

ALTOONA CITY COUNCIL MEETING MINUTES  
WEDNESDAY – NOVEMBER 14, 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, November 15, 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 (via phone), Cagle (via phone), Jordan, Kelley, Neugebauer and Mayor Pacifico

PRESENTATIONS - Quarterly Financial Review – Finance Director Omar Strohm stated revenue for the 3<sup>rd</sup> quarter of 2018 trails this same period last year by \$45,000; revenue received from earned income tax for the 3<sup>rd</sup> quarter of 2018 is \$250,000 less than this same period last year which is primarily due to the loss of Act 47 EIT; business/license and permits revenue is up for the 3<sup>rd</sup> quarter of this year due primarily to the construction of the new high school; intergovernmental revenue is down from last year due to the reduction in the revenue received from CDBG reimbursement; transfer from the Act 205 fund trails last year through the 3<sup>rd</sup> quarter by over \$950,000 due to the timing of the MMO payments and the reimbursements from the Act 205 fund; 3<sup>rd</sup> quarter expenditures show public safety and debt service as the largest expenditures; DPW, Police and Fire are the largest categories for expenditures

ALL PUBLIC COMMENT – Mike Gibbons of 2821 5<sup>th</sup> Avenue asked Council to look at the speeding on 5<sup>th</sup> avenue in his area; to paint the word STOP on the road in front of the stop signs and to make the stop signs more visible stating 5<sup>th</sup> avenue and 29<sup>th</sup> street is a dangerous area that needs to be improved as it will only get worse once the Rutters opens in that area

Mr. Gibbons reported codes violations at 2807 5<sup>th</sup> Avenue and 2828 4<sup>th</sup> Avenue

Collin Delsay, a Penn State Altoona student, asked Council for more speed enforcement in the area of Whenwood Road and Penn Avenue stating there is heavy foot traffic at the intersection and no crosswalk and a lot of speeding and he is concerned for himself and others

RESOLUTIONS

a) approving the minutes of the Altoona City Council Meeting held Wednesday,

October 10, 2018. (0080-18)

b) awarding a demolition contract to G&R Excavating and Demolition, Inc., 900 Pennsylvania Avenue, Tyrone, PA 16686, for the demolition of 107-109 Lloyd Street, Altoona, PA, in the total amount of \$12,890.00, payable from the Community Development Block Grant (CDBG) Blighted Property Program and authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0081-18)

c) authorizing renewal of the 2016 Intermunicipal Stormwater Committee Agreement and further authorizing the Mayor to execute all documents and the City Clerk to attest to same. (0082-18)

d) approving a Repository Bid in the amount of \$100.00 submitted by Charles & Tracy Nolan of 1438 Washington Avenue, Altoona, PA 16601, for property located at 1439 Washington Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0083-18)

e) approving a Repository Bid in the amount of \$100.00 submitted by Charles & Tracy Nolan of 1438 Washington Avenue, Altoona, PA 16601, for property located at 1441 Washington Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0084-18)

f) approving a Repository Bid in the amount of \$250.00 submitted by Olivia Kennedy of 206 S. 3<sup>rd</sup> Street, Altoona, PA 16602, for property located at 417 5th Avenue, Altoona, PA 16602, and further authorizing the City Manager to execute the Taxing District Form. (0085-18)

g) approving a Repository Bid in the amount of \$700.00 submitted by Carysfort Reef, LLC of 301 Thelma Drive #520, Casper, Wyoming 82609 for property located at 1125-27 18<sup>th</sup> Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (TABLED)

h) approving a Repository Bid in the amount of \$600.00 submitted by Carysfort Reef, LLC of 301 Thelma Drive #520, Casper, Wyoming 82609 for property located at 2202-2204 10<sup>th</sup> Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (TABLED)

City Clerk Linda Rickens Schellhammer read the resolutions into the record; a consent vote was taken on resolutions a through f and passed 7 to 0 with all present; resolution g and resolution h were tabled for further research and information

## ORDINANCES - Introduction

- 1) AN ORDINANCE OF THE CITY OF ALTOONA, IN THE COUNTY OF BLAIR, COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT, HEREINAFTER SET FORTH, DURING THE YEAR 2019. (2019 BUDGET ORDINANCE) (FIRST READING)

Councilman Butterbaugh motioned for the proposed 2019 budget to pass the first reading; Councilman Neugebauer seconded the motion; the City Clerk called the roll for a vote which passed 7 to 0 with all present for the vote; the proposed budget passed the first reading and the 2019 budget is scheduled for adoption on Wednesday, December 5, 2018 which is the last stated meeting of the month of December.

