

ALTOONA CITY COUNCIL MEETING MINUTES
WEDNESDAY – SEPTEMBER 12, 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, September 13, 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, Kelley, Neugebauer and Mayor Pacifico
Absent: Councilwoman Jordan

PRESENTATIONS – Proclamation presented to Dawn Morden of the Brian Morden Foundation for National Childhood Cancer Awareness Month and Gold Ribbon Day

Proclamation presented to Jodi Williams and Amber Smith of Blair County Community Action Agency – Mountain Lion Backpack Program for Hunger Action Month

The 2019 Minimum Municipal Obligation (MMO) was presented by Omar Strohm, Finance Director. Mr. Strohm stated the presentation of this worksheet required no action by Council and the certification of the information to the Governing Body is a requirement by the end of September 2018; the contributions to the appropriate plans have to be made by December 31, 2019.

ALL PUBLIC COMMENT

Jason Hamil of 608 N. 4th Avenue (Peterman's Florist) asked Council for assistance regarding the race track that opened next to his business stating it is an eyesore, there is dust and dirt flying and it is a mud pit and the owner continues to bring daily loads of dirt to the location; there is corrugated pipe and straw bales, rock piles and water running off of the property and into the alley and down to Norfolk Southern's treatment plant and dust and dirt are constantly on the cars; Mr. Hamil stated he does not believe this is the proper place for a business like this and asked for the property to be cleaned up, shaled or paved if this type of use is going to continue; Mr Hamil stated he knows that Council would not be in favor of a business like this in downtown Altoona

CD Director Lee Slusser stated this race track is part of the hobby shop and thus, it did not trigger land development; Lee Slusser stated he brought this case to the attention of the Assistant City Solicitor when it was brought to staff's

attention by Mr. Hamil and the recommendation was the E&S violation; Lee stated he forwarded the report of the Assistant City Solicitor to Mr. Hamil's wife

DPW Director Nate Kissell stated he and Lee Slusser discussed the increase in impervious area but found that it meets the criteria and it is not above 5000 square feet

Nate stated he and Mark Crist and Josh Stoehr of the Conservation District visited the site and the run off is out of compliance; the business was given a few months to remedy the problem and stabilize the back side of the site and come up with an E&S plan; they are trying to work with the business over the next few months to come up with a good solution; the owner was instructed to stake down the silt sock; the material started to go over so it will need to be replaced and they are very expensive so they City is trying to work with the business owner

Ed Kruez of 1830 N. 4th Avenue reported properties to Council for brush that needs to be trimmed back at the intersections of N. 17th and N. 5th Ave and N. 5th Ave and N. 18th St and along the sidewalk outside of City Hall on 13th Ave; Mr. Kruez also asked Council to look into a business he reported as an auto repair business operating out of a house illegally at 1806 N. 12th Ave; Mr. Kruez stated he has reported this business for 10 plus years and the City is saying they can't prove it is a business; Mr. Kruez stated that as a business owner he has to meet a lot of requirements and this business should as well

RESOLUTIONS

- a) approving the minutes of the Altoona City Council Meeting held Wednesday, August 8, 2018. (0068-18)
- b) authorizing the Pennsylvania Public Entity Energy Consortium (PPEEC) to act by itself, or by its energy advisors, to purchase natural gas on behalf of the City of Altoona and to provide related services and for the Mayor to execute the agreement and the City Clerk to attest to same. (0069-18)
- c) amending the 2017 Community Development Block Grant Program to adjust estimated program income to reflect actual program income received between July 1, 2017 and June 30, 2018. (0070-18)
- d) approving a Repository Bid in the amount of \$250.00 submitted by Mary Berkheimer of 9932 Old Route 22, Hollidaysburg, PA 16648, for property located at 400-402 11th Street, Altoona, PA 16602, and further authorizing the City Manager to execute the Taxing District Form. (0071-18)
- e) approving a Repository Bid in the amount of \$150.00 submitted by David Buck III and Tessa Ferrone of 1835 6th Street, Altoona, PA 16601, for property located at 1836 6th Street, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0072-18)

f)approving a Repository Bid in the amount of \$300.00 submitted by Richard Jukes of 247 Main Street, Roaring Spring, PA 16673, for property located at 1523 19th Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0073-18)

g)approving a Repository Bid in the amount of \$250.00 submitted by Randy Horner of 410 Pine Avenue, Altoona, PA 16601, for property located at 1908-1908 1/2 4th Avenue, Altoona, PA 16602, and further authorizing the City Manager to execute the Taxing District Form. (0074-18)

h)approving a Repository Bid in the amount of \$100.00 submitted by Jennifer Keagy and Debra Riggan of 412 Riggan Lane, Altoona, PA 16601, for property located at 3008-10 Spruce Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0075-18)

i)approving a Repository Bid in the amount of \$100.00 submitted by Jennifer Keagy and Debra Riggan of 412 Riggan Lane, Altoona, PA 16601, for property located at 2918-2926 Spruce Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0076-18)

