

ALTOONA GOVERNMENT STUDY COMMISSION MEETING MINUTES
MONDAY, JULY 21, 2014 – 6:00 P.M.
CITY OF ALTOONA TRAINING FACILITY & COUNCIL CHAMBERS
1320 WASHINGTON AVENUE, ALTOONA, PA

CALL TO ORDER at 6:05 p.m. by Chairman Hippo

PLEDGE OF ALLEGIANCE

ROLL CALL was taken by City Clerk Linda Rickens Schellhammer; present were Study Commission Members: Dave Duncan, Heather Eckels, Robert Kutz, Vice-Chairman Richard Fiore Jr. (arrived at 6:10) and Chairman Wayne Hippo; Richard Flarend was absent; Beverly Green was absent

Chairman Hippo circulated a document and announced to the public that there would be several motions that would be added to the agenda to allow the Commission to finalize their work at this meeting

ALL PUBLIC COMMENT – offered by Chairman Hippo and none given

ADOPTION OF THE JULY 7, 2014 MEETING MINUTES - Upon motion of Dave Duncan seconded by Heather Eckels all were in favor to adopt the July 7, 2014 meeting minutes; there was no further discussion and the motion carried; Richard Flarend was absent and Bev Green was absent

REVIEW/EDITING OF DRAFT #7 - Larry Clapper reviewed draft 7 from the last meeting with the Commission to include adding a zoning map marked as exhibit A; page 3 – 3.2 3 added elected at large which is under the Home Rule Charter Law and makes this clear; page 4 3.4 prohibitions ...including response to ...delete reference to 3.6 which was eliminated from page 5; page 6 eliminated everything under Controller except the first paragraph; under 4.2 3 delete and Capital Program and change to and any necessary capital budget; accept the revisions noted in draft 7 to 4.3 Nominations by the Mayor; accept the revisions noted in draft 7 to 5.1 Manager Appointment; under the manager change to accept revisions noted in draft 7 and change from bullets to numbers and then under 5.4 number 4 ... prepare an Annual Budget and pursuant to the Administrative Code any necessary capital budget; under 5.1 deleted by a majority vote of its total membership since it is covered in 4.3; 5.4 added The City Manager shall annually submit a Human Resources Manual to the City Council for approval; page 12 and 13 removed personnel system; 9.1 number 3 changed to Human Resources from Personnel and changed from Code to Manual; under page 15 emergency ordinances Larry Clapper removed extraneous language and additional changes were made at this meeting and are a part of this paragraph and will be considered the final Home Rule Charter for the City of Altoona

REVIEW DRAFT OF FINAL REPORT – Chairman Hippo asked for comments and said it was great work; Dave Duncan agreed and made recommendations which were emailed to Larry Clapper. Attorney Clapper said it was a combined effort between himself and the City Clerk and the final report of the City of Sharon was used as a

template as it was succinct. The Commission reviewed the draft report and recommended changes were made as follows:

Dave Duncan requested that page numbers be added; Vice-Chairman Fiore asked about the Ballot question and whether it needed to be in the Final Report; Larry Clapper stated it is in the Law and the commission is saying here is the question; Larry Clapper stated this Ballot question is what appears to be a plain English statement because if you vote yes you are changing government and if you vote no it is staying the way that it is currently.

The Commission reviewed and edited the Final Report as follows:

Letter to residents-

On December 19, 2012 the City of Altoona, due to its distressed financial status, adopted an Act 47 Plan. One recommendation of the Act 47 Plan was that ~~which recommended~~ the City consider impaneling a Government Study Commission to study the City's current form of government.

On May 21, 2013, two out of three City of Altoona voters elected ~~residents voted overwhelmingly~~ to create a Government Study Commission. The Commission was given the responsibility to study the City's existing form of government and to determine whether the City would be better served under a Home Rule Charter form of government.

After fifteen months of ~~intensive~~ study and research, the Commission ~~unanimously~~ concluded that the adoption of a Home Rule Charter form of government would significantly improve the City's ability to meet the needs and expectations of its citizens.

