

ALTOONA CITY COUNCIL MEETING MINUTES  
WEDNESDAY – JULY 11, 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, July 12, 2018.

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, Jordan, Kelley, Neugebauer and Mayor Pacifico

PRESENTATIONS – The Community Development Department Annual Report for 2017 was presented by Department Director Lee Slusser

Mayor Pacifico announced that an ordinance would be added to this agenda for introduction

The City Clerk read the proposed ordinance into the record as follows:

AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA CHAPTER 1 ENTITLED "GENERAL PROVISIONS" BY AMENDING SECTION 1-6 TO: INCLUDE A NEW SUBSECTION F TO ALLOW THE CITY TO, IN ADDITION TO ANY OTHER PENALTY IMPOSED BY THE SAID CODE AND/OR ANY ORDINANCE OF THE CITY, ENFORCE ANY SUCH VIOLATION IN AN ACTION IN EQUITY BROUGHT IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY; PROVIDE SEVERABILITY AND REPEAL/RESTATEMENT PROVISIONS; AND ESTABLISH AN EFFECTIVE DATE.

ALL PUBLIC COMMENT – Joe Koehle of 2200 1<sup>st</sup> Avenue stated he read the article in the newspaper and feels the money should be used for streets and sidewalks and then the City will not have to spend capital money later

Randy Burket of 900 Race Street asked Council for help with the noise from the train horns suggesting we eliminate horns in certain areas like Chicago and that we eliminate the crossing at Coburn and close that area on each side to motor vehicle traffic; Solicitor Larry Clapper stated he is not sure of the horn protocol but will research; Larry Clapper also stated that this is in Logan Township

Rudy Yerty of 316 Walnut Avenue stated there are dogs barking continuously in his neighborhood and loud motorcycles and train horns

Deb Church of 19<sup>th</sup> Avenue and 16<sup>th</sup> Street stated she and her sister called Codes regarding garbage, tires and a car engine at 1226 3<sup>rd</sup> Avenue; Rebecca Brown stated she will provide Mrs. Church with an update

## RESOLUTIONS

- a) approving the minutes of the Altoona City Council Meeting held Wednesday, June 13, 2018. (0055-18)
- b) awarding the Thermoplastic Decorative Crosswalks Bid to Laurel Asphalt, LLC of 212 Pomroys Drive, Windber, PA 15963, in the amount of \$72,110.70 payable from Highway Aid and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0056-18)
- c) authorizing a Deed of Easement between the City of Altoona and Walnut Preservation, LLC for the purpose of the construction, installation, repair and maintenance of a walking path along the adjacent Hamilton Park and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0057-18)
- d) rejecting the bid submitted by C.E. Wood Construction, Inc. for the Kustaborder Ballfield Baseball Dugouts and further that the bid security submitted with the bid be returned. (0058-18)
- e) amending the 2017 Community Development Block Grant Program (CDBG) creating a 2017 Park Facilities Improvement Project to be administered by Central Blair Recreation Commission with a budget of \$104,000 from an Economic Development Loan Program payoff for facilities improvements to Veterans Memorial Field and Jefferson Park. (0059-18)
- f) approving a Repository Bid in the amount of \$150.00 submitted by Brian Grenz of 203 East Bell Avenue, Altoona, PA 16602 for property located at 201 East Bell Avenue, Altoona, PA 16602 and further authorizing the City Manager to execute the Taxing District Form. (0060-18)
- g) approving a Repository Bid in the amount of \$100.00 submitted by Daniel Ingram of 2815 9<sup>th</sup> Street, Altoona, PA 16601 for property located at 1429 3rd Avenue, Altoona, PA 16602 and further authorizing the City Manager to execute the Taxing District Form. (0061-18)

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; after some discussion on item b regarding pilot project, budgeted money, locations on newly paved roads, surface and functionality and process, a vote was taken on item b which passed 7 to 0 with

all present.

## ORDINANCES

### Introduction

1)AN ORDINANCE OF THE CITY OF ALTOONA, COUNTY OF BLAIR, PENNSYLVANIA, AMENDING AND RESTATING ARTICLE III OF CHAPTER 94 OF THE CODE OF THE CITY OF ALTOONA ENTITLED "NONUNIFORMED EMPLOYEES PENSION PLAN" TO PROVIDE: DEFINITIONS; REQUIREMENTS FOR PARTICIPATION IN THE NON-UNIFORM PENSION PLAN; ESTABLISH CONTRIBUTIONS, RETIREMENT, DISABILITY, DEATH BENEFITS UNDER THE SAID PLAN; REQUIREMENTS FOR PAYMENT OF BENEFITS; RIGHTS UPON TERMINATION OF EMPLOYMENT; ADMINISTRATION AND OPERATION OF THE SAID PLAN; PROCEDURES FOR AMENDMENT AND TERMINATION OF THE SAID PLAN FUNDING STANDARD REQUIREMENTS; MISCELLANEOUS PROVISIONS; A REPEALER AND SEVERABILITY OF PROVISIONS AND AN EFFECTIVE DATE.

City Clerk Linda Rickens Schellhammer read the proposed ordinance into the record; the ordinance was introduced by Councilman Butterbaugh

### Introduction

2)AN ORDINANCE OF THE CITY OF ALTOONA, COUNTY OF BLAIR, PENNSYLVANIA, AMENDING AND RESTATING ARTICLE III OF CHAPTER 94 OF THE CODE OF THE CITY OF ALTOONA ENTITLED "NONUNIFORMED EMPLOYEES PENSION PLAN" TO PROVIDE: DEFINITIONS; REQUIREMENTS FOR PARTICIPATION IN THE NON-UNIFORM PENSION PLAN; ESTABLISH CONTRIBUTIONS, RETIREMENT, DISABILITY, DEATH BENEFITS UNDER THE SAID PLAN; REQUIREMENTS FOR PAYMENT OF BENEFITS; RIGHTS UPON TERMINATION OF EMPLOYMENT; ADMINISTRATION AND OPERATION OF THE SAID PLAN; PROCEDURES FOR AMENDMENT AND TERMINATION OF THE SAID PLAN FUNDING STANDARD REQUIREMENTS; MISCELLANEOUS PROVISIONS; A REPEALER AND SEVERABILITY OF PROVISIONS AND 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

3)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.  
(ORD. NO. 5720)

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

Introduction – Mayor Pacifico

Motion for Adoption – Vice-Mayor Cacciotti

Second – Mayor Pacifico

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

MAYOR & COUNCIL DISCUSSION ITEMS AND ANNOUNCEMENTS – Councilman Kelley asked the City Manager to reach out to Norfolk Southern before the next council meeting for regulations on train horns

Councilman Cagle asked about the introduction of ordinance 2 regarding injunctions and taking something to common pleas court, and in a situation like the one mentioned earlier under public comment where a homeowner received violation after violation, is this the type of issue that this ordinance would apply to; Solicitor Larry Clapper stated if in fact the fines aren't working, a Magisterial District Judge only has the power to impose fines

Vice-Mayor Cacciotti asked if the proposed ordinance only pertained to trash violations and Solicitor Clapper stated no that it could be any code violation

Councilman Butterbaugh thanked the veterans and all involved in the refurbishment of the monuments at 40<sup>th</sup> Street between Broad Avenue and West Chestnut Avenue as he had the opportunity to attend the dedication recently and they did a great job of moving the monuments and repairing them; Councilman Butterbaugh stated this group has taken on several projects in the City and have more to go and he can't say enough about what they have done and how great it looks and that it is an excellent opportunity to remember those who fought for our liberty

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

ADJOURNMENT – by Mayor Pacifico at 8:00 p.m.