City Clerk Linda Rickens Schellhammer read the resolutions into the record; a consent vote was taken on all items and passed 6 to 0; Councilwoman Jordan 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 558 TO BE ENTITLED "REDEVELOPMENT AUTHORITY DESIGNATED AS LAND BANK" TO PROVIDE FOR: THE DESIGNATION OF THE CITY'S REDEVELOPMENT AUTHORITY AS THE LAND BANK FOR THE CITY; FINDINGS; A PURPOSE AND INTENT; THE AUTHORITY FOR ACTION TAKEN; DEFINITIONS; COMMUNITY REPRESENTATION; ADMINISTRATION AND STAFF; ACQUISITION OF PROPERTY; INVENTORY OF PROPERTIES; THE DISCHARGE AND ABATEMENT OF REAL ESTATE TAXES AND OTHER MUNICIPAL CLAIMS; THE PRICING AND DISPOSITION OF PROPERTY HELD BY THE LAND BANK; POLICIES; FINANCIAL PROVISIONS; REVOCATION OF DESIGNATION; FILING OF THE ORDINANCE WITH THE COMMONWEALTH; 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 - Councilwoman Jordan

2)AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA BY REVISING CHAPTER 633 ENTITLED "STREETS AND SIDEWALKS", TO REPEAL AND RE-ENACT ARTICLE VI ENTITLED "STREET VACATIONS" PROVIDING FOR: A PURPOSE, PROCEDURE FOR VACATING A STREET, INCLUDING BY PETITION OF A MAJORITY IN NUMBER OF OWNERS OF PROPERTY ABUTTING ON THE LINE OF THE PROPOSED STREET TO BE VACATED AND FOR VACATING A STREET WITHOUT SUCH A PETITION; RESERVATION OF EASEMENTS FOR UTILITIES FOR ALL SUCH STREETS VACATED; UTILITIES AND DRAINAGE RESPONSIBILITIES; STRIKING VACATED STREETS FROM THE CITY BLOCK PLAN; A LIST OF STREETS VACATED; REPEAL OF ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; SEVERABILITY OF PROVISIONS AND PROVIDING AN EFFECTIVE DATE.

THE FOLLOWING STREETS AND/OR ALLEYS OR PORTIONS THEREOF ARE HEREBY VACATED, SUBJECT TO THE PROVISIONS OF THIS ARTICLE VI:

1.ALLEY RIGHT-OF- WAY BETWEEN 25TH AVENUE AND WOPSONONOCK AVENUE BETWEEN 4TH STREET AND 5TH STREET, ALTOONA, PA CONTAINING FIVE THOUSAND SIX HUNDRED FORTY-SIX AND SIXTY-ONE ONE-HUNDREDTHS (5,646.61) FEET, IN THE ATTACHED PLAT AND LEGAL DESCRIPTION ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A" AND "B" RESPECTIVELY. (ORD. NO. 5723)

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

Introduction – Councilwoman Jordan

Motion for Adoption – Councilman Butterbaugh

Second – Councilman Neugebauer

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

Adoption – Councilman Neugebauer

3)AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO AMEND CHAPTER 405 ENTITLED "LEASE AND/OR CONVEYANCE OF CITY OWNED LANDS", TO: AUTHORIZE CONVEYANCE OF CITY OWNED LAND LOCATED AT 1312-14 NORTH 7TH AVENUE, ALTOONA TO THE ALTOONA REDEVELOPMENT AUTHORITY FOR \$1.00; REPEAL ALL OTHER ORDINANCES OR PARTS IONS AND PROVIDE AN EFFECTIVE DATE. (ORD. NO. 5724)

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

Introduction – Councilman Neugebauer

Motion for Adoption – Councilman Neugebauer

Second – Councilman Cagle

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

Adoption – Councilman Butterbaugh

4)AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA CHAPTER 800 ENTITLED "ZONING" TO: REQUIRE A DWELLING UNIT TO CONTAIN COOKING FACILITIES, A BATHROOM AND SANITARY FACILITIES; PERMIT COMMERCIAL USES IN FORMER PUBLIC SCHOOLS AND GOVERNMENT FACILITIES AS SPECIAL EXCEPTIONS IN SUBURBAN RESIDENTIAL, SINGLE-HOUSEHOLD RESIDENTIAL, LIMITED RESIDENTIAL AND MULTIPLE-HOUSEHOLD RESIDENTIAL ZONING DISTRICTS IN THE CITY; PROVIDE FOR A PURPOSE, REAFFIRMATION AND RESTATEMENT OF CHAPTER 800 AS AMENDED; PROVIDE SEVERABILITY OF PROVISIONS; AND PROVIDE A REPEALER OF INCONSISTENT PROVISIONS; AND PROVIDE AN EFFECTIVE DATE. (ORD. NO. 5725)

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 6 to 0; Councilwoman Jordan was absent

MAYOR & COUNCIL DISCUSSION ITEMS AND ANNOUNCEMENTS – Councilman Neugebauer thanked APD and AFD for helping to make their August 19th church block party a success

Councilman Cagle stated he participated in a conference call with Mayor Pacifico and the PA Municipal League regarding possible legislation which will enable municipalities to have enforcement flexibility which would include limiting distance and limiting hours for fireworks

Mayor Pacifico stated the potential fireworks legislation would increase the distance to structures to 500 feet

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

ADJOURNMENT – by Mayor Pacifico at 7:45 p.m.