

ALTOONA GOVERNMENT STUDY COMMISSION MEETING MINUTES
MONDAY, JANUARY 27, 2014 – 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 Chairman Wayne Hippo

PLEDGE OF ALLEGIANCE

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

ALL PUBLIC COMMENT – offered and none given

ADOPTION OF THE JANUARY 13, 2014 MEETING MINUTES - Upon motion of Dave Duncan seconded by Bob Kutz all were in favor to adopt the January 13, 2014 meeting minutes; no further discussion was held

INTERVIEW – Mayor Matt Pacifico – the Mayor said he would listen and participate in the ongoing discussion throughout the meeting

OUTLINE – ARTICLE III – MAYOR – Chairman Hippo stated in trying to identify the role of the Mayor in the new form of government ranging from virtually no change from what is in place now to a full blown executive branch which doesn't appear to be a choice or a line drawn somewhere in between; Chairman Hippo stated he is leaning closer to what the City has now but empowering the Mayor and having additional powers on a full time basis, serving more as an economic development and political ombudsman whose responsibilities would be to make certain the City has better, stronger communication at the state and federal levels, full participation with the Pennsylvania Municipal League, being responsible for business development and political development in the City and answering and reporting to City Council, Chairman Hippo thinks the Mayor should be a voting member of Council, no veto powers – who should have a full blown City Manager who is responsible for all of the Department Heads; Chairman Hippo stated he has a very strong belief that the City is extremely well managed under this system of government meaning day to day operations function extremely well and this includes City departments; every outside agency that has been brought into the City and has looked at the management of the City has said that the management of the City is fantastic; Chairman Hippo believes the shortfall is on leadership role and a line is drawn between leadership and management; this is not a criticism of the people who have held the position; Chairman Hippo stated he is looking for a system that

identifies a structure that will allow for better leadership and more active and involved leadership including economic development and political because that is the way it has to be in Pennsylvania due to the nature of the beast so to speak

Richard Fiore stated either start from the current form and part time and a member of Council with not many powers other than ceremonial or start on the extreme other end with an executive branch Mayor with broad ranging power with some oversight by Council; Dave Duncan provided an email on trends within communities throughout the United States and all of the Cities in Pennsylvania larger than Altoona have strong executive Mayors and Council/Manager is a new form of government which seems to be popular in middle size Cities; Mr. Fiore stated they can either take the existing form and give it more powers or take the executive form such as what Allentown has and limit some of that to make it less lopsided and more toward the middle; Mr. Fiore stated he believes Altoona will benefit from a home rule Charter and the Commission needs to put something in place that will get approved and elected by the electorate of the City; Mr. Fiore thinks the goals are to produce a reasonable Charter that has a reasonable chance of getting approved; Mr. Fiore stated if he had to choose he would side with the executive Mayor

Bob Kutz stated the empowered Mayor is what he likes the most and he would like the discussion to be about how empowered they make the Mayor; Mr. Kutz wants to be sure he gets something that the electorate will vote for which could be an empowered Mayor that has powers not quite as strong as Allentown but not what the City of Altoona has now; Mr. Kutz would like to create a Mayor that has some powers and can go out and sell the City

Richard Flarend provided a handout to the Commission which consisted of a list of items that happen in City government and who is seen doing each of these duties; Mr. Flarend stated a great example is who do you see passing an ordinance as it would be Council not the Mayor; Mr. Flarend also believes the Commission should be thinking about prohibitions for the Mayor and used the example of getting rid of the Fire Department and going to a volunteer department; Mr. Flarend stated the people should have this authority and it should be a ballot referendum; Mr. Flarend said there is one municipality with a population over 20,000 that does not have an executive Mayor; Mr. Flarend stated the Commission needs to think who the City wants to be competing against as he sees the City competing against Cities that have populations of 40, 50 and 60,000 people