Presented herewith are the Commission's Final Report and Proposed Home Rule Charter. The Charter retains the best features of the City's present form of government, while establishing a new government structure highlighted by: (add colon and bullet points here)

- The continuation of professional city management, and
- A full-time Mayor whose to responsibility will be to represent work on behalf of the City, on a full time basis to promote economic development, employment and be our voice in Harrisburg. In addition, the Charter provides the City with other desirable changes, including
- The taxing flexibility necessary to tackle adjust create a more equitable the City's real estate tax system for City residents. which is a hardship, especially for elderly residents.

The question of adopting the proposed Charter will appear on the ballot in the form set forth on the preceding page at the general election on November 4, 2014. Every

citizen of Altoona is encouraged to review this Final Report and Charter so that their vote will be an informed one.

For the specific reasons set forth in detail in the following Report, which includes the proposed Home Rule Charter, we ~~believe~~ submit that the adoption of ~~the~~ this Charter is in the best interests of the future of the City of Altoona. Therefore, we ~~enthusiastically~~ recommend that the citizens of Altoona vote to adopt the proposed Home Rule Charter on November 4, 2014.

GOVERNMENT STUDY COMMISSION

CITY OF ALTOONA

Elected May 21, 2013

Elected Members

Wayne Hippo, Chairman
Richard Fiore, Vice-Chairman

David Duncan
Heather Eckels

Richard Flarend

Beverly Green
Robert Kutz

City Solicitor
Larry Clapper, Esq.

City Council Liasons **spelling (Liaisons)**
Councilman Dave Butterbaugh & Councilman Michael Haire

Recording Secretary for the Commission
Linda Rickens Schellhammer, City Clerk

FINAL REPORT

Overview of Home Rule

The hallmark of Home Rule is that it permits a municipality to tailor the structure and operations of ~~its~~ City municipal government to fit the specific needs of the community.

Under a Home Rule Charter, a municipality need no longer look to the State Legislature to structure its government, but instead, may create its own form of government, which may operate in a manner not specifically limited by state law. This

form of self-government permits a municipality to create a government that will be responsive to the specific and unique needs of the community and its citizens.

The City of Altoona's Government Study Commission was charged under the Home Rule and Optional Plans Law with the following responsibilities: (a) to study the City's existing form of government; (b) to compare the City's form of government with other available forms of government under the law of the Commonwealth; (c) to determine whether the government of the City can be strengthened, made more clearly responsible or accountable to the people; and (d) to determine whether its operation could become more economical or efficient under a changed form of government.

Having fulfilled these responsibilities, the Commission has drafted a proposed Home Rule Charter. The Commission submits this Charter which ~~it believes~~ will not only improve and strengthen City government, but also will make the City more accountable and responsive to the specific needs of the citizens of Altoona.

Study Process

Representatives, both elected and appointed, of different types of Home Rule municipalities appeared before the Commission to offer input. Initially, the Commission considered whether the Third Class City Code and Optional Plan Law should continue to be Altoona's basic governmental authority or whether to draft a Home Rule Charter. The Commission listened to current and former Altoona officials explain the function and operation of City government. Public hearings were held for citizen input. The Commission studied the provisions of many different Home Rule Charters to enhance ~~this~~ its study.

Decisions

As a result of its studies, the Commission determined the government of the City of Altoona would be strengthened, made more responsive and accountable to the people, and that the operation of City government would become more ~~economical~~, efficient and have a greater voice in Harrisburg among similar municipalities under Home Rule. As such, the Commission voted ~~unanimously~~ on July 21, 2014, to recommend that the City cease operating under the Third Class City Code and Optional Plan Law and draft a Home Rule Charter.

Why Home Rule for Altoona

A reading of the Charter itself will provide an in-depth understanding of the benefits of Home Rule. The following points represent several highlights of these benefits:

(bullets added)

- The City will ~~would~~ continue to benefit from non-elected, professional administrative and financial management.

