITH THE AUTHORITY'S WATER SYSTEM, AND PAY RELATED EXPENSES; AUTHORIZING A GUARANTY AGREEMENT, BY AND AMONG THIS CITY, AS GUARANTOR, THE AUTHORITY, AND PENNVEST, AS LENDER, SECURING THE DEBT OBLIGATIONS; PLEDGING THE FULL FAITH, CREDIT, AND TAXING POWER OF THIS CITY IN SUPPORT OF ITS GUARANTY; APPOINTING A SINKING FUND DEPOSITORY IN CONNECTION WITH SUCH GUARANTY; AND AUTHORIZING RELATED ACTIONS AND DOCUMENTS.

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

Introduction – The Governing Body

2)AN ORDINANCE OF THE CITY OF ALTOONA INCURRING "LEASE RENTAL DEBT," AS DEFINED IN THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT, IN THE OUTSTANDING PRINCIPAL AMOUNT OF \$29,691,652.73, EVIDENCED BY ITS GUARANTY OF 100% OF THE PAYMENTS DUE UNDER A DEBT OBLIGATIONS PREVIOUSLY ISSUED BY THE ALTOONA WATER AUTHORITY TO THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY (PENNVEST), IN CONNECTION WITH THE AUTHORITY'S SANITARY SEWER SYSTEM, AND PAY RELATED EXPENSES; AUTHORIZING A GUARANTY AGREEMENT, BY AND AMONG THIS CITY, AS GUARANTOR, THE AUTHORITY, AND PENNVEST, AS LENDER, SECURING THE DEBT OBLIGATIONS; PLEDGING THE FULL FAITH, CREDIT, AND TAXING POWER OF THIS CITY IN SUPPORT OF ITS GUARANTY; APPOINTING A SINKING FUND DEPOSITORY IN CONNECTION WITH SUCH GUARANTY; AND AUTHORIZING RELATED ACTIONS AND DOCUMENTS.

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

Introduction – The Governing Body

3)AN ORDINANCE OF THE CITY OF ALTOONA, INCURRING LEASE RENTAL DEBT IN THE PRINCIPAL AMOUNT OF \$15,625,000 TO BE EVIDENCED BY A GUARANTY AGREEMENT SECURING THE OUTSTANDING WATER REVENUE BONDS OF THE ALTOONA WATER AUTHORITY, PREVIOUSLY ISSUED TO CONSTRUCT IMPROVEMENTS TO THE PUBLIC WATER SYSTEM OPERATED BY THE AUTHORITY; APPROVING A GUARANTY AGREEMENT OF THIS CITY, GUARANTYING THE PRINCIPAL AND INTEREST DUE ON THE WATER BONDS; SPECIFYING THE ANNUAL GUARANTY OBLIGATIONS OF THIS CITY UNDER THE GUARANTY AGREEMENT, AND PLEDGING THE FULL FAITH, CREDIT, AND TAXING POWER OF THIS CITY TO SECURE THE GUARANTY; CREATING A SINKING FUND AND APPOINTING A SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER APPROPRIATE ACTIONS.

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

Introduction – The Governing Body

4)AN ORDINANCE OF THE CITY OF ALTOONA, INCURRING LEASE RENTAL DEBT IN THE PRINCIPAL AMOUNT OF \$29,115,000 TO BE EVIDENCED BY A GUARANTY AGREEMENT SECURING THE OUTSTANDING SEWER REVENUE BONDS OF THE ALTOONA WATER AUTHORITY, PREVIOUSLY ISSUED TO CONSTRUCT IMPROVEMENTS TO THE SANITARY SEWER SYSTEM OPERATED BY THE AUTHORITY; APPROVING A GUARANTY AGREEMENT OF THIS CITY, GUARANTYING THE PRINCIPAL AND INTEREST DUE ON THE SEWER BONDS; SPECIFYING THE ANNUAL GUARANTY OBLIGATIONS OF THIS CITY UNDER THE GUARANTY AGREEMENT, AND PLEDGING THE FULL FAITH, CREDIT, AND TAXING POWER OF THIS CITY TO SECURE THE GUARANTY; CREATING A SINKING FUND AND APPOINTING A SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER APPROPRIATE ACTIONS.