Dave Duncan stated he takes the perspective that the City of Altoona is a large multi-million dollar business enterprise with the Mayor as the Chairman of the Board with a salary that is sufficient to motivate that individual to do big things

on behalf of the City; Mr. Duncan believes that individual should be engaged in policy and politics and not in the day to day operations of the business of the City because the business of the City has to administered by a person with a certain expertise and body of knowledge and wealth of experience and a background; Mr. Duncan believes the Mayor should have a position description with his/her line items; Mr. Duncan states he is not sure that the expectations the Commission has of an elected Mayor are beyond the scope of delivery; Mr. Duncan stated he has the business model in his mind with a Mayor and Council and City Manager and there should be evaluation of performance especially if the Mayor is getting a large salary

Heather Eckels provided handouts to the Commission stating she researched strong Mayor and the phrase was coined by the former ICMA Director which was empowered Mayor Council/Manager form of government; Ms. Eckels looked at McKeesport (the strong Mayor example) and Easton (the hybrid) of Pennsylvania and four Cities recommended in the ICMA article(January 1999) and a book which included the City of Cincinnati, Ohio; Ms. Eckels stated in Pennsylvania if the population is greater than 50,000 they have strong Mayors but looking outside of Pennsylvania there are larger populations that do not have strong Mayor forms of government; Ms. Eckels reviewed various Cities stating it is about division of power and a system of checks and balances; Ms. Eckels reviewed empowered Mayors and City Managers; Ms. Eckels said the Manager should put the budget together and in strong Mayor it goes to the Mayor and he can look at it and present to Council and has veto power; Ms. Eckels reviewed Altoona in its current form and the powers of the Mayor; Ms. Eckels stated the boards are incestuous and an empowered Mayor would eliminate this; Ms. Eckes stated the Mayor should remain part time with an increased salary because it is about time not about power and also that there should be an increase in the number of Council Members because the Mayor would no longer be a member of Council and they should be elected by districts and that there should possibly be nine of them; Ms. Eckels stated the Mayor should have veto, no vote on Council and be able to fire the Manager with Council and Mayoral consent to hire the Manager which would reserve some of the power in the people; Ms. Eckels believes the Mayor should be paid between \$10,000 and \$15,000 and go to Harrisburg and lobby, make connections politically and business and have a vision to bring events to the area; Ms Eckels also stated Council salaries should be decreased

Beverly Green stated the Commission heard from the people they interviewed that being part time and successful did not work and that the Mayor needed to be a full time position in order to be accomplished; full time schedule would allow the Mayor to set policy, lobby, advocate economic development, political areas; Ms. Green stated she does not want to get caught up in titles; Ms.

Green thinks the Mayor's relationship with the City Manager is important and the Mayor needs to hire and fire this person although the Manager needs to be out of the political fray

Richard Flarend stated that he agrees that there needs to be a Manager who is a full time professional and the Mayor needs to fire this person but feels it should be with the approval of Council; Mr. Flarend also stated he feels the Manager should be able to be removed by Council; also the Mayor should not be able to fire employees which should be the Manager's job

Richard Fiore stated the Mayor needs some executive power and should oversee the executive branch somewhat or the Mayor needs to have a vote on Council; if he is taken out of both positions the Mayor would have no power; the problem with the Mayor being full time and retaining a vote on Council and putting him in the somewhat of the same position as it is today is that the Mayor has no direct control over the Manager or department heads and you are observing what goes on at City Hall and you would have to go back to Council for approval of anything and it would be frustrating; Mr. Fiore believes the Mayor should be an executive with limited power, checks and balances from Council, have the ability to hire department heads and City Manager but would need Council approval for any department realignment; Mr. Fiore stated firing is a different issue and it should be a super majority or extreme override

