



City of Cleveland Heights Charter Review Commission

Decisions and Rationales

18 January 2018
Council Chambers
Cleveland Heights City Hall

Charter Review Commission: Present; Patrycia Ajdukiewicz, Jessica Cohen, Craig Cobb, Michael Gaynier, Howard Maier, John Newman, Jr., David Perelman, Carla Rautenberg, Vince Reddy, Katherine Solender, James Vail, Sarah West. Absent: Randy Keller, Maia Rucker, Allosious Snodgrass.

1. Acceptance of Decisions and Rationales from 4 January 2018

Moved and seconded to accept the Decisions and Rationales 4 January 2018. Accepted unanimously.

2. Initial Consideration of Surveys and Roles of Reviewing the Charter

The Chair noted that the survey responses address issues other than form of government. The Commission agreed to initially look at form of government, as other issues, such as term limits, may be affected by the decision on form of government. Surveys are also useful in helping the Commission to select those to interview as well as material for helping to ascertain their views.

A member inquired about the drafting of charter recommendations. The Facilitator noted that his role included drafting of provisions. All drafts would be circulated for comment and review as part of the Committee review. He noted the Law Department will review the final recommendations as adopted by the Committee of the Whole. The Chair stated that a final report would also need to be drafted and that he wanted to be involved in drafting of any documents. The Facilitator welcomed any help in any of the drafting, mentioning that several attorneys are serving on the Commission.

3. Presentation by Carol Roe, Mayor

She started her talk by stating she expected the Commission to talk with current and former council members and staff. These talks would be part of a comprehensive review. She also explained the review should be more than just the form of government.

She saw processes as more significant in improving governance than structure. She talked about the committee structure of Council as needing review and reform to reflect the issues of the year. She perceived the Council as equals, with the Mayor as first among equals. She

stated the evaluation of the city manager needs to be more visible and transparent. The Council should be supportive of the city manager speaking for the community and participating in extra-community activities. Some noted the need for a person to present the community. The Mayor saw a need to communicate better the Master Plan. The city manager can represent the city if Council is supportive. In addition, the city manager is expected to be a leader, bringing ideas and best practices to the council. The professional organization for city management, International City/County Management Association, ICMA, provides leadership education for city managers. A member who had headed an organization of local governments pointed out that city managers of Cleveland Heights were respected as representatives of the city and participated as well as mayors. The only exceptions were elected officials who preferred to deal with other elected officials.

Question about the “balance of power” if the executive is selected by the legislature, the issue about who has power. The Mayor emphasized the power of Council in the system, as they choose the executive. Another member, who had run for city council, noted the need to have more citizens involved. The Mayor noted that paying council members more, so they could be more involved needed financial analysis. The Chair stated it was not desirable to make a seat on council the way to make a living but rather having people wanting to serve the community. Ward elections were discussed as a way to reduce the costs of running for election, making an easier path for more to participate. The Mayor stated she could see wards as useful but would not want an all ward-based council. She mentioned four wards and three at large or four wards, two at large and a separately elected mayor.

Members asked about how the government responded to citizens’ inquiries and concerns. The Mayor stated that when a communication was received it was passed along to the city manager or the assistant city manager or a responsible administrator to be addressed. She used examples where the outcomes were different than originally expected, such as Coventry School. She did not see a different outcome as bad. Council and the city do respond to citizens and groups. Some problems may stem from people not understanding the form of government. The processes of governing can be improved by revising the Codified Ordinances.

One member raised the prospect of eliminating the title of “Mayor” in favor of just “President of Council,” to which the Mayor said she would not object.

In response to a question about the evaluation of the city manager, the Mayor noted the process is conducted by the Committee on Administrative Services. Historically, the committee has been chaired by a junior member of council which needs to be addressed. The manager is evaluated annually with the Committee guiding the process. The manager is evaluated on the extent of meeting goals and helps set the goals for the next year.

4. Presentation of Mike Ungar, Member of Council

The council member started his talk by welcoming the comprehensive overview of government structure and processes, our DNA in his terms. He stated he preferred the Council-Manager system but has no experience with the strong mayor form. He sees the Council-Manager form as a not-for-profit organization with the council operating as a board of directors and the city manager as a CEO. Can have issues such as co-CEOs if a mayor in the council-manager form sees him/herself as a strong mayor. In response to a question about the applicability of a corporate/business form to government, he stated it

was a not-for-profit concept, not that of a for-profit business. He thinks the government has not been fully operating as a Council-Manager system, but changes have and are being made that will make it like Oberlin, a well-respected council-manager city.

