

The City of Cleveland Heights City Council met on the above date at 7:00 p.m. for the Annual Public Hearing dubbed "Democracy Day" and Cleveland Heights residents gave testimonies.

Mayor Stephens stated, "Good evening and welcome to the Cleveland Heights City Council Chambers. This evening we will have a hearing to examine the impact of our city, our state and our nation of political influence by corporate entities and big money in connection with the most recent election; that being the 2015 general election. Corporate entities including business corporations, political action committees, super political action committees or PACs and 501c4 groups and unions. Just a little background – this hearing is established by Chapter 183 of the Codified Ordinances which is a citizens' initiative ordinance passed in November 2013. Many times, Council passes ordinances on the city's behalf, but this one was generated by a dedicated group of citizens. They brought it to Council, asked up to move it and let the voters decide. We did that and the voters overwhelmingly adopted Chapter 183 under which Council shall hold this hearing annually and take public comment. We will make a record of the meeting and it will be up on our website by March 1. We will be sending a letter to our elected representatives about this hearing. That letter will state that the citizens of Cleveland Heights voted in November 2013 in support of a citizens' initiative calling for an amendment to the U.S. Constitution declaring only human beings, not corporations, are legal persons with constitutional rights and money is not equivalent to speech and therefore, regulating political contributions and spending does not equate to limiting political speech. We are here to listen to you tonight. We will record your comments given to us tonight or if you have anything in writing and want to submit it on the record, you can do that as well or you can make some comments out loud tonight and submit the rest in writing; however you would like to do it as individuals. One other thing is Chapter 183 specifies is that we must limit comments to five minutes so that we can have as many people as possible receive a chance to speak. Without saying anything more, I will just ask that you give your name, address and comment. Your comment has to be related to this ordinance, not to any other City business, and to limit once again your comments to five minutes. Our Community Deputy City Manager has two signs – one in green that says one minute and the second one that simply says stop. Thank you for coming out tonight and we'd like to have the first person come up to the podium. I have a list or you can just come in the order you'd like to. Yes ma'am."

Sally Hanley stated, "Hi. I'm Sally Hanley and I live at 2577 Overlook Road and I wanted to be first because I have some introductory remarks. I know there are new Council people here and I know there are people here who I haven't seen at previous public hearings, so we wanted to give just a little background and bring people up to speed on what's the latest that's going on with the Move to Amend. First there was a nation group to Move to Amend and they got together in 2009 to end corporate personhood and to demand real democracy. It probably, people remember the Citizen's United case and that happened in 2010, and basically the Supreme Court overturned campaign finance rules and the said that corporations could to spend unlimited money on candidates for elected office. This was because they are persons with

First Amendment rights according to the Supreme Court. Now, the National Move to Amend had actually formed a year before that because even before Citizen's United, there were a lot of problems with Supreme Court decisions that gave human rights to corporations.

So, the idea behind Move to Amend is – it's a grassroots movement wherein citizens, through their local governments, would amend Constitution to say that corporations aren't people and money is not speech. It's actually been very successful; since they started, 290 municipal governments have passed resolutions, or city initiated ordinances that are basically doing what Cleveland Heights did three years ago which as Councilwoman Stephens, or I guess I should say Mayor Stephens, said. A letter will be written after this public hearing incorporating all your comments. That will be sent to our state and federal representatives. It will be sent to Portman and Senator Brown and Marcia Fudge and basically, the idea is – if they keep hearing from us, and more and more, they keep hearing more and more from other of their local governments that are within their jurisdictions, they're really going to get the idea – yes, this is something that people really want and it's not just little cities. Just to name a few of the big ones - Los Angeles, Chicago, Philadelphia, Minneapolis, Seattle have all passed resolutions or ordinances. In Ohio, 11 other cities have passed resolutions or ordinances, including, in our area, Brecksville, Mentor, Chagrin Falls, Newburg Heights, and very recently Kent. A few states have also done it. It isn't stopping here. Currently, officially from the Move to Amend website, 52 other cities and towns are working on this. Six states are working on it and in Ohio, Cleveland, Toledo, Shaker Heights, South Euclid and Newark, Ohio are all working on it, so this is so it just keeps growing and our voices are being heard. There is currently a House Joint Resolution Number 48. This was proposed and introduced in May of 2015. It now has 14 co-sponsors and it's a very diverse group. They're from California to New York and in between – Wisconsin, many other states, so it's coming from all over and the group includes three African Americans, three women, a Hispanic American and a Asian American, so this is something that is appealing to a very diverse group of people. A number of Move to Amend groups in Ohio are working together. Ohio representatives to also back this House Resolution and there's a group that's working with Congresswoman Fudge, so the letter that summarizes this meeting will be going to the three of them and that should be very helpful when these groups meet with our representatives. And just one last thing that I'll say is that the Ohio Move to Amend Network is going to be holding its 4th Annual Statewide Meeting in Columbus on Saturday, April 12. You are all invited. Yes, April 2, I think that's what I said. Oh, did I? And you're all invited and you can get more information about this on the website [Movetoamend.org](http://Movetoamend.org) and just look for Cleveland Heights."

Link to site: [www.movetoamend.org/move-amend-ohio-network-4th-annual-gathering](http://www.movetoamend.org/move-amend-ohio-network-4th-annual-gathering)

Mayor Stephens stated, "Thank you. Next up."

David Berenson stated, "So, thank you Mayor Stephens and members of Council and thank you to the citizens of Cleveland Heights. It's this kind of event that makes me more proud than usual to be a citizen of Cleveland Heights, so."

Mayor Stephens stated, "Your name and address for the record."

David Berenson stated, "Oh, I was supposed to do that first. Right. David Berenson. Address of 3321 Silsby Road. So, I've spoken at a couple of these previously. The only two previous Democracy Days about different interests, corporate interest such as tax money going to interests that harm our natural environment and increase weapons of mass destruction, chemical industries, pharmaceuticals, and industries that are against our health and that take away our money.

Tonight, I'm going to be focusing attention on the state of our healthcare system, and I apologize if I can't focus my comments just on this last year's election because it wasn't a major election and there weren't that many differences in health care, but health care continues to negatively impact not only myself and my family, but many of the kids and the families I work with in schools and social services. One thing I mentioned previously about this is that in a past job, I worked within the health insurance industry, and I learned from the inside that it's a normal, regular practice of health insurance companies to deny claims that they should cover, that they know they should be paying, realizing that most people don't have the wherewithal or the time, or the knowledge to appeal these claims, and therefore, they make their profits rise, while basically ripping off the public, their customers. At the time that I spoke last year, there were no laws against this practice. I don't think there are anymore, still.

So recently, I have been introduced to the Affordable Care Act, as many of us have, or ACA. I often refer to this unfortunately as the "not-so-affordable-care act"; even though for many people the ACA HAS helped them gain health insurance and health coverage for the first time. For me, I've been employed by the same company for over 16 years, during which time they have changed insurance plans at least eight times in an effort to get us employees the best deal. (Last year I reported this saying at least seven times, so now, as of January 1<sup>st</sup>, I'm starting with a new insurance company and I'm not even sure yet what all the details of the coverage are. They just it to us like a week before the end of the year.)