- The City ~~will would~~ benefit from a full time Mayor who will provide better access to the citizens and present their needs to Harrisburg on a continuing and consistent basis.
- The need for improved government accountability, flexibility, and transparency ~~will would~~ be met.
- The City ~~would will~~ be provided with the taxing flexibility necessary to create a more equitable ~~tackle the City's real estate tax rate system.~~
- Home Rule will allow the City to tailor both the structure and operations of ~~the City~~ government to meet operational and functional needs. ~~The law under which the City presently operates and functions (Third Class City Code and Optional Plan Law) is not particularly responsive to the specific needs of the City, especially in light of the City's present financial distress.~~
- Term limitations ~~that will~~ prohibit the Mayor from serving more than three (3) elective terms, thus ensuring progress through the introduction of current citizen perspective.
- The ability to amend the form of government to respond to future conditions without having to depend on the State Legislature for authority to act.
- The ability for City Council to appoint a Certified Public Accountant as City Controller

Recommendation

The adoption of the proposed Home Rule Charter by the citizens of Altoona will, for the first time, confer upon the City all of the powers of municipal government not specifically denied to it by the Constitution or the Legislature. Therefore, rather than requiring the City of Altoona to depend upon the Pennsylvania State Legislature for each specific grant of power ~~needed~~, as currently provided for in the Third Class City Code and Optional Plan Law, City government will be able to act more efficiently and effectively.

After fifteen months of ~~extensive~~ comprehensive study, research and deliberations, twenty-six regular public meetings, and two public hearings, the members of the City of Altoona Government Study Commission voted ~~unanimously~~ on July 21, 2014, to recommend that the voters of the City of Altoona adopt the Home Rule Charter, as attached to this Report, at the general election to be held on November 4, 2014.

Certification

We, the undersigned members of the City of Altoona Government Study Commission, do hereby certify that the facts set forth in this Final Report are true and correct to the

Government Study Commission Meeting Minutes 7/21/14

best of our ~~information and~~ knowledge, and that the Financial Report accurately reflects all funds, goods, materials and services used by the Commission in the performance of its work and the preparation and filing of this Report.

Wayne Hippo, Chairman

~~Heather Eckels~~

Richard Fiore Jr., Vice-Chairman

Richard Flarend

David Duncan

Beverly Green

Robert Kutz

The financial report will be attached; all of the files will be kept permanently on file by the City Clerk as required; Dave Duncan stated some of the other Charters reviewed had preambles; Larry Clapper stated it is not required; Dave Duncan mentioned Pittsburgh and State College; the Commission agreed not to include a preamble

Chairman Hippo asked Larry Clapper to prepare a series of motions to adopt the Charter; a document with six motions was circulated at the beginning of this meeting before public comment; Chairman Hippo asked that Richard Flarend and Beverly Green be given the opportunity to show that they were in favor of the proposed Home Rule Charter by signing the final report because they worked very hard throughout the process

The motion to approve the proposed Home Rule Charter is based on draft 7 which the Commission reviewed at this meeting; an edit was done at this meeting and the changes of draft 7 and 8 are combined and will appear in the minutes of this meeting; Dave Duncan put forth a motion to approve the proposed Home Rule Charter for the City of Altoona and Bob Kutz seconded the motion; a roll call vote was taken by the Recording Secretary; Dave Duncan, Robert Kutz, Vice Chairman Richard Fiore and Chairman Wayne Hippo voted in favor; Heather Eckels voted no; there was no further discussion and the motion passed 4 to 1; Richard Flarend was absent; Beverly Green was absent; all were in favor of allowing Mr. Flarend and Ms. Green to sign the report of the Commission

There was a motion by Bob Kutz and a second by Dave Duncan to adopt the proposed final report, as revised at this meeting of the Government Study Commission as the Final Report of the Commission and directing the Recording Secretary for the Study Commission to publish sufficient copies of the Final Report and proposed Home Rule Charter of the City of Altoona for both public study and information and deliver the same to the City of Altoona to supply it to any interested citizen upon request. The Recording Secretary for the Study Commission is to further take those actions necessary to revise the final report in accordance with this meeting and thereafter to cause the Ballot questions for consideration to be placed on the November 2014 General Election Ballot. A roll