Chairman Hippo asked Councilman Kelley for his input on where to draw the line; Councilman Kelley stated the biggest overriding concern from this Commission is allowing the Mayor to hire and fire anybody without consent – mainly the Manager; Mr. Hippo stated it is more of how much power does the Mayor need to be effective; Councilman Kelley stated there are things that need to get done and that our community misses out on because of the lack of a political environment; Councilman Kelley also stated it is tough to look at communities outside of Pennsylvania because they have much different rules than the states have granted to their communities and how they operate and it is easier to annex; Councilman Kelley states there are things the City needs to get done that you would not want your City Manager involved with in a political arena; Councilman Kelley is hearing from this Commission that if you are going to elect a Mayor you want him to have some leverage or impact because if you don't you may want to just hire a lobbyist; the system will not be perfect and you don't want voter referendum for everything you do or nothing will be accomplished but the idea of having a stronger voice is important and an executive person is important; Councilman Kelley stated right now the City of Altoona does not have what the Mayor of Bradford brings to the table because our Mayor is not full time and everyone knows the full time Mayors who are politicians, they are in Harrisburg all of the time and they have reputations

Mr. Duncan asked if the elected full time Mayors have position descriptions; Mr. Fiore stated the Charters are their position descriptions and the Charters have in them what their powers are

Mr. Flarend stated most of the Commission wants a person to put in the time but they also want a qualified person to run for office and get elected and he cannot see getting the best qualified people being willing to do this part time; Mr. Duncan stated he agreed; Mr. Fiore stated he believes the best qualified person is going to run and going to get elected and represent the City well and if the Commission is going to run scared that an "idiot" will be elected then this should not be a step willing to take and they need to start with the premise that someone will represent the City well; Mr. Duncan asked why make any change at all; Mr. Fiore stated because the Commission agreed that they are going to recommend a change; Mr. Flarend stated he believes they are all going to make the recommendation for a full time Mayor; Mr. Fiore stated he thinks the most important thing is to have a home rule Charter elected in order to get out from under the Third Class City Code of Harrisburg and the Mayor is a secondary discussion to that; Councilman Kelley stated if the City was looking for an opportunity but needed to exercise the powers of eminent domain that he did not see that happening under the City's current form of government because there is limited time and you would need a person that is willing to stand up and take a big risk for the community; Councilman Kelley stated this may have great rewards and this form of government if very conservative

Ms. Green stated you have to place faith in the system and you have to believe that hopefully the right people will rise to the occasion; Mr. Duncan stated he agrees and that the City needs a full time well paid Mayor who is a voting member of Council; Mr. Duncan is not sure how the discussion gets to firing the Manager all of the time; Councilman Kelley stated the Manager is going to handle human resources, grievances and the things elected officials are not going to get involved in; Ms. Eckels stated if the Commission and others say that the City was managed well for the last twenty two years with different personality types in the positions of power then why do they feel the need to have a stronger Mayor in order to have the same relationship that was had for the last twenty two years; Mr. Flarend said is you take the business approach in a City and you take a new direction then it is the Mayor who should be determining that direction and should say is this the Manager that can see the City into this new direction and if it is not then make a change; Mr. Hippo said if he has a direction that he wants to take the City and he is the Mayor he needs to be able to sell that to three other members of Council and they will tell the Manager how they are doing it and asking are you in or are you out; Mr. Hippo stated the Mayor needs to be able to sell the vision and the City Manager needs to get in line or get out of the way; Mr. Flarend said there are three models in Pennsylvania; Mr. Fiore stated the Mayor is an executive, the Mayor is on

Council and the Mayor as both or a superpower; Councilman Butterbaugh stated the City does not need to fix what isn't broken and the Manager form of government works very well; Councilman Butterbaugh stated the problem is the lack of a full time advocate for the City; Councilman Butterbaugh stated Altoona is different and doesn't even compare to other Cities in Pennsylvania because Altoona is in the center of the state, out there alone, misunderstood and more conservative, more focused; Councilman Butterbaugh stated if there was a full time Mayor that person would be very busy not only going to Harrisburg but also working with PennDOT to explain to them that Altoona is a City and you don't cut our trees from stem to sky, working with Pennsylvania Municipal League, working with the federal government, working with the City departments, working with ABCD Corporation and instead of ABCD brought the Mayor - the Mayor brought ABCD; Ms. Green asked if the CRIZ will be an opportunity to collaborate with ABCD; Mayor Pacifico stated he has a meeting with Senator Eichelberger in two weeks about the CRIZ and he will be as proactive as he can and will help to bring it to Altoona