The biggest problem I have run into with dealing with the Affordable Care Act is that because my company offers this plan, considered by the cost relative to my income to be "Affordable", I am not eligible for any of the federal subsidies, and I can't even go through the Affordable Care Act to get it because I'm eligible for affordable coverage through my employer, so I'm stuck with an expensive, \$5,000 deductible plan that leads me to have to make decisions about whether I'm going to make appointments for pre-existing conditions or if I get the flu or injury, based on whether I can afford it at the time or not. So, I live with that. However, I have a wife and a young child. They are not covered under my wife's employer and the cost of my company's Family plan is not even close to affordable. However, my wife, in getting coverage for the two of them has to include our total family income including mine even though I'm not going to be covered under what they get. Thank you. So, it's a loophole that I'm sure a lot of people are in and it's unfortunate, but there are other loopholes I've heard of in the Affordable

Care Act that are really just unfortunate, so I can only imagine how many other people are suffering from this.

I don't have to imagine what level of influence the health insurance industry had on the development of the ACA. I've heard much about it and how much influence they continue to have on all levels of government that control our healthcare. Because health insurance is still guided by employers, my best financial option is to either to get divorced or to be employed less than full time. Seriously! What kind of incentive is that, right? Would this be the best healthcare option if not for the influence of some of the most profitable companies and industries on the development of the Affordable Care Act? I don't think so. Thank you."

Mayor Stephens stated, "Thank you."

Good evening. I'm Lois Romanoff. My address is 12802 Larchmere Boulevard in Cleveland. Thank you very much for allowing me to be here this evening. I'm going to address the issue of how the current privatization/corporatization of the public schools affects the local Cleveland Heights-University Heights School District and I also wanted to say that this is not simply a local issue or a state issue or even a national issue. It is an international, it is a global issue and I think one of the very first things to know is that \$6,000,000 is taken from the Cleveland Heights School District's budget every year for charter schools. That is a lot of money and this is public money, our taxpayer money for education which goes to charter schools which are corporations. They are private because when they change hands from the state money to the charter school, they are no longer, it's no longer public money and it's important to know that three of four of the charter schools are failing in Ohio. That's in Ohio. About 30% of Ohio's charters are for profit and of that 30%, 80% are owned by two businessmen; David Brennan of White Hat Management, which operates Life Skills and he graduates about 7% of his students last year. Now, the Cleveland Heights system graduated about 83%. The Cleveland system graduates about 60% of their students. The second businessman is William Lager of ECOT Schools, the Electronic Classroom of Tomorrow, who has a graduate rate of about 47%. Both of these men have donated over \$4,600,000 to the Ohio Republican Party, so speaking of too much money in politics, this is a perfect, egregious example of it.

I mentioned the charter schools are already corporations and you might remember that the Supreme Court made a decision, this last year I believe it was, that it was a case of David Brennan's school and he wanted to claim some of the property of that was in the school and the decision was made that a for profit charter school can hold title to real estate, furniture, equipment and other tangible assets that were purchased with public money. More than \$7,000,000 from Ohio school districts has gone to failed charters in the past 15 years. The other thing to know about is that the Youngstown School System was recently taken over by the State of Ohio and the State of Ohio is planning on doing this in areas where schools are having trouble. Now, the Youngstown system was about to vote on a way to improve their schools that had to do with community learning schools and this is being done right now in Cincinnati very successfully, but before that vote could be taken, the legislature made the decision that the

takeover was going to take place. Nobody knew about this; not even the State Board of Education knew about this and 10 of the public schools there, elementary schools, are slated for charter schools in spite of the fact that right now, although Youngstown is struggling, the public schools do better in Youngstown than the charter schools do. They have higher ratings. Thank you very much.”

Mayor Stephens stated, “Thank you.”

My name is Stewart Robinson. I live at 3334 Berkeley Road. TISA, the Trade in Services Agreement is a proposed international trade treaty between 23 Parties, including the European Union and the U.S. The agreement aims at privatizing services such as banking, health care, and transport. The E.U. and the U.S. are the main proponents of the agreement which covers about 75% of the global services economy. The TISA proposal does the bidding of large corporations who desire to restrict government right to regulate services at national, state, and local levels. It would require countries to halt and even roll back financial regulations, exposing the world to the damage of another financial crisis. It would undermine directives to cut carbon emissions and will privatize environmental services provided by governments.

Laws and regulations exist to protect workers, consumers, and the environment, because the market does not provide this protection. The power to regulate is essential and allows countries and regions to pursue cultural development as well as economic development. TISA, on the other hand, understands public services as commodities that can be traded on the market, and will treat democratic laws and regulations of elected governments as barriers to trade.

The TISA agreement would undermine local service industries and the employment of local citizens. It will effect evolving green energy, and biomedicine among others. The provisions will apply to state and local governments in the U.S.

The TISA agreement if implemented would treat health services as a commodity that would be handled by the market. Public health will be ignored, and inequality exacerbated. Our health care should exist to keep families healthy, and not to ensure the profits of large corporations. The TISA proposals would take money out of public health institutions and benefit private health corporation.

WikiLeaks recently released information on the proposed TISA showing that it will limit the regulatory capacity of democratically elected governments by imposing trade rules concerning immigration and government licensing standards. TISA rules will impact energy services, environmental services, and delivery services.

TISA proponents insist that the agreement is about tackling discriminatory laws, but in reality they want to create restrictions on the right of governments to regulate. TISA is a threat to regulations that people really care about, such as what kind of development is allowed in

their neighborhoods or the standards for hospital care. Instead of adopting TISA, governments must strengthen regulations based on public interest and the democratic process.

If accepted, the TISA proposal is predicted to undermine programs that facilitate development, help create local jobs, and assist disadvantaged communities, including indigenous peoples and small enterprises. We see in Flint, Michigan what that means. The TISA negotiations follow the corporate agenda of using trade agreements to bind countries to extreme deregulation in order to insure greater corporate profit at the expense of farmers, consumers, and the environment.

In the fall of 2015, the city of Zurich, Switzerland voted to declare itself a TISA free zone and that's what we should do. In doing so, Zurich joined the cities of Lausanne and Geneva. The movement against TISA is growing in Europe, because people care about the public sector. People do not want corporations to profit from the public services they rely on to make their lives better. The TISA trade agreement will place corporate profit ahead of the general interest. Democratic action can challenge these undemocratic trade agreements. Uruguay recently left the TISA talks because of opposition from its public service unions and civil society. It would be in the interest of U.S. cities to follow the example of Zurich and declare themselves TISA free. Thank you."

Mayor Stephens stated, "Thank you."

"Good evening. My name is Ann Caruso. I live at 2273 Bellfield Avenue and I'm going to make some comments about money and politics and our environmental situation. Last year, 2015, it came to light that scientists from Exxon Corporation looked into the evidence of fossil fuel burning being responsible for climate change. This was done in 1981, seven years before the topic was in the public discourse. Exxon decided to muddy the waters of public discourse by funding climate deniers who spread misinformation in media and in the halls of Congress. According to Green Peace, Exxon spent more than \$30,000,000 on think tanks, researchers that promoted climate denial over those 27 years since 1981. Exxon Mobile has said that it had pulled back from its efforts and climate denials since 2007. However, between 2007 and 2014, the company still spends \$10,000,000 on climate science denier organizations.

For example, in 2014, Exxon Mobile spent \$659,000 on Congressional climate science denier political campaigns and \$1,900,000 on 15 denier think tanks advocacy groups and trade associations for a total of \$2,560,000. Furthermore, in 2015, its science denier networks still contained 15 groups which included the American Legislative Exchange Council or ALEC. ALEC is important and neutral as a lobby group that drafts corporate friendly legislation for state law makers. The lobby group drafts laws in many areas including those having to do with the environment and energy. From 2007 to 2015, Exxon Mobile has donated \$454,500 to ALEC. It has also given campaign contributions to seven of ALEC's 21 Board of Directors. What does a company like Exxon Mobile get for that money? It gets a 3-day conference held in Washington, D.C. in 2014 where ALEC's corporate and legislative members collaborated on sample bills and

resolutions that would, among other things, thwart implementation of the U.S. Environmental Protection Agency's proposed standard for existing power plant carbon emissions and block the EPA's new proposed standards for ground level ozone. Exxon Mobile spent \$115,000 on 13 senators: five of whom sit on the Energy and Natural Resources Committee and four others on the Environment and Public Works Committee including the Chairman of that committee.