### Introduction

- 2) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO AMEND AND RESTATE CHAPTER 105 ENTITLED "POLICE CIVIL SERVICE COMMISSION", ARTICLE I ENTITLED "RULES AND REGULATIONS" TO: PROVIDE DEFINITIONS; ESTABLISH A POLICE CIVIL SERVICE BOARD AND PROVIDE MEMBERSHIP QUALIFICATIONS AND INCOMPATIBLE POSITIONS, THE BOARD'S ORGANIZATION, DUTIES OF BOARD MEMBERS AND OFFICERS; PROVIDE FOR RULES AND REGULATIONS /EXAMINATIONS FOR POLICE AND FOR THE APPOINTMENT OF EXAMINERS, THE KEEPING OF MINUTES AND RECORDS, INVESTIGATIONS AND SUBPOENA POWERS OF THE BOARD; ESTABLISH APPLICATIONS AND QUALIFICATIONS FOR FULL-TIME POLICE OFFICERS AND EXAMINATION AND GRADING PROCEDURES; PROVIDE FOR ELIGIBILITY LIST AND BACKGROUND INVESTIGATION PROCEDURES INCLUDING THE CREATION, DURATION AND REVIEW OF SUCH LIST; ESTABLISH APPOINTMENT PROCEDURES, INCLUDING PHYSICAL/MEDICAL/WRITTEN/ORAL EXAMINATIONS, PROBATIONARY PERIOD; ESTABLISH PROCEDURES FOR FULL-TIME POLICE OFFICER RANKING POSITIONS INCLUDING EXAMINATION AND GRADING PROCEDURES AS WELL AS APPRAISAL BY POLICE CHIEF; CERTIFICATION OF LIST OF ELIGIBLES AND APPOINTMENT AND PROBATIONARY PERIOD AND APPOINTMENT PROCEDURE FOR POLICE CHIEF; ESTABLISH SUSPENSIONS, REMOVALS AND REDUCTION IN RANK/FURLOUGH PROCEDURES; PROVIDE REVOCATION; REPEAL OF ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; SEVERABILITY OF PROVISIONS AND PROVIDING AN EFFECTIVE DATE.

This ordinance was read into the record by City Clerk Linda Rickens Schellhammer and introduced by Mayor Pacifico.

### Introduction

- 3) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO AMEND AND RESTATE CHAPTER 44 ENTITLED "FIRE CIVIL SERVICE

COMMISSION", ARTICLE I ENTITLED "RULES AND REGULATIONS" TO: PROVIDE DEFINITIONS; ESTABLISH A FIRE CIVIL SERVICE BOARD AND PROVIDE MEMBERSHIP QUALIFICATIONS AND INCOMPATIBLE POSITIONS, THE BOARD'S ORGANIZATION, DUTIES OF BOARD MEMBERS AND OFFICERS; PROVIDE FOR RULES AND REGULATIONS/EXAMINATIONS FOR FIREFIGHTERS AND FOR THE APPOINTMENT OF EXAMINERS, THE KEEPING OF MINUTES AND RECORDS, INVESTIGATIONS AND SUBPOENA POWERS OF THE BOARD; ESTABLISH APPLICATIONS AND QUALIFICATIONS FOR FULL-TIME FIREFIGHTERS AND EXAMINATION AND GRADING PROCEDURES; PROVIDE FOR ELIGIBILITY LIST AND BACKGROUND INVESTIGATION PROCEDURES INCLUDING THE CREATION, DURATION AND REVIEW OF SUCH LIST; ESTABLISH APPOINTMENT PROCEDURES, INCLUDING PHYSICAL /MEDICAL/Written/ORAL EXAMINATIONS, PROBATIONARY PERIOD; ESTABLISH PROCEDURES FOR FULL-TIME FIREFIGHTER RANKING POSITIONS INCLUDING EXAMINATION AND GRADING PROCEDURES AS WELL AS APPRAISAL BY FIRE CHIEF; CERTIFICATION OF LIST OF ELIGIBLES AND APPOINTMENT AND PROBATIONARY PERIOD AND APPOINTMENT PROCEDURE FOR FIRE CHIEF; ESTABLISH SUSPENSIONS, REMOVALS AND REDUCTION IN RANK /FURLOUGH PROCEDURES; PROVIDE REVOCATION; REPEAL OF ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; SEVERABILITY OF PROVISIONS AND PROVIDING AN EFFECTIVE DATE.

