

ALTOONA GOVERNMENT STUDY COMMISSION MEETING MINUTES
MONDAY, JULY 1, 2013 – 7:00 P.M.
CITY OF ALTOONA TRAINING FACILITY & COUNCIL CHAMBERS
1320 WASHINGTON AVENUE, ALTOONA, PA

CALL TO ORDER – by Chairman Wayne Hippo at 7:00 p.m.

MOMENT OF SILENT MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL – taken by City Clerk Linda Rickens Schellhammer-Present were Study Commission members: David Duncan; Heather Eckels; Richard Flarend; Beverly Green; Robert Kutz, Vice-Chairman Richard Fiore Jr. and Chairman Wayne Hippo

ALL PUBLIC COMMENT – none at this time

APPOINTMENT OF LINDA RICKENS SCHELLHAMMER AS STENOGRAPHER WITH KIM CARRIERI AS ALTERNATE – Upon motion of Robert Kutz duly seconded by David Duncan, Linda Rickens Schellhammer was unanimously appointed stenographer for the commission meetings with Kim Carrieri serving as alternate and no further discussion was held

ADOPTION OF THE JUNE 17, 2013 ORGANIZATIONAL MEETING MINUTES – Upon motion of David Duncan seconded by Richard Flarend with all in favor to adopt the June 17th meeting minutes and no further discussion was held

PRESENTATION BY DCED – MR. MICHAEL FOREMAN – A presentation took place entitled *“Home Rule Basics”* and is attached to the minutes and made a part of the record; Vice-Chairman Fiore asked about the writing of the charter; Michael Foreman stated the commission writes it; should home rule be approved the newly elected governing body, when they come on board during the first year, could form a committee to write the administrative code; Mr. Foreman stated the charter sets up the framework that the administrative code would be written by; caps can also be established as part of the charter for voter approval and can include incremental increases; Mr. Foreman stated if caps are or are not initially established the charter would have to be amended and done by voter referendum; Mr. Foreman stated anything done in a charter cannot be undone unless by voter approval; examples of laws applicable regardless of home rule or not are Act 111 arbitration law for police and fire, Act 195 labor relations law, boundary change law, public safety code which deals with emergency management plans, election code, ethics law, sunshine law, open records law; local agency law, tort claims law, local government unit debt act

Mr. Foreman suggested that at this point the commission may want to start learning about Altoona operations and what the strengths and weaknesses are; Mr. Foreman suggested the commission reach out to home rule communities that have a council-manager form of government and get copies of their home rule charters and possibly hold face to face interviews with several of them; Mr. Foreman referred to the flow chart in his document and stated the commission should make a decision by month six if they want to keep what they have or move forward with a home rule charter draft; Mr. Foreman stated a formal decision needs to be made by the end of the nine months to either change or not change; if the commission decides to change they will have to put together a draft and will have to hear from the public as to what they like now and what they would like to see changed; Mr. Kutz asked for a suggestion of a municipality that has a home rule charter that has worked well; Mr. Foreman stated the City of Johnstown and the City of Nanticoke; the City of Johnstown had cap language initially and they removed it in 2002 by an amendment of the charter and this had to go to the voters; City of Nanticoke adopted a part-time strong Mayor/Council form of government with term limits and they also have a City Manager; Nanticoke also set a cap that they cannot increase revenues using taxes and fees by more than 8% above the former year; Vice-Chairman Fiore asked for a more complete or up to date list of municipalities in home rule as Nanticoke is not on DCED's list; Mr. Foreman stated there are 71 communities and one or two counties since this publication was last updated in 2003; Vice-Chairman Fiore asked for a list of places where government study commissions, in the last ten years, voted no change; also, within this list provide any information on what referendums have come up over the last ten years or so in order to tweak their home rule charters; Mr. Foreman stated his office keeps a record back several years from the elections office when home rule questions are on the ballot asking that the charters be amended; Mr. Foreman has a general excerpt from the questions about what is being asked of the voters to amend in the charter and whether it passed or not; Ms. Eckels asked to see a list of home rule charter communities that have become financially solvent or have seen improvement rather than going Act 47; Vice-Chairman Fiore asked if there are resource people that come to mind that speak well about the pros and cons of the process; Mr. Foreman stated no commission members come to mind because most don't get to the ballot box because they are defeated or they vote for no change before they go on the ballot; Mr. Foreman stated there are many home rule charters that went to the ballot box and didn't pass and that there are more that don't pass than pass and there are between 75 and 80 maximum in Pennsylvania today including 6 counties out of 2,562 local governments; Chairman Hippo stated it goes back to communication and the commission must work hard to make sure that people understand; Mr. Foreman also said it's an excellent opportunity to open the doors and build on what you have already in the existing form of government that is working; Mr. Foreman stated the framework for Altoona is already in place as the City has a City Manager, Finance Director and good qualified department heads; Vice-Chairman Fiore stated Altoona has already taken step one and home rule would be step two; Chairman Hippo stated a lot is already accomplished in Altoona and this could help the time line because there won't be much comparatively to change; Vice-Chairman Fiore asked what type of guidance does the commission need in terms of consultants or advisors in terms of writing a home rule charter; Mr. Foreman stated there is an advantage to looking at