I focus on Exxon Mobile because the news of its early knowledge of climate change and the burning of fossil fuels made headlines this past year, but I'm sure they are not the only corporation that engages in this."

Mayor Stephens stated, "Thank you."

Dean Sieck stated, "My name Dean Sieck, and I live at 2547 Bolton Rd. I appreciate this opportunity to address Council.

A year ago I addressed City Council about the Trans-Pacific Partnership, or TPP. At that time I specifically addressed Fast Track approval of the TPP then pending in Congress.

Recently, I have read many articles about the TPP—from publications in the U.S., Europe, and Australia. In all the reading I have done, the single point of greatest opposition to the TPP concerns its Investor States Dispute Settlement feature, or ISDS.

ISDS is a system of compensation for "investors," individuals or corporations that believe they have been injured by actions of governments with whom they have trade agreements. Though originally intended to eliminate the seizure of assets by foreign governments, now ISDS is used to target unwanted regulations. The TPP threatens to widen the circle of potential grievance and increase exponentially the number of cases.

This is how ISDS works: An investor holds that the actions of a government have caused it to lose "expected future profits." The aggrieved investor takes its "case" to a tribunal of three corporate lawyers for their determination about the merits of the case being brought. The accused may be any level of government: municipal, county, or state, but the defendant is always the national government of the accused. The tribunal consists of one "judge" representing the complainant, one representing the defendant, and one accepted by both. When the case is decided in the investor's favor, the national government must pay the investor for its lost profits.

Please note some significant aspects of this process: The "judges" have no connection to the legal processes of either the investor's or the defendant's home country. They are not salaried but paid on a case by case basis and, in fact, often rotate between representing either of the parties in the case or "judging" it. The complainant, usually a corporation, sues a government for the kinds of actions governments take, for example, labor, environmental, or health or safety laws. Once the judgment is rendered, it cannot be appealed because it is the product of an extra-legal process. The monetary judgment is paid by the federal government of

the party responsible for the loss of profit; i.e., the taxpayers of that country. Finally, the recipient of the fine levied by the tribunal is a private party.

Thus, this process exists solely for the purpose of transferring wealth from the taxpayers of a given country to an investor of a foreign country. But its ills don't stop there. Because the process is complex, lengthy and costly, often the mere threat of such an action will lead to the investor's desired result, thus forcing its will on another government. Moreover, sometimes the legislature of the nation being fined will accede to that will by changing its laws to accommodate.

For example, in the late 1990s, the fuel additive MMT, was banned by the Canadian government for health reasons, but an ISDS case brought by the American corporation Ethyl, who manufactures MMT, cost the taxpayers of Canada \$13 million, and Canada had to agree to overturn the ban and publicly declare MMT safe. Although the U.S. has yet to lose an ISDS case, most observers agree it will, in time.

According to a New Yorker article of June 22, 2015, these ISDS cases are increasing: five hundred filed in the 25 years prior to 2013 have now grown to 100 in just two years since. This increase has been followed by more and more attorneys who specialize in these cases, marketing their prowess and law schools who train them, resulting in increased numbers.

I speak to you, members of Council, as legislators - those who make laws for this municipality for the good of its citizenry. Now, imagine that you outlaw the sale of e-cigarettes to minors, and it turns out that their manufacturer is a foreign company. Through the ISDS process, you as a body are drawn into a lawsuit which makes the United States a defendant charged with causing the loss of profits to a foreign company. Should the TPP pass, the numbers of those who might sue *you* will grow by 40%. It could happen, and it is a perfect example of why all Americans ought to be concerned about the growing power of corporations. Thank you."

Mayor Stephens stated, "Thank you."

Deborah Van Kleef stated, "My name is Deborah Van Kleef and I live at 3251 Clarendon Road and I have a story with a happy ending. This is a story of how our community sent a large corporation packing and kept an essential utility in public hands. This story begins exactly eight months ago on Thursday, May 21, 2015, right before Memorial Day weekend when my husband reading The Plain Dealer online discovered that City was moving to lease our water system for 20 years to a company called Aqua Ohio. Now, some people may ask, 'What does this have to do with the influence of corporate money on elections?', but of course, that begs the question of why corporations care so much about influencing the political process in the first place. So, it became pretty clear that Aqua Ohio was interested in influencing the political process in Cleveland Heights and they were in something of a hurry about it. We - a little research online, let us know that they were a subsidiary of a \$3,760,000,000 corporation called Aqua America which had a record in states where its subsidiaries operated of poor water quality, inadequate

service, constant rate hikes and a propensity to sue communities that wanted to get – wanted to recover control of their water and they were aware that our City government, our City Manager and our Council were very concerned about the state of our water system and the financial damage that it could cause the City and had a sincere desire to solve this problem so they came in and said, ‘Well, we have the answer. We have the solution to all of your problems and all you have to do is sign this letter of intent and we have to negotiate an agreement by the end of August and then we can, then for 20 years, we’ll take the problem off of your hands. It wasn’t clear why they felt such a sense of urgency, but it certainly, if you were trying to find a way to ram through your agenda without the input of citizens, doing it right before Memorial Day weekend, would seem to be a good thing to do and they had the City over a barrel in a sense. So, my husband and I shelved our plans for Memorials Day weekend and we started - and the process that was proposed was that there would be a forum for the community of the 26<sup>th</sup> of May which was the day after Memorial Day and then the following Monday, Council would vote to accept this letter of intent and the process would keep rolling along. So, my husband and I shelved our plans for the weekend and started Emailing and contacting everybody we could think of by every, you know, by social media or personal Email lists and hoping that we weren’t the only people doing it, but we didn’t have the time to organize a committee or do any planning and we were really hoping that 50 people would come out to this forum. When we got there, we found that City employees were rapidly pulling out more and more chairs and the room was nearly full and there was something like 230 people there and we knew a lot of them and one of the things we saw were there were a number of experience activists and we realized we weren’t the only people working on this issue to our relief, but we still didn’t know what everybody in the room thought and it was kind of – we were kind of astonished when over the course of over two hours of comments, no one advocated for a public-private partnership with Aqua Ohio and no one even advocated for finding another private company if that perhaps had a better record. So, the result of this was that our City government responded to the concerns of a large group of citizens and pitched Aqua Ohio out on their ear and went back to two other possible plans and, at that point, we were not sure. We knew that there was one member of City Council, that being Councilman Stein, who wanted us, wanted, felt that the best course of action would be for us to join the City of Cleveland. We didn’t know where other people stood and we felt that that would be the best solution, but we’ve watched over the months as Council and the City Manager have worked through the process and are now in the, I think the late stages of the negotiating an agreement, so what that tells us is that if enough people care and enough people let our city government know what’s important to them, we can, we can stop the incursion of private for profit corporation into the public sector.”

Mayor Stephens stated, “Thank you.”

Linda Butler stated, “Thank you for allowing us this opportunity to talk to you. My name is Linda Butler. I live at 2200 Devonshire in Cleveland Heights.

In 2008 when Ted Strickland was Governor, Ohio's legislature passed a law to incentivize renewable energy and set targets for its use. This excellent piece of legislation not only helped to reduce Ohio's carbon footprint, it also created 35,000 jobs according to a report made by the state in 2014.

