

ALTOONA CITY COUNCIL MEETING MINUTES  
WEDNESDAY – AUGUST 12, 2020 - 7:00 P.M.  
CITY OF ALTOONA TRAINING FACILITY & COUNCIL CHAMBERS  
1320 WASHINGTON AVENUE, ALTOONA, PA

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

SILENT MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer

Present: Council members Butterbaugh Cacciotti, Carper, Ickes, and Mayor Pacifico

Absent: Councilwoman Jordan

ALL PUBLIC COMMENT (via telephone) – offered and none given

PRESENTATIONS - Mid-Year Financial Review – Omar Strohm, Finance Director

RESOLUTIONS

approving the minutes of the Altoona City Council Meeting held Wednesday, July 8, 2020. (0079-20)

authorizing a Lease Agreement, attached hereto, between the City of Altoona and George B. Kelley Amateur Baseball Federation, for the Tom Stout Field at Geesey Park, and further authorizing the City Manager to execute all documents and the City Clerk attest to same. (0080-20)

authorizing a Winter Maintenance Agreement between the City of Altoona and the Commonwealth of Pennsylvania - Department of Transportation, for the period Winter 2020-2021 through the Winter 2024-2025, with the compensation amount as described in the attached agreement, to be deposited in the Highway Aid Fund, and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0081-20)

awarding the Slip Lining of Pipes on 17<sup>th</sup> Street to Guyer Brothers, Inc. of 1481 Salemville Road, New Enterprise, PA 16664, in the amount of \$101,988.00, payable from the Capital Budget, and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0082-20)

awarding the Stormwater Improvements at North 7<sup>th</sup> Avenue & North 13<sup>th</sup> Street Project to John Claar Excavating, Inc. of 1142 Pine Creek Road, Woodward, PA 16882, in the amount of \$105,996.00, payable from the Blair County Conservation District Grant (\$103,301.00) and the Capital Budget, and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0083-20)

awarding the 6<sup>th</sup> Avenue Playground Installation Project to BCS Construction, Inc. of 1818 Union Avenue, Altoona, PA 16601, in the amount of \$76,273.00, payable from CDBG Funds, and further authorizing the City Manager to execute all documents and the City Clerk to attest to same. (0084-20)

authorizing the City Manager to execute a Memorandum of Understanding (MOU) for the Federal Justice Assistance Grant (JAG) funds with Blair County and for the City Clerk to attest to same and further authorizing the Mayor to execute the necessary certifications required to submit the application. (0085-20)

approving a Repository Bid in the amount of \$251.00 submitted by Gene Jennings of 3381 Colonial Drive, Duncansville, PA 16635, for property located at 1718 5<sup>th</sup> Avenue, Altoona, PA 16602, and further authorizing the City Manager to execute the Taxing District Form. (0086-20)

approving a Repository Bid in the amount of \$240.00 submitted by Dior Lowry of 441 Laurel Street, Pottstown, PA 19464, for property located at 204-206 East Cherry Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0087-20)

approving a Repository Bid in the amount of \$250.00 submitted by Dior Lowry of 441 Laurel Street, Pottstown, PA 19464, for property located at 2712 Walnut Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0088-20)

approving a Repository Bid in the amount of \$250.00 submitted by Dior Lowry of 441 Laurel Street, Pottstown, PA 19464, for property located at 1201 4<sup>th</sup> Avenue, Altoona, PA 16602, and further authorizing the City Manager to execute the Taxing District Form. (0089-20)

approving a Repository Bid in the amount of \$200.00 submitted by Brandon Saylor of 1028-30 3<sup>rd</sup> Avenue, Altoona, PA 16602. for property located at 1026 3<sup>rd</sup> Avenue, Altoona, PA 16602, and further authorizing the City Manager to execute the Taxing District Form. (0090-20)

approving a Repository Bid in the amount of \$200.00 submitted by Timothy Taylor of 3110 Pine Avenue, Altoona, PA 16601, for property located at 3108 Pine Avenue, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0091-20)

approving a Repository Bid in the amount of \$250.00 submitted by David Saylor of 1320 Cabbage Creek Road, Roaring Spring, PA 16673, for property located at 1000 S. 9<sup>th</sup> Street, Altoona, PA 16602, and further authorizing the City Manager to execute the Taxing District Form. (0092-20)

rejecting a Repository Bid submitted by Dakota Weyer of 209 Sanker Street, Gallitzin, PA 16641, for property located at 1900-1902 10<sup>th</sup> Street, Altoona, PA 16601, and further authorizing the City Manager to execute the Taxing District Form. (0093-20)

rejecting a Repository Bid submitted by Dior Lowry of 441 Laurel Street, Pottstown, PA 19464, for property located at 323 1<sup>st</sup> Avenue, Altoona, PA 16602, and further authorizing the City Manager to execute the Taxing District Form. (0094-20)

approving the sale or trade-in of capital assets by internet auction as follows in accordance with Chapter 295 of the City Codified Ordinances – Disposition of Surplus Real and Personal Property (estimated revenue \$48,000.00):