other home rule charters and what they have written in them or do not have written; Mr. Foreman stated he has some home rule charters; Vice-Chairman Fiore asked if Mr. Foreman's department reviews the proposed home rule charter; Mr. Foreman stated the commission will have to get a legal advisor to look at content, application and enforcement although this does not need to happen until after the decision is made to go home rule; Mr. Foreman suggested the commission review the substantial narrative on page 10 of his handout; Mr. Foreman also suggested the commission look at many other charters and take what it likes from the charters; Mr. Foreman stated the final report will include an effective date of the charter, the question and the draft proposed home rule charter which will need to be submitted to the City Clerk who will certify it within five days to the county election office and that office would be advised of when to place it on the ballot; Mr. Foreman stated there should also be public hearings to get enough publicity as possible to include newsletters, cable, newspaper articles, and talk shows

DISCUSSION ON SCHEDULING PUBLIC HEARINGS – the commission agreed to hold a public hearing within the next 30 days and also to begin interviewing department heads and city government officials; the commission agreed to use an alternate location for the public hearings and use an existing meeting date and time; August 20th was agreed upon at 6:00 p.m. at the Devorris Downtown Center if available; Heather Eckels motioned and David Duncan seconded the motion to hold a hearing on August 20th at 6:00 p.m. with all in favor; the commission also agreed that they need to identify and reach out to stakeholders and give them an opportunity to be there to speak possibly in 20 minute segments

CREATING STRUCTURED APPROACH TO COMMISSION – Mr. Duncan agreed to come up with a process and will bring information back to the next meeting

ESTABLISH AGENDA FOR NEXT MEETING – agreed to start interviews with department directors and Mayor and Council with questions related to what they feel are limitations under this form of government and what they plan to accomplish if a home rule charter is placed on the ballot; the commission agreed to place this on their next two agendas and beyond if needed but preferably on the next two agendas

REQUEST TO COUNCIL FOR APPROVAL OF \$2050.00 BUDGET FOR BALANCE OF 2013 – upon a motion from Mr. Duncan and a second from Mr. Kutz the request to council for a budget was approved by the commission with all in favor

ADDITIONAL PUBLIC COMMENT (TIME PERMITTING) – Bob Gutshall of Wopsononock Avenue, Altoona, PA asked Michael Foreman why Johnstown and Nanticoke are both still in Act 47 if they are Home Rule; Mr. Foreman stated neither city has met the conditions to come out of Act 47; Mr. Gutshall stated it seems easier for these cities to stay in Act 47

Government Study Commission Meeting Minutes – July 1, 2013

Chairman Hippo acknowledged Bill Kibler of the *Altoona Mirror* who asked several questions

ADJOURNMENT – by Chairman Hippo at 9:00 p.m.

Linda Rickens Schellhammer, City Clerk/Recording Secretary