First Energy did not like the renewable energy bill. The reason is simple and about profits: the more renewables people use and businesses use, the less they need the type of power - the dirty power that First Energy provides. To keep from having "stranded assets" meaning plants like coal burning power plants that nobody wants their power anymore from. First Energy decided to confront the renewable energy law and the Koch brothers were an ally in this and we don't have any idea how much of an ally there were, but we do know that they have made billions of dollars on refining oil and they decided as part of their "conservative agenda" to attack renewable energy laws around the country. Ohio's bill was the first to fall in 2014. Because of Citizen's United, we have no way of tracking the amount of money that the Koch brothers threw into this and to passing Senate Bill 310, the bill that put renewable energy on long-term hold.

We do know that First Energy gave each of the Republicans on the statewide committee between \$25,000 and \$30,000 in the 2014 election cycle. We also know that First Energy employs 30 state lobbyists. If you think they make perhaps about \$100,000 a piece, that's a \$3,000,000 they're spending on influencing the legislature!

This is a classic example of how money has distorted public policy-making. Most everyone in the world knows the dangers of global warming and Ohio is simply going in the wrong direction on this issue. In the near future, the Public Utilities Commission of Ohio, or PUCO, is nearing approval of a massive \$3,900,000 bail out of First Energy. The cost of this corporate welfare will be paid by utility customers for the next eight years and I read an editorial. It's going to be probably \$80 - \$100 an average that each family will pay each year, so we're thinking of giving First Energy \$800 a piece over the next eight years. I don't know how you feel about that, but I'm not happy about it. The funds will be spent fixing the aging Davis Besse Nuclear Plant, and keeping the Sammis Plant that currently burns 6,600,000 tons of coal per year improving its - keeping it lawful according to the current EPA definition of emissions.

This is obviously not the direction we need to go in to save life on our planet, nor is I making new jobs and states like New York that have continued incentivizing renewable energy have selected Buffalo to be a target that they want to create a lot of renewable energy jobs in and they managed to recruit a huge factory. It was announced by Elon Musk that Tesla was going to build a large battery factory in Buffalo. That plant could have gone to the State of Ohio. Thank you."

Mayor Stephens stated, "Is there anyone else who would like to speak tonight?"

Mayor Stephens and members of the Council, staff, my name is Bruce Ente. I live at 3699 Daleford Road in Shaker Heights, but I claim roots in Cleveland Heights. I grew up 3099 Yorkshire Road and I'm a believer that once a Cleveland Heights resident, always a Cleveland Heights resident. I'm also speaking as a former elected local official for 16 years and I wanted to say how much I appreciate your willingness to devote an evening of your time and away from your families to participate in this exercise in democracy, so thank you very much for being here and giving us a forum to speak to some important issues. My written testimony is summarized on this dollar bill. I hope I can this in as part of my testimony which is stamped with a slogan that you've heard before tonight. 'Money is not speech. A corporation is not a person. [www.movetoamend.org](http://www.movetoamend.org)' and others of these bills are stamped with things like, 'Not to be used to buy a politician' and so forth. Well, that's reading between the lines, sir. You can draw your own conclusions.

In any case, to supplement my written testimony, I wanted to quote from an op-ed piece that appeared in New York Times that I thought was very much on point and says in some ways more eloquently what I would like to say if I could write it myself. The column is by Nicholas Kristof and reads in part, 'The populist...' (He's speaking about the presidential primary season.) 'The populist frustration is understandable. One of the most remarkable political science studies in recent years upended everything rosy we learned in civics class. Martin Gilens of Princeton University and Benjamin Page from Northwestern University found that in policymaking, views of ordinary citizens essentially don't matter. They examined 1,779 policy issues and found that attitudes of wealthy people and of business groups mattered a great deal to the final outcome, but that preferences of average citizens were almost irrelevant. In the United States, our findings indicate the majority does not rule," they concluded. "Majorities of the American public actually have little influence over the policies our government adopts. One reason is that our political system is increasingly driven by money: Tycoons can't quite buy politicians, but they can lease them. Elected officials are hamsters on a wheel, always desperately raising money for the next election. And the donors who matter most are a small group; just 158 families and the companies they control donated almost half the money for the early stages of the presidential campaign. That is why the tax code is full of loopholes that benefit the wealthy.'"

So, they conclude, 'We also need political solutions to repair our democracy so that ordinary citizens count along with the affluent. "There is no magic bullet that will set things right, but meaningful campaign finance reform must be at the center of a reform agenda," Gilens said and I think the exercise we're engaging in tonight is a part of that reform effort. Thanks for giving us the forum."

Mayor Stephens stated, "Thank you. Are you going?"

Elijah Zerachli stated, "Good evening. My name is Elijah Zerachli and I live at 3094 Berkshire Road and I'd like to return to the issue of education. I'm a student at Cleveland Heights High School and our schools have always been a contentious issue in the community

and our state and the nation. Just recently, we've seen a lot of controversy concerning corporate influences in education really concerning Common Core and the Every Student Succeeds Act or the ESSA. These are national issues of course, but they really affect every student in our community directly, so this is really having to do with the Gates family and educational resource corporations, textbooks companies and people that prepare assessments and tests that are given to these students. So, in the past year, the Gates family has pumped about \$230,000,000 into the organizations that create the Common Core standards and the campaigns that encourage the states who adopt them back in 2014, excuse me, not 2014, I believe I don't have the year reported at the time, but at that time, they were putting money into those campaigns. The Pearson Education, educational testing service or ETS, Houghton, Mifflin, Harcourt and McGraw Hill have spent over \$20,000,000 in lobbying contributions within the states and on the national level to put forth their agenda and ensure that legislators elected and the officials are working to create tests in educational standards which cater to these interests and to elect people that will put these standards into place in their communities. I'd like to give you an idea for what these companies stand for and what this money's going towards. ETS or ETS, excuse me, has lobbied to – lobbied against legislation- to address issues of inadequate testing conditions for students in high stakes testing environments. It's lobbied against a bill designed to safeguard people data in subcontracting. ETS has also developed guidelines for tests which specifically ban mention of evolution and global warming. Houghton, Mifflin, Harcourt produces revenues of about \$1,370,000,000 back in 2014 and 44% includes Common Core instructional materials. \$13,000,000 increase in higher assessment net sales for that company. So, this analysis that I've taken a look at really shows that Pearson and ETS also have lobbies against privacy protection for student data meaning that a lot of the data that goes towards these companies can be used in other ways or sold. What's going on is we're watching a lot of teachers that are having to endure regulations that take away from class time – these high stakes testing that puts students in really perilous positions and actually the Heights Coalition for Public Education has challenged these high stakes testing in these corporations and our community already in public forums and meetings and what we're seeing is kind of a philanthropic and corporate takeover of legislating public education in our community and I have a younger sibling whose going to be going into the high school next year and, with any luck, she can get the best education she can. Groups like Pearson, Gates can't take that away from her.”

“Hello. I'm Emma Schubert. I live on 2573 Stratford Road. I am also a senior at Cleveland Heights High School and I would also like to talk to you about the role of corporations in charters in our community's public education specifically, but it occurs nationally as well. I would like to argue that corporations and other organizations that push for privatization are intentionally and systematically killing public education in our nation. Corporations are using standardized testing, what they call testing for accountability, to make enormous profits for themselves. Some of these profits go to the specific... go from the specific company to politicians who will support their agenda. The National Alliance of Charter Schools alone contributed \$335,000 to campaigns in 2015 and over \$461,000 from the independent charter school organizations.

