

ALTOONA CITY COUNCIL MEETING MINUTES
WEDNESDAY – JUNE 13, 2018 – 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, June 14, 2018.

CALL TO ORDER – by Mayor Pacifico at 7:10 PM in Council Chambers following a City Council Worksession

SILENT MEDITATION
PLEDGE OF ALLEGIANCE

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer
Present: Council members Butterbaugh, Cacciotti, Cagle, Jordan, Kelley, Neugebauer and Mayor Pacifico

PRESENTATIONS – The Altoona Fire Department Annual Report for 2017 was presented by Fire Chief Tim Hileman

ALL PUBLIC COMMENT – Steve Elfelt of 116 Spruce Avenue, Altoona, asked Council to adopt the resolution regarding redistricting & gerrymandering

RESOLUTIONS

a) approving the minutes of the Altoona City Council Meeting held Wednesday, May 9, 2018. (0046-18)

b) authorizing a Private License Agreement between the City of Altoona and the Diocese of Altoona-Johnstown for the purpose of replacing an existing fence, located on the City's right-of-way area at West Chestnut Avenue and 28th Street, Altoona PA, and further authorizing the Mayor to execute all documents and the City Clerk to attest to same. (0047-18)

c) awarding the 2018 Asphalt Joint & Crack Seal Project to Matcon Diamond, Inc. of 3447 E. Carson Street, Pittsburgh, PA 15203, in the amount of \$118,800.00 payable from Highway Aid, and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0048-18)

d) awarding the St. Therese Rain Garden – Phase II Bid to Maines Construction & Design, LLC of 952 Washington Avenue, Tyrone, PA 16686, in the amount of \$86,997.00 payable from a DEP Grant, the Capital Budget and the General Fund and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0049-18)

e) awarding the 4th Street Storm Sewer Project Bid to Straw Construction Co.,

Inc. of P.O. Box 9, Boswell, PA 15531, in the amount of \$61,124.37 payable from the Capital Budget and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0050-18)

f) approving a Repository Bid in the amount of \$150.00 submitted by Robert & Kimberly Ferrone of 126 5th Avenue, Altoona, PA 16602, for property located at 1821-27th Street, Altoona, PA 16601 and further authorizing the City Manager to execute the Taxing District Form. (0051-18)

g) approving a Repository Bid in the amount of \$150.00 submitted by Robert & Kimberly Ferrone of 126 5th Avenue, Altoona, PA 16602, for property located at 1829-31 6th Street, Altoona, PA 16601 and further authorizing the City Manager to execute the Taxing District Form. (0052-18)

h) adopting the 2018 Housing and Urban Development (HUD) Action Plan for the 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. (0053-18)

i) WHEREAS, the citizens of the City of Altoona and the Commonwealth of Pennsylvania deserve a fair, fully transparent, impartial and depoliticized process of the decennial drawing of state legislature and congressional districts of near equal population; and
WHEREAS, legislative and congressional redistricting has at times resulted in gerrymandered districts that favor one political party over others; and
WHEREAS, such gerrymandering of legislative and congressional districts has worked at times to the detriment of our representative democracy; and
WHEREAS, the creation of a truly independent citizens redistricting commission devoid of political motivation or partisanship will: ensure a fair, transparent, and accurate legislative and congressional redistricting process that respects political subdivisions; prohibit districts from being drawn to favor or discriminate against a political party or candidate; require the use of impartial and sound methodology when setting district boundaries; require public input; and fully comply with the constitutional requirement that "no county, city, incorporated town, borough, township or ward" be divided "unless absolutely necessary"; and
WHEREAS, legislation to amend the Pennsylvania Constitution to reform the decennial legislative and congressional redistricting process with the intent of using fairness and sound methodology in a non-partisan fashion is required to ensure these reforms.
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Altoona does hereby support legislative efforts to amend the Pennsylvania Constitution to assign the decennial task of both legislative and

congressional redistricting to an independent citizens redistricting commission, and

BE IT FURTHER RESOLVED that we call upon all those elected officials and party leaders in the Commonwealth of Pennsylvania who represent the citizens of the City of Altoona to publicly announce their support of and commitment to work towards passage of such legislative efforts, and that a copy of this resolution be delivered to each of them. (0054-18)

City Clerk Linda Rickens Schellhammer read the resolutions into the record; at the request of Councilman Butterbaugh, item b was pulled for a separate vote; a consent vote was taken on all items with the exception of item b and passed 7 to 0 with all present; a vote was taken on item b which passed 6 to 0 with all present; Councilman Butterbaugh abstained as he prepared the plan.