This ordinance was read into the record by City Clerk Linda Rickens Schellhammer and introduced by Mayor Pacifico.

Adoption - Vice-Mayor Cacciotti

- 4) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO REVISE CHAPTER 633 ENTITLED "STREET VACATION" TO VACATE OAK AVENUE ALLEY BETWEEN OAK AVENUE AND WALNUT AVENUE AND BETWEEN ALLEGHENY STREET AND 29TH STREET; REAFFIRM CHAPTER 633 AS AMENDED; PROVIDE SEVERABILITY AND REPEAL PROVISIONS; AND PROVIDE AN EFFECTIVE DATE. (ORD. NO. 5727)

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

Introduction – Vice-Mayor Cacciotti

Motion for Adoption – Councilman Neugebauer

Second – Mayor Pacifico

The vote was taken by City Clerk Linda Rickens Schellhammer and passed 6 to 0 with all present; Councilman Butterbaugh abstained as he prepared the plan

Adoption - Councilman Cagle

- 5) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING CHAPTER 550 OF THE CODE OF THE CITY OF ALTOONA BY: 1. ADOPTING THE 2015 VERSION OF THE

INTERNATIONAL PROPERTY MAINTENANCE CODE; 2. RELOCATING SUBPART E "RESIDENTIAL RENTAL INSPECTION AND LICENSING" TO CHAPTER 570 OF THE CODE; 3. RELOCATING SUBPART F "ANNUAL REGISTRATION OF VACANT BUILDINGS" TO CHAPTER 563 OF THE CODE; 4. RELOCATING SUBPART G "REGISTRATION OF PROPERTIES IN DEFAULT OF MORTGAGE TO CHAPTER 560 OF THE CODE; 5. PROVIDING THE REPEAL OF ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; 6. PROVIDING SEVERABILITY OF PROVISIONS AND 7. PROVIDING AN EFFECTIVE DATE. (ORD. NO. 5728)

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

Introduction – Councilman Cagle

Motion for Adoption – Councilman Butterbaugh

Second – Mayor Pacifico

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

Adoption - Councilman Neugebauer

- 6) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO ADD A NEW CHAPTER 560 TO BE ENTITLED "REGISTRATION OF PROPERTIES IN DEFAULT OF MORTGAGE", TO PROVIDE: 1. APPLICABILITY OF THE CHAPTER; 2. A REGISTRATION STATEMENT; 3. A WAIVER OF REGISTRATION FEE REQUIREMENT FOR A LOCAL AGENT REGISTRATION; 4. A FEE SCHEDULE; 5. AUTHORIZE RULES AND REGULATIONS; 6. DEFINITIONS; 7. ADMINISTRATION AND ENFORCEMENT; 8. PURPOSE/AMENDMENT AND RESTATEMENT; AND 9. PROVIDE AN EFFECTIVE DATE. (ORD. NO. 5729)