Besides the money making, standardized testing is also used to make public schools appear as though they are failing. When districts are labeled as failing as my district has been, they lose support from their community. The public then sees these schools as if they are indeed failing although, as I know, being a fourth generation Heights High graduate, or at least I will be, that they are indeed not failing. However, many members and families of the public, especially in our community, choose private alternatives because of our public school ratings. By them choosing public alternatives, this funds the charter school craze. By drawing families away from public schools and into charter and private schools, money and resources are then shifted as well. We saw what happened in the Youngstown School takeover where a CEO took control of the district after it was designated failing.

The shift of resources to public to private comes in the form of charters, vouchers and EdChoice, a law unique to Ohio which allows families to take the money that would be invested in the public schools directly into the tuition for private schools. This means that the money then has no public supervision. Unlike public schools which have elected school boards, the charter schools are not supervised which leads to the misuse of public tax dollars. Corporations and charter schools influenced by campaigns like Hillary Clinton's are on a mission to destroy public education in America, one of the cornerstones of our democracy. As a student, I am directly affected by this. My district, Cleveland Heights and University Heights Schools, loses millions of dollars that are meant for my school, my classroom and myself, but instead have been stolen and put into private pockets. I will be graduating next year, but my younger sister who is coming up for the schools will continue to feel the drain of money and resources until the cycle of privatization is stopped. Thank you."

Valerie Robinson stated, "My name is Valerie Robinson. I live at 3334 Berkeley Road and I'd like to continue on the public school versus private school issue. The charter school movement of the 1980's was originally a community based, educator led initiative, but in 1991 it attracted the attention of political and financial interests; they saw the public school system as ripe for the market. It became a nationally-funded effort by foundations, investors, and educational management companies to create a parallel, more privatized school system. In 2015, charters served about 2.9 million students in the U.S. reflecting the attempts of well-funded groups to privatize everything from curriculum to professional development to the making of educational policy.

Evidence suggests that charter schools are part of a market-driven plan to create less expensive teaching staffs. Nationally, on average, charter school teachers are less experienced, less unionized, and are less likely to hold teaching certificates. They have double the turnover rate of public school teachers. Charter schools typically pay less to teachers for longer working hours, but administrators often earn more than their public school counterparts. Some charter school leaders in the nation are paid close to half a million dollars a year.

Between 2008 and 2013, the number of charter schools in the U.S. grew by almost 50 percent, while over that same period nearly 4,000 traditional public schools closed. This

represents a huge transfer of resources and students from our public education system to the publicly funded, but privately managed charter sector. This trend raises concerns about the future of public education and its promise of quality education for everyone.

A national study of charter school performance, published in 2013 by CREDO, a research unit at Stanford University, found that only about one in five charter schools had better test scores than comparable public schools, and more than twice that number had lower scores. Charter schools avoid the federal and state requirements to serve and accept all students which undermines their credibility as a strategy for helping to improve public schools over all.

Many of the issues that are raised in criticizing charters, like tracking and unequal resources, exist within the public system as well, but public schools have federal, state, and district obligations. Policies, budgets, school boards and officials can be scrutinized in ways that private charters don't allow.

In Ohio, charters do not face the same accountability and transparency requirements as public schools, allowing serious problems of mismanagement, corruption, and profiteering. For instance, the Greater Heights Academy was a charter school located in Cleveland Heights that was shut down in 2008. The school was defrauded by the chairman of the school, his secretary, a consulting firm owner that they used, and a firm owner providing security for the school.

The Greater Heights Academy once enrolled nearly 1,000 students in grades K through 12, and collected more than \$21,500,000 from the state over the school's lifetime of less than five years. State auditors were unable to determine how most of the money was spent, and declared the school not auditable because so many records were missing. The City of Cleveland Heights sued the charter school to get back \$16,542 in unpaid payroll taxes. The co-conspirators violated the trust of taxpayers and the students of Greater Heights Academy, causing a loss of approximately \$117,000 to \$ 400,000 according to the indictment returned by a federal grand jury on November 21, 2013. They took money intended for students and used it to enrich themselves.

This report references "Charter Schools and the Future of Public Education" by Stan Karp, an editor of Rethinking Schools and a teacher for 30 years. He suggests that it is "time to slow down charter expansion and refocus public policy on providing excellent public schools for all."

Mayor Stephens stated, "Thank you. Mr. Miller."

Jim Miller stated, "I decided I would speak after all. My name is Jim Miller, 3251 Clarendon Road. Recently the Plain Dealer over the past few months has been doing what I think is a very excellent series on lead in as it effects the citizens of Cleveland. They're focused on Cleveland, but anybody that's involved in particularly the inner ring suburbs knows that lead is a issue here too. It's anywhere where here, okay, so it's a very important thing. It affects us all. I know I run my water a little extra 'til it turns cold, you know? Coming out of our pipe. Now,

what you have not seen in that series and I read it pretty closely. There is a name that never has come up and that name is Sherwin Williams because, and I'm glad Sherwin Williams has its headquarters here in Cleveland, but the paint company spent many, many decades fighting any ban on lead and paint just as the petro-chemical companies did fighting keeping lead out of gasoline and, you know, I believe the first company that banned lead in paint was I believe was in the 1920s. The science is not that obscure, but they were able to keep that lead in the paint all these years and who pays the price for it? Will the people pay the price for it in our communities? And City Councils pay the price. When you're looking at the Plain Dealer series, it's like, how come City of Cleveland doesn't do something? Why do they only have one person working on this and so on? Well, they don't have any money to deal with the problem on that scale and I know that Sherwin Williams offered to kick in \$50,000 on this. Wow, you, overwhelming. So, it comes, it comes, it's very much, it comes into our homes and it comes into this chamber and if you have a corporation which are acting in the interest of their shareholders, but are basically on a fairly amoral basis, not immoral, amoral, you know. They are going to fight this and if we give them more power and more power, they will be more and more successful. They will do it on tobacco and they will do it on climate change and they did it on lead. As long as they can make it happen, they do. So, it's unfortunate, but it's something that the people sitting in these seats, all these seats in here, have to deal with."

Mayor Stephens stated, "Thank you."

"Carla Routenberg. 3065 Berkshire. When corporations seize Constitutional rights intended for individual human beings, bizarre things can and do happen. We in Cleveland Heights and surrounding communities were reminded of this when we called the Plain Dealer on their practice of littering our neighborhoods every week. Remember ShopCLE? Advertising inserts encased in plastic bags were being thrown all over our yards, our tree-lawns, onto the streets, into our storm drains, where they pollute our water supply.

Now, in Cleveland Heights, we actually have laws against littering, but the Plain Dealer informed our Law Director that they have a First Amendment right to trash our neighborhoods and that any attempt on the City's part to stop them would result in a lawsuit. They maintained that their "Constitutional right" trumped our City Code on littering. I have the Constitution right here, and the First Amendment certainly does not protect the practice of packaging purely commercial speech – advertisements—in plastic bags and throwing them out of car windows. To stop this travesty has ZERO to do with abridging the freedom of speech or of the press.

So, how did the community respond to the Plain Dealer's arrogant abuse of our home rule rights under the Ohio Constitution? Well, we collected thousands of ShopCLE bags to keep them from blowing around, washing into the sewer system and blighting our neighborhoods. In protest, we presented huge garbage bags of the stuff to our long suffering City Council and City Manager. I complained at a Council meeting. I

complained at a Council meeting, and so did Gail Larsen of Noble Neighbors. Lee Batdorf wrote a letter to the ShopCLE advertisers and posted it on the Nextdoor web site. Over 30 neighbors signed it and made follow-up calls to the CEO's of Heinen's and Marc's. Bob Rosenbaum created a Facebook page: ShopCLE: Stop Littering Our Streets. The NE Ohio Sierra Club published an article about the issue in their regional newsletter.