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

Introduction – The Governing Body

5)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 APPROVE AN ASSET CONVEYANCE AGREEMENT WHICH CONVEYS THE LAND AND FACILITIES OF THE WATER AND SEWER SYSTEMS OF THE SAID AUTHORITY TO THE CITY OF ALTOONA AND ALSO APPROVES TWO TWENTY YEAR LEASE AGREEMENTS WHEREIN THE CITY OF ALTOONA WILL LEASE THE LAND AND FACILITIES OF THE SAID WATER AND

SEWER SYSTEMS TO THE ALTOONA WATER AUTHORITY UPON THE TERMS AND CONDITIONS SET FORTH IN SAID AGREEMENTS WHICH ARE ATTACHED HERETO AS EXHIBIT "A" WITH REGARD TO THE CONVEYANCE AGREEMENT, EXHIBIT "B" WITH REGARD TO THE WATER SYSTEM LEASE, AND, EXHIBIT "C" WITH REGARD TO THE SEWER SYSTEM LEASE; THIS ORDINANCE WILL ALSO REPEAL ALL OTHER ORDINANCES OR PARTS OF LAWS 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 the Governing Body.

Mayor Pacifico stated that the introduction of the ordinances at this meeting was a part of the ongoing discussion between the City and the Altoona Water Authority; Mayor Pacifico thanked Mark Perry, Gina DeRubis, Mike Sinisi and the Water Authority's negotiating team Bill Schirf and Frank Ake; Mayor Pacifico stated the City was able to work with the Altoona Water Authority to come to an agreement which will transfer the water and sewer assets back to the City; this will be the first time since 1981 that the City had ownership of the assets; Mayor Pacifico asked former Mayor Bill Schirf and current Altoona Water Authority Board member to speak this evening on the agreement

Altoona Water Authority Vice-Chairman Bill Schirf stated the Authority is thankful for this because there will not be a sale or a long-term lease with a private outside group; this process began in 2014 and will be ratified in 2017; Bill Schirf thanked the negotiating team for the City, Mayor Matt Pacifico and Vice-Mayor Michael Haire and Councilman Bill Neugebauer, who started as a team member but had to withdraw after being appointed to the Altoona Water Authority Board; Bill Schirf also thanked Frank Ake and former Mayor Tom Martin who was part of the negotiating team until his term on the Altoona Water Authority Board ended; Bill Schirf also thanked City Solicitor Larry Clapper and City Manager Marla Marcinko and Authority Solicitor Alan Krier and Mark Glenn of Gwinn, Dobson and Foreman; Bill Schirf stated for Altoona residents and surrounding communities the Altoona Water Authority is going to remain local; Bill Schirf stated he was thankful to City Council who could have stayed with the 50 year lease but instead they put a moratorium on it and they went back to negotiations; Bill Schirf stated the AWA will remain as the operator and all of the positions and staff will remain exactly the same; the Altoona Water Authority will be transferring the assets and agreeing to the lease; the Altoona Water Authority will be voting on resolutions at their next meeting

MAYOR & COUNCIL DISCUSSION ITEMS AND ANNOUNCEMENTS –

Mayor Pacifico made the following authorities/boards and commissions nominations:

Intermunicipal Stormwater Committee – City Manager Marla Marcinko, Public Works Director Nate Kissell, alternate (this is a new Committee)
Altoona Housing Authority – re-appointing Robin Beck
AMED – re-appointing Dick DiAndrea and re-appointing Jeffrey Frank
Altoona Parking Authority – re-appointing Sherri McGregor
Altoona Redevelopment Authority – re-appointing Louisa Lobre-Riley and appointing Frank Wiley
Altoona Water Authority – appointing City Finance Director Omar Strohm contingent upon a signed City Official Appointment Agreement
AMTRAN – re-appointing Bob Reifsteck
Engineering Civil Service – re-appointing Charles Meyers
Fire Civil Service – re-appointing Ted Beam
Police Civil Service – re-appointing Mitch Cooper
Plumbing Board – re-appointing Donald Rhodes
Altoona City Planning Commission – re-appointing Dave Albright and appointing Charles Meyers
Zoning Hearing Board – appointing Cory Gehret

Mayor Pacifico opened the floor for public comment on the nominations as well as the 5 ordinances that were added to the agenda for introduction; there was no public comment; Mayor Pacifico closed the floor to public comment; the City Clerk asked if there were any additions, deletions or items to be pulled for separate vote and there were none; the City Clerk called for a consent vote for all of the nominations to authorities/boards/commission contingent upon the filing of a signed City Official Appointment Agreement; the consent vote passed 7 to 0 with all present

Councilman Butterbaugh stated the City still needs volunteers to serve on the Shade Tree Commission and Code Appeals Board

Mayor Pacifico thanked Representative John McGinnis who was in attendance and Senator John Eichelberger for their support of the City's Transportation Alternative Grant Application which the City was awarded \$460,000 which will go toward repair of the 12th Street Pedestrian Bridge; Representative McGinnis commented that Mayor Pacifico should thank the taxpayers

MEDIA – media attendance included Bill Kibler, *Altoona Mirror* and Jackie Padilla, WTAJ TV-10

ADJOURNMENT – by Mayor Pacifico at 7:50 p.m.