He sees charter review as a response to those who see the city falling behind. The city has significant issues, such as abandoned housing, etc., but not sure the city is “falling behind.” There are good things happening and the city is located near one of the most active areas of Cleveland, University Circle. Also, the issues are not a result of form of government.

However, some respected members of the community, who have no personal interest in becoming a strong mayor, have promoted the strong mayor system. This is a primary reason he wanted to see a charter review commission take a full look at the system.

Members were appointed who had no preferences going in to the analysis of the best form of government for the community. From his perspective the Commission has been doing, and should continue to do, due diligence on the form of government.

Emphasized that all members of Council look at issues in terms of what is best for the city. There is no ward mentality on Council, which is desirable. For him, neighborhoods are interdependent and council members do not consider their own location in consideration of issues and problems. Sees no competition among neighborhoods. In answer to a question about consensus on Council, he saw Council by and large working well. Lack of consensus by and large not a major issue.

He perceived the city manager as being capable as being an effective “outward facing” leader when there is a supportive well-functioning council. He saw such ability in the former city manager. Council needs both to empower the city manager and to hold the manager accountable. Noted that the manager evaluation involved an outside firm which illustrates how serious the evaluation was taken.

In response to a question about electing a ceremonial executive, he noted if the executive was dynamic, articulate and able to motivate citizens then it could work. Not sure that would be case in any system with such a leader. In concluding remark, noted that the current positions are titled Council President/Mayor and Council Vice President/Vice Mayor and if cause confusion, the positions could be President and Vice President. This would result in no changes in how the government operates.

5. Next Speakers to the Commission

The chair suggested having the other two members of Council, who responded to the Survey, speak to the Commission. It was agreed to invite Melissa Yasinow and Mary Dunbar to speak.

6. Future Speakers

Some suggestions for future speakers, in addition to the ones noted in the Agenda were: someone from Euclid involved in its consideration of the council-manager form for Euclid; the Mayor of Solon because of his previous role as intergovernmental coordinator for Cuyahoga County; Future Heights speaker; Noble Neighborhood speaker; and other community groups. Facilitator could interview others, such as former city officials and business leaders. Members need to suggest which specific people to interview.

7. Commission Calendar and E-Mail

Members need to check messages carefully as the Group Contact used by the Facilitator to send messages to the Commission is not working correctly. Though all addresses of members have been updated, and look updated when checked, when the message is sent a previous address can be inserted. The Facilitator has created the group three times, but the problem can persist. Please let him know if messages are going to the wrong address. The Facilitator, with the wonderful help of Jim Lambdin in Management Information Systems, is setting up a Commission Calendar. Members will not be able to enter information in the Calendar as was originally hoped. The Facilitator will manage the calendar. Future meeting dates will be listed. Please note any problems with a date so the Commission can adjust the date.

The scheduled meeting for Thursday, 5 April, is during Passover, which goes from 30 March to 7 April. The Commission may want to reschedule the meeting.

Also, any event that could be of interest to members can be placed on the calendar. Please send to the Facilitator any events you think may be of interest to the Commission.

8. Limit to the time for Speakers to talk to the Commission

In light of the time the last meeting consumed, some questioned if speakers should be limited to a set amount of time. After discussion about what limit would be desirable, the Commission decided not to limit the presentations, and questions and answers, with speakers.

9. Public Comment

Six persons presented public comments. The first speaker was Diane Hallum, who has worked with a community group, made a lengthy presentation about both having a strong mayor and a government more responsive and respectful of citizens. She afterwards shared considerable materials which will be shared with Commission. The second speaker spoke of having government closest to the people and the need to elect all leaders. The third speaker, Susan Efroymsen, talked about the timing of elections if the Commission does decide to change the form of government. Though recommendations can be put on any ballot, municipal officials can only be elected in odd numbered years according to the Ohio Constitution. The fourth speaker spoke about being part of Cleveland and if not possible, then being seen as the place to live for University Circle workers. Alan Rapoport, a former mayor, questioned the wisdom of limiting council inquiry to the city manager, as it can put council in a bubble. He also perceived the law director as serving only the city manager. The final speaker, Sandy Moran, noted that if you extend the corporate analogy, then citizens are shareholders. She also noted that a financial perspective on a form of government should not ignore the upside to paying elected officials more if full-time.

10. Adjournment

Committee agreed by consent to adjourn after the final public comment.