

ALTOONA CITY COUNCIL MEETING MINUTES  
WEDNESDAY – JUNE 12, 2019 – 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 13, 2019.

CALL TO ORDER – by Mayor Pacifico at 7:00 PM in Council Chambers

SILENT MEDITATION

PLEDGE OF ALLEGIANCE – led by Boy Scout Troop 49 of Our Lady of Lourdes

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer

Present: Council members Butterbaugh, Cacciotti, Cagle, Jordan, Kelley, Neugebauer and Mayor Pacifico

PRESENTATIONS - Blair Regional YMCA – Angie Gioiosa 4<sup>th</sup> of July Memorial Race - Frank Kopriva thanked Council for their support for this great Altoona tradition and confirmed the race in Downtown Altoona; the Y partnered with the Heinz History Center and the World War II exhibit at the Railroaders Memorial Museum and the theme will be military and World War II inspired and they plan to have some Veteran presence at the race this year; Phyllis Baker thanked Council for allowing them to use the streets of Altoona stating it brings a lot of people through downtown Altoona; Phyllis thanked Chief Freehling and APD for all of their help and hard work; also thanks to AFD for providing the sprays and for AMED who were onsite and utilized last year due to the high heat; Frank invited Council to participate or to be a part of the opening ceremonies in front of the Mishler a little before 7 a.m.

ALL PUBLIC COMMENT – Dr. Matthew Stachmus of 908 27<sup>th</sup> Avenue asked Council about the decals for the vehicles because he did not hear anything from Council since his last visit and presentation on April 10<sup>th</sup> offering to purchase decals for City vehicles; some members of Council agreed to place this on the July agenda for a vote

Mary Ann Sinisi of 3921 Maple Avenue stated the flooding on her property existed when she purchased her home but it was not disclosed; the City did some pipe work and also included the owner behind her, under the direction of the DEP; last year they installed a retaining wall; stated it has been 24 years and they have spent thousands of dollars and have asked for help and they are asking again because there is a river in their backyard; Mrs. Sinisi said now there is raw sewage and also the possibility of a new home being built

Chad Williams of 3908 Maple Avenue stated he can smell the raw sewage and that he and his family and the neighbors have been through so much and that nothing is holding the water back

## RESOLUTIONS

- a) approving the minutes of the Altoona City Council Meeting held Wednesday, May 8, 2019. (0044-19)
- b) approving the minutes of the Altoona City Council Special Meeting held Tuesday, May 28, 2019. (0045-19)
- c) awarding the 2019 Thermoplastic Decorative Crosswalks Bid to Laurel Asphalt, LLC of 212 Pomroys Drive, Windber, PA 15963, in the amount of \$48,255.60, payable from Highway Aid, and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0046-19)
- d) awarding the 2019 Apparatus Bay Painting at Fire Station Nos. 1 & 4 to Krena Leberfinger Commercial Builder, 5432 Colclessner Avenue, Altoona, PA 16601 in the amount of \$20,970.00, payable from the Capital Budget, and further authorizing the City Manager to execute all documents and the City clerk to attest to same. (0047-19)
- e) awarding the base bid for the Roof Replacement at Fire Station Nos. 2 & 3 Project to TRS Roofing, Inc. of 120 Long Road, Williamsburg, PA 16693, for Fire Station No. 2, in the amount of \$58,236.00, payable from the Capital Budget, and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0048-19)
- f) rejecting the bid submitted by MARC-Service, Inc. for the Highway Yard Fleet Wash Bay HVAC Upgrades and further that the bid security submitted with the bid be returned. (0049-19)
- g) approving execution of all required forms and documents by Office Engineer/Floodplain Administrator, A. Jane Gill, for the purpose of obtaining financial assistance under the 1988 Stafford Act, for the buyout of two properties through PEMA's Hazard Mitigation Grant Program with funding provided by FEMA and PEMA. (0050-19)
- h) amending the 2018 Community Development Block Grant Program (CDBG) adding additional money, from the Economic Development Loan Program for Program Year 2018, in the amount of \$11,619.12, to the Altoona Parking Authority's Elevator Installation Project and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0051-19)
- i) authorizing a transfer from the Goodman Trust Fund to Lingenfelter Awning Co. of 829 South Rt. 764, Duncansville, PA in the amount of \$1500.00 for awning for the Rail Car Stage at Heritage Plaza, located at 11<sup>th</sup> Avenue and 14<sup>th</sup> Street. (0052-19)