Finally, Law Director Jim Juliano persuaded the Plain Dealer to *mail* the ShopCLE to residents of the largest zip code in Cleveland Heights, 44118. Littering in the rest of Cleveland Heights has continued, however.

Trevor Elkins, Mayor of Newburgh Heights, also negotiated mail delivery of ShopCLE for his city and Cleveland City Council piled on, passing a resolution exhorting the P.D. to stop littering their city. The Scene magazine also covered the issue several times.

While the citizen push-back against the Plain Dealer's littering unfolded, the November 2015 municipal elections were held, reminding us that these days, local governments often provide our best hope for balancing otherwise unaccountable corporate power. That's because local politics continue to be the least contaminated by secret money, but our democratic system is under mortal threat until we pass the 28<sup>th</sup> Constitutional Amendment stating that only human beings, and not corporate persons, are entitled to Constitutional rights, and that money is not speech.

As many of you know, this particular battle appears to be ending well. On December 10, 2015, the Plain Dealer announced that it will cease production and distribution of ShopCLE, effective January 27, 2016—next Wednesday. Yesterday, I stopped to snap this photo on Roanoke Road, and to pick up some of the Plain Dealer's trash there and on Cambridge. It was cold, so I didn't get a lot picked up. It's great that so many people came together to say "No" to the Plain Dealer's bullying stance. Clearly, it's time for a change in how democracy does business. Thank you."

Mayor Stephens stated, "Thank you."

Good evening. Thank you for this opportunity to speak. My name is Kathy Hazelton. I live at 19601 on Van Aken Boulevard, Shaker Heights. I also lived in Cleveland Heights for 18 years and served on the school's consensus projects task force in the early 80s working with a wonderful group of citizens to help our schools and I'm here from Shaker Heights with four other members of Shaker Heights Move to Amend. We like Cleveland and South Euclid are actually following the example of Cleveland Heights and I wanted to observe what happens on Democracy Day here and I'm very

pleased with what I see and the quality of the testimony. I would simply like to read a letter that I sent to the editor of the Plain Dealer and it appeared in the online version a couple days ago.

‘January 21 marks the sad sixth anniversary of the Citizens United Supreme Court decision, when the Court’s majority pronounced that “independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption . . . and . . . will not cause the electorate to lose faith in our democracy...”

On the contrary, big money in politics has corrupted our political processes: SuperPACs and “social welfare” organizations drown out the voices of “We the People” in elections. Officeholders place the interests of corporations and unions over the will of the people, because they are beholden to big donors, such as oil and gas interests, to fund the costs of perpetual campaigns and for-profit charter schools fail without accountability.

Through municipal ballot measures, Americans are demanding that legislators call for a Constitutional amendment stating that money is not speech and corporate entities cannot claim the Constitutional rights intended for natural persons only. The Constitution has been amended 27 times; let’s make it 28.’

Thank you.”

“Good evening. Greg Coleridge, 3016 Somerton Road. Martin Luther King, Jr., whose life we celebrated earlier this week, later in his years expanded beyond race. He identified what he called the giant triplets of evil: racism, materialism and militarism. I believe if King were living today, his triplets would be quintuplets. Added to his list of evils would be classism and corporatism.

By classism, I mean the growing gap between rich and poor – with its devastating social, economic, environmental, and political impacts – including the ability to translate growing individual economic wealth into political power.

By corporatism, I mean the growing role of corporate entities to influence our entire political culture – including the political authority and so-called rights to mold elections, laws, regulations and even judicial decisions.

More than a tad of attention – has it not - has been paid recently to the practice of Cleveland Heights Council members feeding themselves to the amount of \$12,000 annually. I’m not going to belittle this concern, only to offer some perspective. Over the past several years, our city has seen the State of Ohio cut its funding annually by \$2,500,000.

Cleveland Heights and other Ohio municipalities that have seen severe cuts don’t donate or invest to politicians or have a legion of lobbyists compared to the wealthy and corporate interests – who gorged themselves on a 6.3% income tax cut (which will benefit the wealthy disproportionately) as well as enacted tax deductions for business owners in the most recent state budget passed last year. There were no new increases to sales or severance taxes

on oil and gas drillers. And while not a budget measure per se, the Ohio legislature froze requirements for utility corporations to meet modest renewable energy standards. A quick peek at recent campaign reports of Ohio's leading legislators explain much of the reasons why.

Top donors or investors to Ohio House Majority Leader Cliff Rosenberger include First Energy Corporation, Chesapeake Energy Corporation, the Ohio Oil and Gas Association, Ohio Coal Association, American Electric Power Corporation and Duke Energy Corporation – as well as some of the richest individual Ohioans around.

Top donors or investors to Ohio Senate President Keith Faber include, well, basically the same entities, in a slightly different order and in most cases just larger amounts since after all Senate President.

We not only have in this country a criminal justice system, but also a political system that in its most brutal form inflicts 'capital punishment.' In the case of the later, if you don't have the capital to invest in elections and lobbying, you will be punished. In the case of Cleveland Heights, the yearly affliction has been \$2,500,000.

That happens to be 208 times as large as \$12,000. So I respectfully suggest that for those who have called for ending 12 grand worth of Council meals, they spend, well, maybe not 208 more times the amount of time and energy, but certainly at least some time which that \$2,500,000 isn't based, I believe, on sound public policy, but is due to rather (take your pick) basic power politics, capital punishment as previously mentioned, legalized bribery, pay to play, or the golden rule (that being, he or she who has the gold, rules).

Ultimately our growing hybrid plutocracy and corporatocracy that is silencing the voices of an ever growing number of people won't fundamentally change unless we change not simply this or that elected official, law, regulation or edict, but change the basic constitutional ground rules that have anointed money as speech and corporate entities as legal persons with inalienable rights.

Martin Luther King said, 'History will have to record that the greatest tragedy of this period of social transition was not the strident clamor from the bad people, but the appalling silence of the good people.'

While there are more Americans than ever who understand that corporate personhood and money as speech thwart democracy, justice and peace, there is still too much silence from too many people – afraid to be seen as impractical or unrealistic by calling for amending the constitution.

Much the same was said of the abolitionists, suffragettes and populists who, in the latter case, had the audacity to call for direct election of senators. History proved their vision, understanding, and persistence correct.

I firmly believe history will prove this cause correct as well. King said the universe bends toward justice. The Move to Amend campaign is I believe on the right side of that arc.”

Mayor Stephens stated, “Thank you, Greg. Mr. Miller. You finally get a chance to speak.”

I, yeah, well. I didn't, I actually. Hi. My name is Isaac Miller. I'm 3251 Clarendon Road. I'm actually, I'm speaking for somebody else, but I just, for myself, I just want to say how wonderful it's been to listen to everybody speak tonight and to show how comprehensively everybody seems to understand these issues, how they affect our bodies, how they affect our electoral systems and how they're very local and they're also, you know, such as our own school system, but also, vastly international when we're talking about the TTP or TISA. And this is a comprehensive system and I'm actually, I surprised not more was said about this, but I was glad somebody brought up austerity politics so that the budget here that really actually effect the city in ways that people don't always notice, but they do and we're seeing that very dramatically in Flint right now with the effect of sort of politics are.

But I was going to read this. This week a bipartisan group of senators - three Democrats, four Republicans, and one independent - is expected to release legislation that would slow and complicate the already difficult process by which federal regulations are effected. These lawmaker<sup>®</sup> are working in the service of big business and big banks. The losers would be ordinary Americans who would be deprived of timely and effective protection by the consumer Financial Protection Bureau and other bank regulators, as well as by agencies that oversee consumer product safety, nuclear safety, investor safeguards, workplace rights and more.

