

ALTOONA GOVERNMENT STUDY COMMISSION MEETING MINUTES
MONDAY, NOVEMBER 19, 2013 – 6:00 P.M.
CITY OF ALTOONA TRAINING FACILITY & COUNCIL CHAMBERS
1320 WASHINGTON AVENUE, ALTOONA, PA

CALL TO ORDER call to order at 6:00 p.m. by Vice Chairman Richard Fiore Jr.
PLEDGE OF ALLEGIANCE

ROLL CALL taken by City Clerk Linda Rickens Schellhammer; Present were Study Commission members: Dave Duncan (arrived at 6:30 p.m.), Heather Eckels (as of 6:05 p.m.), Richard Flarend, Bev Green, Robert Kutz and Vice-Chairman Richard Fiore Jr.; Chairman Wayne Hippo was absent

ALL PUBLIC COMMENT –Bob Gutshall asked if the document that may be compiled by the Commission will be flexible enough that it can be changed if something is not working or will the City have to go for years before changes can be made; Vice-Chairman Fiore stated assuming the Commission votes in favor of writing a charter at the December 2nd meeting the charter provisions can allow for changes which have to be written in the charter or if you get so many signatures a charter amendment can be placed on a future ballot to be approved by the voters

ADOPTION OF THE NOVEMBER 4, 2013 MEETING MINUTES - Upon motion of Bev Green seconded by Heather Eckels all were in favor to adopt the November 4, 2013 meeting minutes and no further discussion was held; Chairman Hippo was absent and Dave Duncan was absent at this time

INTERVIEWS – Linda Kelleher, City Clerk of the City of Reading stated she has been the City Clerk of the City of Reading since 1996 and previous to that she worked with the Reading Government Study Transition Committee between 1994 and 1996 that prepared for the new form of government in Reading; Ms. Kelleher stated she read the Reading Charter a number of times when working with the Transition Committee but once she became City Clerk and she had to apply what was written and think about the legal ramifications from all sides things became messy; Ms. Kelleher encouraged the Commission to think about the application if they choose to write a charter; the example given was the Reading Charter says the budget has to be adopted by Council by December 15th however the Charter also says and the Administrative Code says the budget needs to be an ordinance; the argument has been what is the definition of adopted; the City Clerk says the budget is adopted when Council takes their action and the Mayor's veto process isn't a part of that adoption factor; the Solicitor says the budget ordinance is not adopted until Council takes their action and the veto process rolls through; this creates a time crunch for the December 15th deadline and if a budget is not adopted by December 15th then the Mayor's originally proposed budget goes into place; if

the Mayor's budget originally proposed a 20% property tax increase and Council refuses to vote for the ordinance that puts the property tax increase into place the question is then what do you do because you will not have a balanced budget; the Reading Charter was amended by a referendum question on the ballot that moved the budget submission date back to October 1st; another example given was that all department directors, heads of offices and agencies had to be residents of the City of Reading; the question became you can have a house at the shore and in Reading, etc., so what is the definition of resident; the Charter was amended to say residency shall mean domicile; Vice-Chairman Fiore stated Altoona does not want to re-write history and hopefully Altoona can pull the best elements out of the Charters being reviewed and focus on the amendments and referendums that were made; Ms. Kelleher stated the Managing Director position has no term limit and there has been a lot of turn-over in this position and there has been a lot of political pressure; there are department directors that have survived the political pressure and are still employed with Reading; the City of Reading has an eleven member Charter Review Commission that reviews the Charter, interviews and takes recommendations and issues an opinion to Council every ten years which has to be adopted by ordinance; if the Review Commission makes a recommendation City Council can place a referendum on the ballot for the voters to vote on it; Ms. Kelleher stated this requires that several people take the time to look at the Charter at least every ten years; Ms. Kelleher gave an example of the loop holes in their Charter to include the hiring overlaps between the Mayor and the Managing Director and the amount of power; Ms. Kelleher stated Reading went into Act 47 in 2010, Reading has a population of 88,000 and a police force of 168 which is down from 210; Reading is now using problem oriented policing; Reading's real estate transfer tax is the highest in the State, Berks County did a reassessment in 1993 or 1994; Ms. Kelleher believes Reading is in Act 47 because of mismanagement in the Finance Department; the example given was that Reading should be collecting \$280,000 in per capita taxes per year and they are only collecting \$4,000; under Act 47 Public Financial Management, Readings Act 47 Coordinator, helped with collections as Reading is now collecting delinquencies; Reading also hired new personnel in the Finance Department; Reading lost 50% of the Police Department over a two year period because of the Act 47 plan; they have a citizen crime report that can be completed on line; also they focus on areas that have a lot of crime problems in order to get rid of the problems; Ms. Kelleher stated there is still a lack of participation by the public even as a home rule community; the mayoral races are contested and they have been known to spend as much as \$100,000 per candidate on an election

