

ALTOONA GOVERNMENT STUDY COMMISSION MEETING MINUTES
MONDAY, FEBRUARY 10, 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 27, 2014 MEETING MINUTES - Upon motion of Dave Duncan seconded by Richard Flarend all were in favor to adopt the January 27, 2014 meeting minutes; no further discussion was held

OUTLINE – ARTICLE III – MAYOR –

Bob Kutz read a document provided by former Mayor Schirf which discussed salaries and a description of what the job of Mayor really should be; Mr. Kutz read from the document as follows: for most modern cities the Mayor serves as the highest government office liaison, the figure head and the primary policy maker with the Mayor as the primary contact for decisions and policies ranging from finance, education and safety. While the job functions and the path to Mayoralty depends on the City legislative statues and by-laws the function of the Mayor is typically standardized. In most cases after being elected often times the Mayor serves a term of four years and can choose to serve an unlimited number of terms. The path to the Mayor's office usually consists of winning the office in the general election with voters deciding the best candidate. The qualifications may differ. The majority are elected with a solid educational background including a bachelors or associates degree as well as significant work in the public sector before consideration. The primary strength of the Mayor and Mayoral candidates are public speaking, charisma, honesty and integrity. The Mayor must also be diplomatic as much of the job involves listening and deciding among many equal sounding alternatives. The Mayor must make decisions with significant implications and ramifications which affect many people. A typical day for the Mayor depends on the size of his constituency. Mayor's presiding over smaller communities may have less decisions and more down time while Mayors of larger cities are consistently busy with public relations. The job is demanding and its stringent qualifications

and stiff competition makes it viable to only the most motivated and qualified individuals and with that a median salary of about \$50,000 nationwide with a range going from \$24,000 to \$100,000. Mr. Kutz stated the source of the information was under payscale.com. Chairman Hippo asked Mr. Kutz to pass along thanks to former Mayor Schirf for providing the information. Mr. Hippo stated the salary issue will have to be addressed whether it be through Council or directly by the Commission. Mr. Hippo also stated the comparison should be to other Third Class Cities in Pennsylvania.

Vice-Chairman Fiore stated in reading a lot of the Charters the City is in unChartered waters with having a full time Mayor with something more than ceremonial powers but not an Executive Mayor; the Charters are pretty cookie cutter as far as Executive and all of the ceremonial Mayors pretty much read the same word for word; most do not get too far into the individual powers of the Mayor and most is ceremonial and the Mayor is a part of City Council; in the Pittson Charter the Mayor is on Council and has Executive powers

Mr. Flarend said a lot of the Mayoral powers in some of the Charters do not apply and there can be some division with Council which could be problematic

Mr. Fiore said if the Executive form was picked then the next question is how much power do you want to give the Mayor but if you put the Mayor on Council it puts him in a box and it just becomes ceremonial and as there is further discussion they can see if there is more that can be carved out; the question is if the Mayor can't do the Executive things then what can he do if he is there full time

Chairman Hippo stated it would make sense to go through Richard Flarend's list of responsibilities of the Mayor, Council, Manager and voters

Mr. Kutz suggested someone keep track of the what is agreed upon regarding the list

Mr. Hippo thanked Mr. Flarend for the list stating it will serve as a great tool and asked how he created it

Mr. Flarend stated he prepared the list to help figure out the jobs of the Mayor, manger, Council and voters; some of the items were added based on discussions with others and he heard some crazy things which the Commission may want to discuss

Mr. Duncan asked for a review of what was agreed upon at the last meeting; City Solicitor Larry Clapper stated the Commission agreed upon a full time

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Mayor who will be on Council and have a vote on Council and a Manager will be hired and fired by Council and the Mayor who sits on Council

Chairman Hippo turned the meeting over to Mr. Flarend and the Commission reviewed and discussed the rubric of powers prepared by Mr. Flarend and agreed on the items checked below

	Council	Mayor	Manager	Voters
pass ordinances (give a list like Easton does)	✓	✓		
propose ordinances (?AND? ensure up/down vote)	✓	✓		
Investigate other branches/departments (Larry will check 3 rd CL C Code)			✓	
propose budget			✓	
pass budget	✓	✓		
incur debt/levy taxes	✓	✓		
transfer funds within department budget	✓ approves	✓ approves	✓ proposes	
transfer funds between departments	✓ approves	✓ approves	✓ proposes	
hire/appoint City Manager	✓	✓		
hire/appoint department heads (Ms. Eckels is opposed and wants Mayor/Council approval; Mr. Kutz stated he is on the fence at this time and states recommendations made by the Manager should go to Mayor/Council for approval) (D. Duncan, W. Hippo, R. Flarend, B. Green and R. Fiore agree this should be the Manager)			✓	
hire/appoint City solicitor	✓	✓		
remove City Manager	✓	✓		
remove department heads			✓	
remove solicitor	✓	✓		
hire/appoint City clerk (and remove)	✓	✓		
hire/appoint/elect City controller (will revisit this later and discuss as there are questions about whether it is mandatory and full/part time) (R. Fiore asked if a firm can do this or if the finance director can assume the responsibilities) (possible interviews will be conducted at a later date)(will follow up with PA Municipal League for more information on the municipalities with City controllers)				✓