Mr. Duncan asked if the Commission had this narrowed down to one of the three options; Mr. Hippo wants to keep Easton on the table in terms of process but not in terms of result as Easton created a hybrid; Mr. Fiore stated Easton took all of the Charters and wrote their Charter

Mr. Duncan asked the Commission to arrive at a consensus on whether they would want full time or part time; Commission Members Duncan, Flarend, Green, Kutz, Fiore and Hippo all stated they were in favor of a full time Mayor; Ms Eckels stated she was in favor of a part time Mayor; therefore, the Commission will recommend a full time Mayor

Mr. Duncan asked the Commission to arrive at a consensus on the Mayor serving on Council with a vote; Commission Members held a discussion about powers of the Mayor; Mr. Flarend stated he believes the Mayor should have the ability to propose or force a vote on anything whether he votes or not; Ms. Eckels agreed with Mr. Flarend; Mr. Flarend stated it seems that if the Mayor can appoint the Manager and the Manager can appoint department heads then the Mayor can indirectly influence the Managers appointments; Mr. Flarend asked if it could be written in the code that the department heads can only be fired for cause and that it has to go through levels of evaluation so there is a record of cause and then it is not so easy; Solicitor Clapper stated you can but then they have employment rights and are no longer employees at will; Mr. Fiore stated by giving up at will you are opening yourself up to lawsuits; Mr. Duncan and Mr. Flarend agreed that this Commission must plan for contingencies; Mr. Duncan stated his idea is the Mayor gets elected and has one vote on Council and he can fire the Manager with the majority vote of

Council; Mr. Hippo stated the City has that now; Mr. Duncan wants the Mayor to be a politician and a charismatic leader; Mr. Hippo stated with a full time Mayor there is motivation to make certain the Manager is going to get in line and going to be willing to vote with you; if the Mayor wants to do something and the Manager is against it then the Manager can be removed with a majority of Council

Mr. Duncan asked Mr. Hippo if he was in favor of a full time Mayor with a vote; Mr. Hippo stated yes he wants the Mayor to have a vote on Council and be the chairman of Council and he does not want the Mayor to be able to fire the City Manager and under the system and there is a big policy initiative the Mayor is going to make sure he has his people in line and so there is a possibility more so than there is now that if everyone is not on the same page that people are going to be changing; Mr. Fiore asked if Council had the same power; Mr. Hippo said they need four votes; Mayor Pacifico stated seven heads are better than one and if there is a problem whether it be Mayor or Council, any of them should be able to call an executive session and address the Manager together and it should not be one person; Mr. Flarend thinks the Mayor is the point person for hiring and for firing either way and if the Mayor is a voting member he can find three other people or there could be four Councilmembers; Mr. Flarend said in this case Council can override the Mayor and this is a good check and balance; Ms. Eckels stated Council should be the lead with hiring and for firing the Mayor should initiate that because if the people of the City are outside the bubble and may or may not understand what is going on inside the bubble and they dislike the City Manager they only have to elect one person who agrees with them versus five or four; Mr. Hippos stated opinions are often mal informed and when you are elected it is not to try and gage what you think the public might think – it's to make certain you are informed and you make the right vote; Mr. Fiore stated he has spoken to a lot of groups in the past few weeks and a lot of people don't even have an opinion