Bob Anspach, former Mayor of the City of Lebanon and current Director of Insurance Services for the Pennsylvania Municipal League stated Lebanon has about 25,000 residents; the Home Rule Charter has been in effect since 1994 and is simple and defined for Mayor and Council with Council as a legislative group responsible for passing the laws, approving a budget, approving a Solicitor and a Deputy Mayor who is appointed by the Mayor; the Mayor is the Chief Executive Officer and runs all of the departments; Mr. Anspach met bi-weekly with the Chairman of Council as communications were very important; Lebanon is predominately Republican; there is no job description for the Mayor; Lebanon has a Deputy Mayor and a Director of Administration which can be compared to the City Manager's job; the Mayor is the strategic guy and spends time in Harrisburg lobbying and talking and trying to figure out how to get things done and how to get grants; the Mayor also works with other elected officials and the Pennsylvania Municipal League; a full time strong mayor gets access to Harrisburg and has the ability to go wherever he needs to go when he needs to; Mr. Anspach stated a City Manager cannot do the same job as a Mayor as City Managers are technocrats and they understand policy and municipal operations; City Managers are not politicians and are not normally lobbying in Harrisburg or talking to the Governor; Mr. Anspach stated he has seen strong mayors and councils get into having problems when they don't understand their responsibilities or when their guiding document is ambiguous; Mr. Anspach stated in a true Strong Mayor form of government, and the way he operated, Council approved the Solicitor and they had the ability to disapprove his appointment of any department head (they had the ability by vote to veto); all hirings and firings were the Mayor's; the budget was set by Council and the Mayor executed the budget; Mr. Anspach stated while government cannot run like a corporation government certainly looked at some things like a corporation wherein there is a board of directors who sets goals and management direction and there is a chief executive officer who executes the board's direction; a contested election in Lebanon may spend \$18,000 to \$20,000 per person because in Lebanon you have to knock on doors and talk to the voters to get elected; Mr. Anspach stated personnel costs were 83% of their budget and Lebanon is self-insured; Lebanon is not in Act 47 and never has been; Mr. Anspach stated Lebanon reorganized City Hall and placed Inspections under the Fire Commissioner; they set up lines of communication between the Inspectors and the Police Department as well which had a big impact on drugs; Mr. Anspach stated the Manager relies on Council for continued employment and if there is a problem and the Manager is trying to do the right thing and politics get involved the Manager may be fired; a strong, elected mayor has to look to the people and the people employ the mayor not council; Council understood this and Mr. Anspach as Mayor understood this in Lebanon; Lebanon has three unions in the Municipal Employees Retirement System and

Lebanon Police and Fire were funded at about 80%; the Lebanon Charter states the department heads serve at the pleasure of the Mayor ; the Lebanon Police Chief position appeared to rotate with the change in Mayors; Mr. Duncan asked why Mr. Anspach stated a city cannot be run like a corporation; Mr. Anspach stated there are different issues with cities like unfunded mandates that you would not have in the corporate world and also there are a lot of things in government that you are required to do that you would not be required to do in the corporate world although there are more rules and regulations in the corporate world now than what used to be in years past; the biggest lesson taken from the corporate world is in finance where there is no one answer for every municipality and what works in one municipality may not work in another; there may be some municipalities where strong mayor works great and others may work better under council-manager form of government; Mr. Anspach stated there is no job description for strong mayor and you have to bring your management skills to the job and it is helpful to understand operations and finances; the qualifications to be Strong Mayor is to live in the City of Lebanon for one year and Mr. Anspach encouraged the Commission to look at the Lebanon Charter for the language; Ms. Eckles asked about the quality of people running for office; Mr. Anspach stated Lebanon candidates run from very qualified to not qualified at all and typically the more qualified candidates are elected; Mr. Duncan asked what makes the candidates qualified; Mr. Anspach stated an understanding of government, their ability to work with the other people on Council, the ability to listen to the electorate regarding what they have to say and their concerns and being active in the community; Mr. Anspach recommended the Mayor's salary be kept out of the Charter as changing that number in the future is not easy; Mr. Anspach recommended the prescription for how the Mayor's salary be raised needs to be in the Charter and that there should be flexibility written as well

Tom McMahon former Mayor of the City of Reading stated they received early intervention just as the City of Altoona did and when Act 47 was happening there was a lot of controversy and demonstration by Police and Fire; the pensions were dictated at the State level and there is some room for change if in home rule but not immediately as there are bargaining agreements; also you can't take away what employees currently have in regards to pensions; Mr. McMahon stated some of the benefits of home rule are that you are allowed to do more and you are not as restricted, a city can chart its own course and there is flexibility with the administrative code and job duties; Mr. McMahon stated one of the problems in the City of Reading Charter is some of the responsibilities are duplicated between the positions of Strong Mayor and Managing Director and that some members of Council did not like this; job description and qualifications can be described in the Charter; the Charter

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states the Council is responsible for organizational structure and this constrains the Managing Director

ADDITIONAL DISCUSSION ITEMS – Mr. Duncan stated he will have to call in for the next meeting on December 2, 2013 and asked the City Clerk to alert the City Solicitor of this as the Commission will be voting at the December 2nd meeting.

MEDIA QUESTIONS - Media present included Bill Kibler, *Altoona Mirror*, Steve Willett, WRTA

ADJOURNMENT - by Vice-Chairman Fiore at 8:00 p.m.

Linda Rickens Schellhammer, City Clerk/Recording Secretary