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<p>hire/appoint City auditor (awarded by resolution of Council) (outside firm)</p>	<p>✓</p>	<p>✓</p>		
<p>appoint Commission /board/authority members (some are set by statute and the municipal authorities act would trump the local ordinances and are applicable to all municipalities) (these include parking authority (Mayor apt), housing authority (Mayor with approval of Council), redevelopment authority (Mayor apt), zoning hearing board (Mayor and Council), water authority (Mayor and Council)(there is a definition in the act for governing body)(Larry Clapper will provide a document) planning Commission is under the municipalities planning code; the people who serve have expiration terms and only a court or death can remove a person once on an authority; the City’s administrative code asks for applicants to only serve on one; Ms. Eckels asked if there is any language which states they cannot serve on any other non-profit board mainly because many of the local women serve on many boards and it can create a conflict of interest; Mr. Hippo stated you may not get any people to serve if this is done; Ms. Green stated there probably are frustrations to get people to serve; Ms. Eckels asked if the boards can be asked to move their meetings to evenings versus during the day to draw candidates; Mr. Hippo stated that is not the Commission’s position to tell the boards when to meet; Mr. Fiore and Mr. Flarend stated the boards set their own meeting dates and times and it should not be a part of the Charter; Ms. Eckels stated she completed two talent bank applications and was never contacted to serve; Mr. Duncan stated he did as well; Mr. Flarend stated it sounds as if the Commission may want to set up something unique if they are able to and if they do not follow under any acts; Mayor Pacifico stated many already state what the applicants qualifications must be either by Third Class City Code or Administrative Code; Mr. Fiore asked if he could see which are dictated by Third Class City Code and that they can either choose to memorialize in the Charter or leave open to Council to abolish; Larry Clapper suggested the City Clerk provide a list with originating statute for the next meeting and he will tell what can and cannot be changed</p>	<p>✓</p>	<p>✓</p>		

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attend City Council meetings- Ms. Eckels asked how many meetings a Councilman Neugebauer missed; City Solicitor Larry Clapper stated under the sunshine act a Councilman can call in for any meeting to participate and by doing this you are considered present for the meeting; Ms. Eckels stated in talking to certain people that her impression is that the Councilman spends a lot of time in Florida; Ms. Green asked what that had to do with anything; Ms. Eckels asked how he can represent the City when he is away; The City Clerk stated this Councilman calls in for four meetings in an entire year; Mr. Fiore asked what the grounds are for removing a Councilman from office; Solicitor Clapper stated it can only be done according to the constitution	✓	✓	✓	✓
attend Commission/board/authority meetings			✓	✓
preside over City Council meetings		✓		
preside over various Commission meetings				
set Council meeting agenda		✓	✓	
set various Commission meeting agendas n/a				
Give annual state of City message		✓		
sale of assets – 3 rd class City code issue; may want to look at purchasing; Mr. Flarend would like to see purchasing in the Charter with 3 tiers and the CPI	✓	✓	✓ small	
sale of water authority – in the authorities act; City is not prevented from taking it back now but the City would have to pay off the water authority's debt and float bonds for that; the City could take them back and sell them; will discuss in the future under a different chapter	✓	✓		
sale of Council chamber building -				
sale of recreational facilities				
Short-term contracts (time duration of ???)	✓	✓	✓	
long-term contracts (time duration of ???)	✓	✓	✓	
very-long-term contracts (over ??? years) – 25-30 year bond; may want to remain silent on this; there is a unit debt act and you can't borrow more than your tax base which is a built in assurance for debt	✓	✓	✓	
all contracts are approved by Council and the Manager may sign: Mr. Flarend stated it is more of an asset issue than a				