One provision would require the Congressional Budget Office to review proposed rules and regulations. The Congressional Budget Office has no particular expertise in regulation. Its reviews could be used to indefinitely delay the regulation process. Besides, the process already allows for public comment and legal challenges.

Another provision would establish a commission of political appointees to advise Congress on regulations that should be modified or repealed. That would undermine the authority of regulators because it would effectively allow a political hit list. A regulatory review commission such as this, whose aim is to curtail and terminate regulation would be a backward step.

This is not in the interest of ordinary Americans. Regulation is necessary in today's complex economy, as shown by the financial crisis and quite a few corporate failures, such as fatal ignition switches, poisoned food, environmental pollution, and invasion of privacy. Proponents of deregulation often claim that regulation kills jobs, but, according to the New York Times, lack of regulation has killed more jobs and people than regulation ever has.

Rob Portman of Ohio is one of the Senators behind the effort. In an election year it is tempting for these Senators to take a tough line against regulation., because it is an easy way to

please corporate contributors. But it is a disservice to the public and not worthy of support. This article took information from a New York Times editorial of Tuesday, January 19, 2016.

I think this is a really good example of sort of the synergy between the different efforts that we've been talking about here because when I was listening to the very good and detailed discussion of the TTP, this reminds me of sort of all the different layers that are set up to make sort of meaningful regulations not really possible. The other thing about regulations just to point is that it's not always good just to fetishize regulations and say, 'Well, what we need is more regulations,' but to really think about what effect they have and where they want us to go, what kind of society that we want because there's actually a lot of regulations that allow this systems to maintain themselves. If you look, a lot of financial regulations for instance, they're designed to make sure the financial system doesn't completely collapse, but to support a lot of the practices which are incredibly predatory and a lot of the regulatory agencies such as the fed and the treasury and all the major regulatory agencies, that's the primary purpose. So, we hear about regulation, but we don't think about what is actually the purpose of that regulation even when it exists. So, thank you very much."

Mayor Stephens stated, "Is there anyone else who would like to speak tonight?"

Adelle Eisner stated, "Hi. I'm Adelle Eisner and a long time Cleveland Heights-er and I'm now back in University Heights. I live at 2623 Milton Rd., University Heights. Many who know me closely know that for the last 12, 14, 15 years, I've been very much of an election nerd and I'm not talking about the back and forth and the partisan bickering. I actually watch the inside workings of elections to make sure that they are done with integrity, that they are accurate, that their vote results that we get are our results, not some corporations' results, which can very easily happen as we've gone into electronic voting machines, scanners, etc. for which some of the greatest local monetary abuses of taxpayer money goes on because for a long time they had the whole industry wrapped up, but I wanted to talk a little bit about something that I just was looking at. Well, last year, the Ohio legislature passed very much unknown House Bill 47 which put additional regulations on petitioning basically. Right now, what is necessary – the original intent of the initiative petitioning and referendum which actually became part of the Ohio Constitution in 1913, I mean, there was a huge fight among the monied and those who hold power and thus, didn't want to hear the people's voice at all. I mean, that's one place you cut it off. We don't want to hear the people's voice. I love the idea collecting the litter, but it was actually passed after, with a very close vote. When it comes to elections, so I don't forget, I do want to mention that we often hear one vote makes a difference. One vote matters. Well, I wouldn't want to dissuade anyone from voting, absolutely not. I think it's an important right, but that, some of that is a bunch of myth too because the numbers of ballots that eventually don't get counted, but with due diligence that could be counted, number in Cuyahoga County at least, number in the thousands actually. And I'm not saying anyone inside the Cuyahoga County Board of Elections is corrupt. I think they're one of the most trustworthy boards around which it still happens. However, last year, the legislature passed this House Bill 47 which says that the

committees turning these petitions in – they have to do their petition drive – all the added rules on to petitioning. That’s how Move to Amend got done, right? Through a petition, through a petition drive. You have to scan in, you have to sort everything properly, you have to file things properly and you have to file them electronically and also the original documents. The original intent of initiative and referenda drives was to free it up so the citizens could do this. With all their new rules, it takes money. It takes time. It takes volunteer money. They know that very well. Thank you.

And so, what’s happened is a lot of groups have swooped in and said, ‘Don’t worry, we’ll take care of this for you.’ And so, there’s been a lot of stuff going on. Right now, you’re going to hear about a lawsuit that is being filed because Secretary of State after a petition drive decided not to follow through and pass a sufficient number of signatures onto the legislature so they could enact something called the Drug Price Relief Act holding Ohio’s drugs to (the sale of drugs) many of the core pharmacy, well, they would hold those prices down to VA price limits, federal government price limits, would help a lot of us, but right now, everything has been turned Pharma, a company has gotten the lawyers on it. Pharma is a consortium of drug companies, huge drug companies, and they have, you’re going to hear about how the idea has gotten twisted that they want to fight the ability of that to go through and you’re gonna hear about how it’s being turned around that they had poor people of color and automatically they’re trying to say, ‘Well, you have felonies, you’ve been convicted of felonies, etc., etc.,’ and you’re going to hear how awful these people are that are trying to get this through. So, one vote does matter and that five to four vote. We have to go, but just like we didn’t cause the financial crisis, it’s not our one vote. One vote – five to four – in the Supreme Court...”

Mayor Stephens stated, “Thank you, Adelle.”

Adelle Eisner stated, “...is the difference. Thank you. I’m sorry I went so far over.”

Mayor Stephens stated, “If there are no other members of the community who would like to speak to us, I’ll open this up for comments from my colleagues.”

Councilwoman Dunbar stated, “I would just like to say I think this is an important issue. I went to the League of Women Voters Consensus meeting on Citizens United a couple of weeks ago and I sat through that. I was part of it actually from 10:00 to 3:30 and it wasn’t framed the way you have as a personhood versus corporate issue. It was more focused on the Citizens United case per se. I would just say Cleveland Heights has some very serious economic issues to deal with. Today I was at the Community Center and a senior person was talking to me about the need for housing for seniors that want to downsize in Cleveland Heights so they don’t have to move out of the community. Recently, I was talking to Grace Galluci at a meeting about transportation and she was saying that it’s easy to get money from ODOT for new construction of highways, but virtually impossible to get money from ODOT to fix up streets in older communities or, you know, what I’m saying is already developed streets and, you know, that’s our money and that’s an ODOT policy and I guess what I’m trying to say is I didn’t get any

corporate dollars from. And I would really like to be spending Council time on issues where I feel we can make a real difference which is perhaps senior housing, perhaps working on changing ODOT policies and I don't have a lot of hope about changing government policy on this issue, so I feel like on City Council we need to focus on where we can best spend our time and I personally wish there were a way were we could either be much more efficient about this or, yeah, anyway, I don't feel this is necessarily the best use of my time frankly is what I'm trying to say and I know that's not a popular message to this group. I just was in Washington, D.C. and I was impressed to see them replacing their water lines. They were also doing projects on the Mall to capture water. They have the Department of Agriculture shooting their deer and the park and I also know that according to analysis I've seen, one of the richest, well, let's see, how should I say. .. There was an analysis done to identify the places in the country where they're the highest number of people with Bachelor's Degrees or better and highest salaries and Arlington, Virginia was such a place. It was number one in fact. There's a lot of money there and those are the lobbyists that are affecting what comes through for government policy, so I would personally like to see our federal government reduced in size and a real evaluation of which programs are working for us and which aren't. I don't think the programs that the federal government – they get into place and they often have good intentions to solve something, but they create other problems; unintended consequences. So, I would be in favor or analysis of programs, federal programs, and probably a significant downsizing of the federal government, but that's just my opinion, so that's my two cents to be added to the dialogue and I know it doesn't exactly fit in this group, but anyway, there you are."