Mr. Duncan asked each Commission member individually if they were in favor of a full time Mayor with a vote on Council and they answered as follows: Commission Members Flarend, Green, Kutz, Fiore and Hippo all stated they were in favor of a full time Mayor with a vote on Council; Mr. Duncan stated he was in favor of this as well; Ms Eckels stated she was in favor of a part time Mayor with a vote on Council; therefore, the Commission will recommend a full time Mayor with a vote on Council

Mr. Duncan asked each Commission member individually if they were in favor of Mayor and Council hiring and firing the Manager; Mr. Kutz stated during the last study Commission there was a committee set up to search for a Manager and they made the recommendation to Mayor and Council who then interviewed the recommendations and held discussions; Mr. Kutz stated there

are professional organizations that recommend Managers and the Commission does not need to reinvent the wheel; Mr. Fiore asked if the Mayor should be the only person to nominate or to have the lead to hire however he chooses to do this whether it be a consultant or not; Mr. Hippo stated he refers back to the business model and the chairman of the board does not hire or nominate the president of the company and a selection committee does this; Mr. Duncan agreed stating more heads are better than one; Mr. Flarend said the Mayor has to get to four and a smart Mayor is going to involve Council; Mr. Duncan asked Mr. Flarend why he would want to lay the burden of recruitment and selection and recommendation of a Manager on the Mayor; Mr. Flarend stated he would put the steering of that committee at the foot of the Mayor and he would be the Chairman of that selection committee; Mr. Fiore stated this could be however the Mayor chooses it to be done; Mr. Flarend said in some Charters it assumes the Mayor is doing these things; Mr. Duncan asked what if the Mayor that is selected has no business background; Mr. Kutz said a selection committee is best; Ms. Green stated ultimately the Mayor will need the approval of Council; Mr. Duncan asked how the Commission can arrive at a consensus on this issue; Ms. Eckels stated that Council or Mayor as the person that initiates the process of the hiring then Council should agree; Councilman Kelley stated he can look at the group of Councilmen and he has a sense of what the limitations are and the expertise that each brings and if they need to go outside to get extra help in the process knowing Council ultimately has the final decision; Mayor Pacifico stated this is the guy running your day to day operations and you want the entire governing body in on the hiring; Councilman Kelley stated this would also take the politics out of it

Mr. Duncan stated he is in favor of Mayor and Council hiring and firing with a consensus; Mr. Flarend stated he is in favor of the Mayor taking the lead and Council hires; Mr. Kutz stated he is in favor of the Mayor and Council hiring with a selection committee; Mr. Fiore stated he is in favor of the Mayor taking the lead; Mr. Hippo stated he is in favor of the majority of Council; Mr. Green stated she is in favor of the Mayor taking the lead; Ms Eckels stated she is in favor of Council taking the lead on hiring and the Mayor taking the lead on firing; Solicitor Clapper stated there was a majority of Commission Members who were in favor of Council taking the lead on the hiring; the Commission agreed that Council majority can fire the Manager; Mr. Fiore stated the Johnstown Charter simply states Council shall appoint a City Manager; Councilman Butterbaugh asked hypothetically if Mayor Eckels comes in with a false premonition that everybody hates the Manager and wants to fire him but Council has been around long enough to know better; Ms. Eckels stated that is the checks and balances

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Solicitor Clapper stated he heard from the Commission during this evening's meeting and the majority is in favor of a full time Mayor with a vote on Council and the City Manager is hired and fired by the Mayor and Council by a majority

Mr. Hippo stated now they have to decide what other powers the Mayor should receive and also there will need to be a focus on Council people

Mr. Fiore requested copies of the home rule Charters for Council/Manager forms of government

Mr. Hippo stated for the next meeting the Commission will address the remaining powers of the Mayor, start review of Council and City Manager

ADDITIONAL PUBLIC COMMENT – none

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

ADJOURNMENT - by Chairman Hippo at 8:00 p.m.

Linda Rickens Schellhammer, City Clerk/Recording Secretary