#0992 2009 INTERNATIONAL WORKSTAR VACTOR VIN# 1HTWCAZR89J156094 MILEAGE 37156: HIGHWAY REPLACED DUE TO AGE AND MISC REPAIRS NEEDED - ESTIMATED VALUE \$10,500

#0874 2008 INTERNATIONAL WORKSTAR DUMP VIN# 1HTWBAAR88J568514 MILEAGE 51240: ENGINE ELECTRICAL ISSUE CODES AND AGE OF UNIT – ESTIMATED VALUE \$8,500

#1456 2014 FORD F-350 PICKUP VIN# 1FTRF3BT9EEB67093 MILEAGE 71000: DIESEL EMISSIONS ISSUES EARLY REPLACEMENT DUE TO PROJECTED COST OF REPAIRS OVER REMAINDER OF LIFE - ESTIMATED VALUE \$14,500-TRI STAR MOTORS TRADE

#1451 2014 FORD F-350 PICKUP VIN# 1FTRF3BT9EEB67092 MILEAGE 69000: DIESEL EMISSIONS ISSUES EARLY REPLACEMENT DUE TO PROJECTED COST OF REPAIRS OVER REMAINDER OF LIFE – TRADE-IN ESTIMATED VALUE \$14,500 TRI STAR MOTORS TRADE. (0095-20)

approving updates to the Certification Guidelines for Service Personnel of Automated Fire-Extinguisher Equipment within the city limits of the City of Altoona, in accordance with the 2015 International Fire Code, adopted by Ordinance 5767, of July 8, 2020 and codified as Chapter 358-1. (0096-20)

approving updates to the Certification Guidelines for Portable Fire-Extinguisher Servicing Companies within the city limits of the City of Altoona, in accordance with the 2015 International Fire Code, adopted by Ordinance 5767 of July 8, 2020, and codified as Chapter 358-1. (0097-20)

City Clerk Linda Rickens Schellhammer read the resolutions into the record; the consent vote was taken by the City Clerk and passed 6 to 0; Councilwoman Jordan was absent

Introduction

AN ORDINANCE OF THE CITY OF ALTOONA AMENDING THE CODE OF THE CITY OF ALTOONA TO REVISE CHAPTER 405 ENTITLED "LEASE AND/OR CONVEYANCE OF CITY OWNED LANDS" TO: ADD A NEW SECTION 405-2 C TO AUTHORIZE THE EXECUTION OF AN AGREEMENT OF SALE PURSUANT TO SECTION 295-8 C OF THE CITY OF ALTOONA CODE OF ORDINANCES FOR CONVEYANCE OF THE FOLLOWING CITY OWNED STRIP OF LAND TO SEAN K. MCGEARY AND JULIA D. MCGEARY BASED UPON APPRAISAL BY RICHARD J. JOHNSTON FOR THE AMOUNT OF \$1,100.00 PLUS PAYMENT OF ALL COSTS ASSOCIATED WITH THE TRANSACTION: AN IRREGULAR SHAPED LOT 9.97 FEET BY 127.50 FEET BY 41.96 FEET BY 51.30 FEET BY THE ARC OF A CURVE TO THE LEFT WITH AN ARC DISTANCE OF 136.85 FEET STRIP OF LAND LOCATED OFF 44TH STREET AND LYNNDALE ROAD WHERE THE SAME ABUTS WITH LANDS NOW OR FORMERLY OF SEAN K. MCGEARY AND JULIA D. MCGEARY IN THE CITY OF ALTOONA, BLAIR COUNTY, PENNSYLVANIA; REPEAL ALL OTHER ORDINANCES OR PARTS THEREOF IN CONFLICT THEREWITH; PROVIDE SEVERABILITY OF PROVISIONS AND PROVIDE AN EFFECTIVE DATE.