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

Introduction – Councilman Neugebauer

Motion for Adoption – Councilman Neugebauer

Second – Councilman Butterbaugh

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

Adoption - Councilman Butterbaugh

- 7) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO ADD A NEW CHAPTER 563 TO BE ENTITLED "REGISTRATION OF VACANT BUILDINGS", TO PROVIDE: 1. APPLICABILITY OF THE CHAPTER; 2. A REGISTRATION STATEMENT; 3. A REQUIREMENT FOR A LOCAL AGENT REGISTRATION; 4. A FEE SCHEDULE; 5. WAIVER OF REGISTRATION FEE PROVISIONS; 6. AUTHORIZE RULES AND REGULATIONS; 7. DEFINITIONS; 8. ADMINISTRATION AND ENFORCEMENT; 9. A PURPOSE; 10. AN AMENDMENT

AND RESTATEMENT PROVISIONS; AND 11. PROVIDE AN EFFECTIVE DATE. (ORD. NO. 5730)

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

Introduction – Councilman Butterbaugh

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 - Mayor Pacifico

- 8) AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO ADD A NEW CHAPTER 570 TO BE ENTITLED "RESIDENTIAL RENTAL INSPECTION", TO PROVIDE: 1. REQUIREMENTS FOR RESIDENTIAL RENTAL UNIT LICENSES; 2. FORM OF APPLICATION; 3. TIME FOR APPLICATION; 4. ISSUANCE OF CONDITIONAL HOUSING PERMITS; 5. SIGNATURE TO PERMIT; 6. FEE SCHEDULE; 7. DISPLAY AND USE OF LICENSE; 8. OWNER'S RIGHTS; 9. RULES AND REGULATIONS; 10. DEFINITIONS; 11. ADMINISTRATION AND ENFORCEMENT; 12. PURPOSE/AMENDMENT AND RESTATEMENT; AND 13. PROVIDE AN EFFECTIVE DATE. (ORD. NO. 5731)

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

Introduction – Mayor Pacifico

Motion for Adoption – Mayor Pacifico

Second – Councilman Butterbaugh

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

Adoption - Councilman Butterbaugh

- 9) 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. 5732)

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

Introduction – Councilman Butterbaugh

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 Neugebauer

- 10) AN ORDINANCE OF THE CITY OF ALTOONA INCURRING "LEASE RENTAL DEBT," AS DEFINED IN THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT, IN THE PRINCIPAL AMOUNT OF \$11,695,000, EVIDENCED BY ITS GUARANTY OF 100% OF THE PAYMENTS DUE UNDER A "DEBT OBLIGATION" OF THE ALTOONA WATER AUTHORITY ISSUED TO THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY (PENNVEST), IN CONNECTION WITH THE SANITARY SEWER SYSTEM OPERATED BY THE AUTHORITY, AND PAY RELATED EXPENSES; AUTHORIZING A GUARANTY AGREEMENT, BY AND AMONG THIS CITY AS GUARANTOR, THE AUTHORITY, AND PENNVEST, AS LENDER, SECURING THE DEBT OBLIGATION; PLEDGING (1) ANY SEWER SYSTEM REVENUES OF THIS CITY, AND (2) 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. (ORD. NO. 5733)

Attorney Jens Damgaard, representative for the Altoona Water Authority, asked for Council's approval of the above ordinance for a loan that was awarded to the AWA to construct sewer system improvements to include pipe and line improvements and replacements; PennVest awarded AWA a 30-year 1% loan; AWA will be responsible for the repayment of this loan; closing should take place in early January and construction will commence as weather permits

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

Introduction – Councilman Neugebauer

Motion for Adoption – Councilman Neugebauer

Second – Councilman Butterbaugh

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 Butterbaugh thanked staff for the proposed changes to the CDBG funding which will help out those along 7<sup>th</sup> and 8<sup>th</sup> Streets with the trees as well as repair work that will need to be completed to the sidewalks

Councilwoman Jordan stated her foundation, Building Better Bridges, is collecting noise cancelling headphones for local Veterans and those suffering from PTSD in preparation for July 4<sup>th</sup> should anyone like to donate stating they will be able to lease them with a short application for 2 weeks possibly at a cost/deposit; for more information Councilwoman Jordan told the public to call or email the City Clerk's office

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

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