- j) authorizing and supporting the filing of a petition with the Pennsylvania Liquor Control Board requesting an exemption from the Liquor Control Board's regulations regarding amplified music being played off a licensed premises located at 5800-5828 6<sup>th</sup> Avenue, Altoona, PA, and declaring the City's intent to enforce the Noise Ordinance No. 5700 adopted March 8, 2017, in place of the PLCB'S regulations regarding the same, and further authorizing the Mayor to execute all documents and the City Clerk to attest to same. (0053-19)
- k) authorizing and supporting the filing of a petition with the Pennsylvania Liquor Control Board requesting an exemption from the Liquor Control Board's regulations regarding amplified music being played off a licensed premises located at 612-14 Eighth Avenue, Altoona, PA, and declaring the City's intent to enforce the Noise Ordinance No. 5700 adopted March 8, 2017, in place of the PLCB'S regulations regarding the same, and further authorizing the Mayor to execute all documents and the City Clerk to attest to same. (0054-19)
- l) urging the PA State House and Senate to allow all municipalities to use the same RADAR and LIDAR speed-timing devices that are provided to the PA State Police and urging all who support local use of RADAR and LIDAR to contact Representative Lou Schmitt and Senator Judy Ward and express support for passage of authorizing legislation. (0055-19)
- m) urging the PA State House and Senate to grant more local control for the operation of the right-of-way, the installation of roadway features that are safer for all users, and the implementation of policies that discourage dangerous driving and decrease the risk of bodily injuries and death of pedestrians, bicyclists, individuals with limited mobility, and other vulnerable users and providing a copy of this resolution of Council to Representative Lou Schmitt and Senator Judy Ward, the State House and Senate Transportation Committees, Governor Tom Wolf and PA Secretary Leslie Richards. (0056-19)
- n) approving a Repository Bid in the amount of \$100.00 submitted by Dennis Garlock of 128 East 1<sup>st</sup> Avenue, Altoona, PA 16602, for property located at 107 Lloyd Street, Altoona, PA 16602, and further authorizing the City Manager to execute the Taxing District Form. (0057-19)
- o) approving a 10-year Lease Agreement with Sara M. Weamer of 5721 Kentucky Avenue, Altoona, PA for property located at 5716 Kentucky Avenue, Altoona, PA, in order to maintain and enjoy the property, in the amount of \$10.00, and authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0058-19)
- p) approving the request of the Altoona Area School District for a waiver of real estate tax on their property addressed as 1224 6<sup>th</sup> Avenue, Altoona, PA for the year 2019 and future years. (TABLED)

- q) complying with the PA Department of Environmental Protection's instruction and approving the extension of the sanitary sewer to nine unserved sites in the vicinity of 39<sup>th</sup> Street and Maple, Oak and Walnut Avenues and further authorizing the City Manager and Public Works Director to complete the design and the City Manager and City Solicitor to complete the special assessment costs of the project as outlined and for the City Clerk to attest to any and all required documents as needed. (TABLED)

Item p and item q were tabled by Council prior to the resolutions being read; City Clerk Linda Rickens Schellhammer read the resolutions into the record; a consent vote was taken on resolutions a through o and excluded p and q and passed 7 to 0 with all present

## ORDINANCES

### Introduction

1)AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA CHAPTER 800 ENTITLED "ZONING" TO: ADD DEFINITIONS FOR "ROOMING HOUSES;" REMOVE DEFINITIONS FOR "STRUCTURAL ALTERATIONS," "FINANCIAL SECURITY," "HOME-BASED BUSINESS," "MODIFICATIONS," "DIMENSIONAL VARIANCE," "HARDSHIP VARIANCE," "PLANNING VARIANCE," "USE VARIANCE," AND "VARIATION;" AMEND THE DEFINITIONS OF "FAMILY" AND "VARIANCE;" AMEND SECTION 800-27 TO RE-ZONE PROPERTY ON THE NORTHWEST SIDE OF BEALE AVENUE BETWEEN 36TH AND 38TH STREET FROM R-S SUBURBAN RESIDENTIAL TO L-I LIGHT INDUSTRIAL; DELETE SECTION 800-37 ENTITLED "LAND USES NOT CATEGORIZED IN ARTICLE V;" UPDATE SECTION 800-41 ENTITLED "HOME BASED BUSINESSES" TO MATCH THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE; AMEND SECTION 800-44 ENTITLED "FARMING" TO BRING THIS CHAPTER INTO CONFORMANCE WITH THE RIGHT TO FARM LAWS; REMOVE A PROVISION OF SECTION 800-47C THAT ENABLES WORK BETWEEN THE ZONING HEARING BOARD AND PLANNING COMMISSION; REMOVE SPECIAL EXCEPTION PROVISIONS FOR FENCES IN ALL ZONING DISTRICTS; PERMIT ROOMING HOUSES OR BOARDINGHOUSES AS SPECIAL EXCEPTIONS IN THE R-U URBAN RESIDENTIAL ZONE, M-RC RESIDENTIAL-COMMERCIAL MIXED USE ZONE, AND C-NB NEIGHBORHOOD BUSINESS COMMERCIAL ZONE; PERMIT DORMITORIES AS A SPECIAL EXCEPTION IN THE C-CB CENTRAL BUSINESS COMMERCIAL ZONE; 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.