ORDINANCES

Introduction

1)AN ORDINANCE OF THE CITY OF ALTOONA AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE CITY AND ATLANTIC BROADBAND (PENN), LLC TO: GRANT A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM WITHIN THE CITY OF ALTOONA; SET FORTH THE CONDITIONS ACCOMPANYING THE GRANTING OF SAID FRANCHISE; PROVIDE FOR CITY REGULATION AND USE OF THE CABLE TELEVISION SYSTEM; PRESCRIBE REMEDIES FOR VIOLATION OF THE FRANCHISE/ORDINANCE; AND ESTABLISH AN EFFECTIVE DATE.

City Clerk Linda Rickens Schellhammer read the proposed ordinance into the record; the ordinance was introduced by Mayor Pacifico

Adoption – Mayor Pacifico

2)AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA CHAPTER 542 ENTITLED "PLUMBERS," TO: 1. CLARIFY THAT A PERSON MUST SERVE 4,000 HOURS' (TWO YEARS) AS A JOURNEYMAN IN ORDER TO QUALIFY FOR MASTER PLUMBER LICENSE; 2. PROVIDE SEVERABILITY AND REAFFIRMATION OF CHAPTER 542; 3. PROVIDE A REPEAL OF INCONSISTENT ORDINANCES; AND 4. AN EFFECTIVE DATE. (DID NOT PASS)

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

Introduction – Mayor Pacifico

Motion for Adoption – Mayor Pacifico

Second – Councilman Neugebauer

The vote was taken by City Clerk Linda Rickens Schellhammer and did not pass

3 to 4 with all present; Vice-Mayor Cacciotti, Councilman Neugebauer and Mayor Pacifico voted in favor; Councilman Butterbaugh, Councilman Cagle, Councilwoman Jordan and Councilman Kelley voted no

Adoption – Councilman Neugebauer

3)AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA BY ADDING A NEW CHAPTER 22, TO BE ENTITLED "ELECTRICAL AND ENGINEERING CIVIL SERVICE" TO: COMPLY WITH APPLICABLE LAW BY ABOLISHING THE CITY OF ALTOONA ELECTRICAL AND ENGINEERING CIVIL SERVICE BOARDS; PRESERVE CIVIL SERVICE RIGHTS FOR ELECTRICAL AND ENGINEERING EMPLOYEES EMPLOYED PRIOR TO MAY 19,2014; AMEND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; PROVIDE AN OBJECTIVE, SEVERABILITY AND REPEAL OF PROVISIONS; AND ESTABLISH AN EFFECTIVE DATE. (ORD. NO. 5718)

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

Introduction – Councilman Neugebauer

Motion for Adoption – Councilman Butterbaugh

Second – Councilman Neugebauer

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

Adoption – Councilman Butterbaugh

4)AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA CHAPTER 362, ENTITLED "FLOODPLAIN REGULATIONS" TO AMEND AND RESTATE SAID FLOODPLAIN REGULATIONS WHICH RELATE TO LAND SUSCEPTIBLE TO BEING INUNDATED BY WATER FROM ANY SOURCE BY: ADDING AND DELETING CERTAIN DEFINITIONS; CORRECTING TYPOGRAPHICAL ERRORS; PERMITTING DELEGATION OF CERTAIN ADMINISTRATION PROVISIONS; PROVIDING FOR FLOODPLAIN PERMIT APPLICATIONS, INSPECTIONS AND ASSOCIATED FEES; PROVIDING FOR DEVELOPER'S AGREEMENTS; PROVIDING START OF CONSTRUCTION AND TIME PROVISIONS, PROVIDING ENFORCEMENT, VIOLATION AND PENALTY PROVISIONS; PROVIDING APPLICATION AND VARIANCE PROCEDURES; PROVIDING TECHNICAL REQUIREMENTS; AND SETTING FORTH DEVELOPMENT WHICH MAY ENDANGER HUMAN LIFE. SAID ORDINANCE ALSO PROVIDES: PURPOSE, RESTATEMENT, AND SEVERABILITY OF PROVISIONS; REAFFIRMS THE CODE OF THE CITY OF ALTOONA AS AMENDED AND PROVIDE AN EFFECTIVE DATE. (ORD. NO. 5719)

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

Introduction – Councilman Butterbaugh

Motion for Adoption – Councilman Butterbaugh

Second – Councilman Cagle

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

MAYOR & COUNCIL DISCUSSION ITEMS AND ANNOUNCEMENTS - none

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

ADJOURNMENT – by Mayor Pacifico at 8:30 p.m.