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debt issue; an example is the leasing of the water authority by the City of Allentown; Mr. Hippo stated you can't anticipate every move and the question is how restrictive does the Commission make the Charter versus leaving it the Council and the Mayor; Easton made prohibitions ; Mr. Duncan stated he is disinclined to try to restrict things for a Council ten years from now and he would rather remain silent on issues that are conjecture; Mr. Fiore is hesitant to chart new territory without further study; Mr. Flarend thinks some aspects of the City should remain the City and should not be within Council's decision; Ms. Green stated this is forcing the Commission's opinion; Mr. Kutz stated this is not defining what the Mayor should be doing; this will be discussed later				
labor negotiations – updates given to Council periodically; Act 47 plan is requiring the City to have a professional negotiator; approved by Council			✓	
hire/fire employees within departments			✓	
Increase/decrease department size/scope - bring it to Council with recommendation or place in the Charter that the City must or dictate the structure or leave it explicitly to the Manager; Mr. Flarend stated flexibility is needed; what does 3 rd cl City code say; Solicitor Clapper said under home rule can reorganize or leave it to Council; Mr. Duncan stated he believes that less is more in a Charter; Mr. Hippo stated that getting rid of the constraints is important; Councilman Butterbaugh stated everything that Council does has to be public and "the sheeple can rise up at any time"; will revisit				
hire/fire department administrators			✓	
department closure/merger/opening of new				
privatize department				
consolidate department with outside entity				
convert professional FD to volunteer FD				
subcontract APD to/with Logan and/or Blair Sheriff				
Combine FD with Logan VFD				

Mr. Duncan stated his position is to not pass judgement on many of the broad issues; Mr. Hippo stated that the Commission is not vested with the knowledge to know what is best now or in the future and the question is how to structure things to allow Council the maximum authority to do what needs to be done

Mr. Fiore stated the goal is to give the City the flexibility of a Home Rule Charter, go with something similar as the City currently has; the goal is to write the Mayors chapter and decide what more powers need to be put into this chapter; Mr. Hippo stated in talking about the Mayor being the chief business delegate or economic developer/facilitator for the City then what would the person need to effectively accomplish that; Mr. Hippo stated the person would have to have some budgetary authority or a budget for travel, assistants, etc.

Mr. Kutz asked if the Commission wanted to consider veto power for the Mayor; the majority of the Commission said no

Mr. Fiore stated this circles around to where the Commission was at the last meeting in the fact that it is the Executive Mayor or the Council/Manager and it is going to be tough to blend the two; Mr. Flarend states he sees the Commission shooting for something in the middle and the person will be full time and have a commensurate salary and highly qualified and have a budget and an office and the position has to have power and there is nothing showing power, in which case, the Commission will not be able to get anybody to run; Mayor Pacifico stated the position will most likely have to be a retired person not expecting a huge salary; Mr. Flarend stated he is thinking about someone who has experience

Mr. Hippo stated Mr. Flarend's checklist was a worthwhile exercise to get everybody on the same page or to see where the Commission is in the process and where they want to be; Mr. Hippo suggested the next step be for the Commission to analyze what the Commission identifies as the short comings in empowering this Mayor and determine if language can be created in the proposed Charter that will address this or move away from it; Mr. Hippo does not believe this has been done as of yet; Mr. Hippo stated if someone wants to put something on the table then it might help move to a solid direction

Mr. Fiore stated today's exercise showed that Mayor as a part of Council with more power may be difficult; the other way was to make the Mayor the Executive which the Commission decided against; Mr. Fiore asked the Commission to bring this more to the middle and work from the Executive side and bring it back to the middle with more checks and balance with more oversight from Council; Ms. Green stated this may make it a little more attractive as well; Mr. Fiore stated the most important thing is to give the City

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the flexibility of a Home Rule Charter and bring something to the voters that they will ultimately approve; Mr. Fiore stated the biggest goal is not the Mayor it is getting a Home Rule Charter approved; Mr. Fiore is more willing to go with small tweaks to what is currently in place in order to get a Home Rule Charter passed

Mr. Flarend stated he thinks the middle is what Easton did in their Charter with the exception of giving the Mayor a vote on Council; Mr. Flarend stated there are some unique powers in Easton's Charter short of going full Executive

Mr. Hippo and Mr. Duncan asked the Commission to bring activities, responsibilities, skills and duties the Mayor should possess to the next meeting

Mr. Fiore thinks that working through the City Manager and Council may help define the Mayor; Mr. Fiore also thinks that choosing one Charter may help and the Commission may be able to get to some framework

Ms. Green stated the Mayor was given a vote on Council which pretty much dictates some things already; the Commission also agreed they were not going to let the Mayor hire and fire the City Manager so that also dictates things

Mr. Hippo stated review of the Manager at the next meeting will help determine other information

The Commission was asked to review Council/Manager Charters and choose one or two for the next meeting to work from and send them to the City Clerk

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