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

### Adoption – Mayor Pacifico

2)AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO REVISE CHAPTER 633 ENTITLED "STREET VACATION" TO VACATE A PORTION OF 25<sup>TH</sup> STREET BETWEEN 8<sup>TH</sup> AVENUE AND 9<sup>TH</sup> AVENUE, ALTOONA, CONTAINING TWO THOUSAND FOUR HUNDRED AND TWENTY-TWO AND NINE HUNDRED AND SEVENTY-FIVE THOUSANDTHS (2,422.975) FEET, IN THE CITY OF ALTOONA, BLAIR COUNTY, PENNSYLVANIA; REAFFIRM CHAPTER 633 AS AMENDED; PROVIDE SEVERABILITY AND REPEAL PROVISIONS; AND PROVIDE AN EFFECTIVE DATE. (ORD. NO. 5747)

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 passed 7 to 0 with all present

### MAYOR & COUNCIL DISCUSSION ITEMS AND ANNOUNCEMENTS

Ruskin Drive Update – Chief Freehling stated that following the last council meeting APD placed both of the radar speed signs on Ruskin Drive; the data collected showed that there were 1200 vehicles daily traveling West toward 58<sup>th</sup> Street; 85% of those vehicles traveled at an average speed of 34 MPH; 1000 vehicles traveled East toward Ward Avenue daily; 85% of those vehicles traveled at an average speed of 36 MPH; APD conducted several speed details in the area at different locations along Ruskin Drive and out of 100 traffic stops 75% of those individuals received citations; the statistics from the radar speed signs showed that 61% of the traffic traveling West slowed down upon seeing the speed sign and 83% of the traffic traveling East slowed down upon seeing the speed sign; the signs were operated displaying the speed but they could be operated without showing the speed; City Manager Peter Marshall stated he looked at Ruskin and there is some minor modification of signage that can be added but looking at the accident records, none of the accidents rose to the point of a dangerous traffic hazard; in some years past, there were no accidents, and in other years there were four; chances are the accidents along that curve are due to excessive speed; Councilman Kelley mentioned the lack of sidewalks and curbing and thinks that the lack thereof facilitates faster speeds and it is a narrow road; Councilman Kelley stated last week a person going the speed limit was passed on Ruskin Drive which is not a safe situation

Councilman Cagle stated the IRC hired Ray Shroyer for the position of Executive Director

Councilman Butterbaugh stated that on June 1<sup>st</sup> he attended the dedication of Tom Stout Field at Geesey Park with Councilman Neugebauer

Councilman Butterbaugh thanked Boy Scout Troop 49 for allowing him to visit with them in May and speak about City issues

Councilman Butterbaugh asked to have the council agenda packet one week before the meeting, or on the Wednesday before the meeting as opposed to the Friday before the Wednesday meeting; Councilman Butterbaugh stated this would give Council more time to look into the issues; the City Clerk stated it isn't a problem and she will have to discuss this with the departments and they will need to change their schedules and they will have different deadline dates; the City Clerk stated it may not start until August because of bid dates that are already advertised but that she will start as soon as possible; the City Clerk also stated that it would be easier to have one final agenda rather than a preliminary agenda and a few days later a final agenda and that is how Council has always preferred it; The City Clerk stated that in an emergency an item can be added if necessary; Council agreed that it is easier to get one final agenda; Councilwoman Jordan asked Peter if he could tag the items in his weekly MIM report that would possibly be on an upcoming agenda

Mayor Pacifico thanked the Altoona Area High School students for Toona Tune Up and for cleaning up the City at various locations; they did a really nice job

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

ADJOURNMENT – by Mayor Pacifico at 8:07 p.m.