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

Adoption – Councilman Kelley

AN ORDINANCE AMENDING THE CODE OF THE CITY OF ALTOONA TO AMEND CHAPTER 184, ENTITLED "ANIMALS", TO PROVIDE DEFINITIONS OF FEEDING, FERAL CATS AND STRAY CATS; PROHIBIT THE FEEDING OF FERAL OR STRAY CATS AND ESTABLISH OWNERSHIP OF FERAL OR STRAY CATS; REAFFIRM CHAPTER 184 AS AMENDED; PROVIDE SEVERABILITY AND REPEAL PROVISIONS; AND PROVIDE AN EFFECTIVE DATE. (ORD. NO. 5769)

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

Introduction – Mayor Pacifico

Motion for Adoption – Councilman Carper

Second – Councilman Cacciotti

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

CITY MANAGER UPDATES

City Manager Ken Decker reported as follows:

Staff is spending a lot of time working on the 2021 budget; there are a lot of construction projects going on in the City to include the 2<sup>nd</sup> Lutheran demolition, 39<sup>th</sup> Street sewer and drainage project, ADA ramp projects, road projects, Heritage Plaza upgrade, and council chambers roof; working on the groundwork

for the Transportation Center and the multimodal grant; met with engineers on Margaret Avenue; doing a lot of citizen outreach

Councilman Ickes asked what the dollar amount of money the City would receive from Blair County, the distributor of the money, for the CARES Act

City Manager Decker stated the allocation Blair County received is for all municipalities and they are working on the application process; the \$800,000 was to be split between all of the municipalities in Blair County; the County gave themselves \$1 million on top of the money for broadband; there appears to have been no level of involvement from municipalities; the City found out about the meeting through Vice-Mayor Butterbaugh who read it in the newspaper or heard it on the radio

#### MAYOR & COUNCIL DISCUSSION ITEMS AND ANNOUNCEMENTS

Councilman Carper extended his gratitude on the financial presentation; also, constituent concerns were fielded regarding the recent articles that appeared in the *Altoona Mirror* and asked for more cognizance in keeping council in the loop

Councilman Kelley asked if the City Manager received a letter of resignation from Councilwoman Jordan; Ken Decker stated it was an email stating there may be a letter of resignation in the near future; Councilman Kelley asked about the process if someone resigns in the middle of their term; City Solicitor Dan Stants stated under the Charter a vacancy is filled by a majority vote of Council for the remainder of the term; Councilman Kelley stated the email sent by Councilwoman Jordan said that she would be resigning soon; Councilman Kelley asked the City Manager to find out what that means as it would be good to have the active input of another member of Council with everything Council is dealing with at this time, especially the 2021 budget; Ken Decker will check into this and follow up with Councilwoman Jordan; the City Solicitor stated the appointment would fill the remainder of the term which would be the remainder of 2020 and all of 2021 until the first Monday of January, 2022; Dan Stants stated once an email is received from Councilwoman Jordan with an effective date that Council must act within 30 days, which would consist of accepting the resignation and appointing a replacement; Councilman Kelley stated he believes there would be some interest in the position, particularly since it is an appointment as opposed to going through an election process; Councilman Cacciotti stated the person who is appointed has the option of running in the next municipal election; the City Solicitor agreed; Councilman Kelley stated whomever Council appoints will have a term expiration the first Monday of January 2022; City Manager Decker suggested Council start talking with people that they think may be interested and keep open the option of a special meeting to allow the maximum time up to the 30 day period because the timing may be inconvenient meeting wise, therefore, as soon as it is known, schedule the special meeting and allow the full 30 days for the deliberative process and a chance to receive public input, as opposed to being driven by the normal

meeting schedule; City Clerk Linda Rickens Schellhammer stated there is an application that was used previously for a council vacancy that can be circulated to Council; council agreed there would be a public meeting and that appointments could be scheduled due to COVID

Mayor Pacifico stated he met with Commissioner Bruce Erb on a LERTA matter; eight projects occurred since 2016 and several building permits that fell within the LERTA district qualified; based on the process there seemed to be a disconnect; people did not see or know LERTA existed; it was discussed that change needed to take place and the LERTA application needed to be presented to everyone in the LERTA district so people know that it is there and all that they have to do is state they want to use LERTA whenever they are applying for their building permit; the Mayor wants to see people taking advantage of it; the City Manager stated the goal is a one stop shop concept where people can have their questions answered and staff can walk them through the process

MEDIA – media attendance included Bill Kibler, *Altoona Mirror* who asked questions of Mayor and City Council

ADJOURNMENT – by Mayor Pacifico at 8:20 p.m.