Government Study Commission Meeting Minutes 7/21/14

call vote was taken by the Recording Secretary; Dave Duncan, Heather Eckels, Robert Kutz, Vice-Chairman Richard Fiore and Chairman Wayne Hippo voted in favor; Heather Eckels voted in favor with the provision that the word unanimously be removed from the final report and that her name be removed from the letter in the final report; there was no further discussion and the motion passed 5 to 0; Richard Flarend was absent; Beverly Green was absent; all were in favor of allowing Mr. Flarend and Ms. Green to sign the report of the Commission, as revised at this meeting, to indicate their support of the proposed Home Rule Charter

Said Final Report being identified as Draft 1, together with the revisions appearing in the minutes of this meeting held on 7/21/14 as may be further revised by any non-substantial edits, as may be approved by the Chairman of the Commission upon advice of the Solicitor for the Commission, due to legal requirements and/or correction of typographical errors.

There was a motion by Bob Kutz and a second by Heather Eckels to direct the Recording Secretary to file a copy of the approved Final Report with the Pennsylvania Department of Community and Economic Development; there was no further discussion; all were in favor and the motion passed; Richard Flarend was absent; Beverly Green was absent

There was a motion by Dave Duncan and a second by Bob Kutz that in the event the electors approve the Home Rule Charter proposed by the City of Altoona Government Study Commission, the Chairman, pursuant to the Charter, shall appoint by letter to the City Clerk, the names of three members of the Study Commission who shall be members of the Transition Committee established in Article 11, Section 11.8 of the Home Rule Charter. This would be three people from the current Commission appointed by the Chairman and two members of City Council appointed by City Council. Dave Duncan, Robert Kutz, Vice-Chairman Richard Fiore and Chairman Wayne Hippo voted in favor; Heather Eckels abstained; there was no further discussion and the motion passed; Richard Flarend was absent; Beverly Green was absent

There was a motion by Dave Duncan and a second by Bob Kutz that inasmuch as the approved Final Report of the City of Altoona Government Study Commission recommends further procedure in the form of a referendum on the proposed Home Rule Charter on the part of the electors, the said Study Commission shall remain in place until the procedure has been finally concluded. There was no further discussion, all were in favor and the motion passed.

Larry Clapper stated any very minor changes to the Charter and Final Report will need to be submitted by August 29th which is one week before it is submitted to the Blair County Board of Elections by their deadline date to have it placed on the Ballot. Larry Clapper explained that if there are major amendments a meeting of

Government Study Commission Meeting Minutes 7/21/14

the Commission will need to be called before this deadline date and these amendments will need to be voted on.

MARKETING AND DEADLINES

The Commission agreed to hold Commission meetings September 22nd and October 20th in the City of Altoona Training Facility & Council Chambers at 6pm. The Recording Secretary will revise the meeting schedule, schedule the room, post to the City's website front page and calendar, advertise, and notify the media. The purpose will be marketing strategy and/or marketing.

Larry Clapper stated under Home Rule Law the City Clerk has to give at least a 30 day notice of the ballot and copies have to be posted at the polling places and published in one newspaper at least once per week for three consecutive weeks

A motion was made by Vice-Chairman Fiore and a second was made by Dave Duncan authorizing the Recording Secretary to publish the required documents consistent with Home Rule Law. There was no further discussion, all were in favor and the motion passed; Richard Flarend was absent; Beverly Green was absent

ADDITIONAL MEETING DATES

The Commission decided on September 22nd and October 20th as stated above under the heading Marketing and Deadlines

ADDITIONAL PUBLIC COMMENT – offered by Chairman Hippo and none given

MEDIA QUESTIONS – Paige Minemyer, *Altoona Mirror*, Steve Willett, WRTA Radio, and Ben Manning, WTAJ TV-10 asked questions of various Commission members

ADJOURNMENT

By Chairman Hippo at 7:25 p.m.

Linda Rickens Schellhammer, CityClerk/Recording Secretary