Mayor Stephens stated, "Thank you. Melissa, would you like to speak?"

Councilwoman Yasinow stated, "Yes, respectfully, I must disagree with my colleague. The great thing is that in a democracy, everyone is entitled to their opinion. I agree with this. When I was elected to City Council, I was the vote for Move to Amend and I proudly cast my ballot in favor and I'm very grateful to see this here tonight, to see community engagement on the local level because it does matter because we are the intersection between the most basic important intersection between the people and their government . If we can't have the opportunity for citizens to come and say what concerns them in their democracy, what they would like to see happen, if we can't have one night a year on this issue for people to come and say what matters to them and matters to democracy, then I think we've failed as a local government . I do wish to keep this brief, but where I see we have the most stark example of the importance of people, of any class, of any race, being able to access their government, we're seeing right now in the catastrophe that is Flint, Michigan. We are seeing it where people, where a community that has had struggling times, that's been left...that has been in good times given just benevolent neglect from their government, from their state government, was unfortunately taken over, where Flint, Michigan was subject to four emergency managers in four years. This emergency manager had veto power over the local City Council and over the input of local citizens, over the input of the local City Council and the emergency manager decided that Flint, that the water source for Flint should be changed from Detroit to the Flint

River and the disastrous consequences that have come from that decision. I am a strong proponent that money is not speech, that corporations are not people and that the citizens of Cleveland Heights and that the citizens of each and every municipality should have the opportunity to come and be a part of the process, to talk to their local government and to let us know what they think, so thank you all very much for being here tonight and I hope to see all of you and more next year.”

Mayor Stephens stated, “Kahlil.”

Councilman Seren stated, “So this is my first time experiencing this night and I’d like to thank all of you for coming out and providing me with a bit of education and also some reinforcement in some beliefs that I already held. I would like to say I think that to a particular limit, I think Mary has a point – that there should be a great deal of focus on the issues that we can directly impact and those should probably take up the vast majority of our effort here in our role as City Council members in Cleveland Heights. Despite that though, I think that there is a place here for the larger issues, the issues that also impact Cleveland Heights and those issues that we can potentially have even an indirect role in. I have the opportunity to speak with a wide variety of people on a variety of issues, people who are at different levels of government, and even just in having conversations with different people about the role of government and the role of our private sector and how those things should interact in the most, you know, optimum helping way for society and I think it’s nights like this where we’re reminded of issues that are important to all of us and important certainly to discuss so that we can come to some meaningful and healthy resolution to some of the issues that we debate, so I just, once again, I’d like to thank all of you for coming out. Thank you for your comments and I hope that we can continue this discussion until we get to a point where we can feel a little bit more confident that our government represents us.”

Mayor Stephens stated, “There are no other comments from my colleagues. I’d like to close this meeting out tonight by repeating something I said last year. The spirit of Americanism, about being a good American, is by, is about listening to others and allowing us to have a diversity of opinions, but most importantly, I have a complete bias here. The best government is local government. It touches you each and every one on almost every day. We do make some mistakes, but trust me, the six people sitting before you here today do their very best to serve you well and we are not owned by corporations, but we’re strong personalities and we work hard on your behalf. So, to continue this theme and this thought, please continue to work with us. We thank you for your comments and sharing the wide diversity of thoughts, everything from the TPP to the local government and its school systems. They’re all important to us and to the quality of life we have and we’ll see you again next year in January. You can submit testimony to the City Manager’s Office or to our website. City Manager.”

Tanisha Briley stated, “If you have paper comments you want to turn in tonight, we can take those. We would just ask that – please make sure your name is included on the top of it and your address would be helpful as well. If you would like to Email your comments, you can do

so to [citymanager@clvhts.com](mailto:citymanager@clvhts.com). You can find my Email address on the website as well which is [www.clevelandheights.com](http://www.clevelandheights.com).”

Mayor Stephens stated, “Thank you for coming this evening. This meeting is closed.”

Submitted after the meeting by Diane Hallum: “Corporate influence on elections is not a state or national phenomenon.

It happens here at the municipal level.

First let’s look at the recent income tax increase Cleveland Heights voters passed last November.

Leading that campaign was Cheryl Stephens and Dennis Wilcox. Their campaign received \$31,550 (according to my math) with 73% of that money coming from corporations that have benefited greatly with their cozy relationships with our council members and their own election campaigns (I’ll get to that later).

Money equals free speech. And in this case, 73% of the money that went to selling the “need” for an income tax increase came from corporations who have or will benefit from this issue or benefit by propping up city leader’s false claims of needing more money.

Motorcars Honda and Toyota is a great corporate citizen of CH. But it bothers me that, after receiving a \$470,537 loan last year from their friends on city council, Motorcars donated \$15,000 to the income tax campaign.

Then there is CT Consultants, a company that recd. \$285,602 last year in consulting fees. Not an isolated occurrence, CT Consultants has been a favored “consultant” for years to city leaders. So, after getting lots of cash from City Hall, this company through its affiliates, donated \$7,000 to con Cleveland Hts. voters into passing an unneeded increase in our income tax.

Not only do these corporations influence elections, they are then allowed seats on important committees, for example, the recently created city’s Master Plan committee. So, now this corporation, through a person who does not live or work in this city according to voter logs, will determine the future of Cleveland Hts.

Of course, that person sits alongside names that also appear time and time again as donors for this and past election campaigns of council members’.

Completing the 73% funding of the unneeded income-tax campaign are two businessmen and their companies, who also donate every election cycle to the campaigns of just about all winning council candidates who now sit on council. They gave \$950 to control the message for the election in November 2015.

Interestingly, it is only on the donor’s lists of “winning council candidates” that those names appear.

So to run for city council without these core people openly supporting you, you have better chances of winning the Power Ball – so Mary Dunbar, I would suggest you buy a ticket because you won by leaps and bounds this past election cycle without playing with those “power players”. You are also unique in that most of your donors actually live in CH!1

Yep, winning council candidates now sitting on city council run successful election campaigns funded by people who not live or work in Cleveland Heights.

For example, Carol Roe’s win in 2015 relied 65% on outsiders to Cleveland Heights. The same is true for Stephens, Stein, Yasinow, and past council members Wilcox and Coryell.

The “war chest” these outside donations create often lead to allocation of these “election” funds to elections, by our illustrious council members, outside of Cleveland Heights. The result? A vicious circle of mutual benefit and the buying of influence that does not benefit CH voters.

Involved in this vicious circle of mutual beneficence, is the Democratic Party, at the state, county and city level. Again, interestingly, only “winners”, other than Dunbar, receive financial support from these organizations through in-kind donations and cut-rate services for campaigning literature and services.

Those cut rates for key election communication provide those council “winners” greater “Free Speech” than those who do not play ball with this political machine. That higher level of “Free Speech” even includes supposed “Republicans”.

For example, Jason Stein received these benefits from the Democratic Party between 2011 to 2013 in the amount of \$6,606.17!

Our Mayor has received \$7,524 between 2009 to 2013.

Coryell received benefits of \$2,134.62 between 2011 and 2013, then decided to return that favor by donating \$6,829 to those Democratic organizations. I have to wonder if that is how his CH donors would have liked to see their personal donations used – to benefit elections outside of our city!

Wilcox benefited greatly in 2012 with \$8,470.86 in in-kind and bargain-basement campaign services from the Democratic machine.

So, who are “winners” like Roe, Stein, and Stephens beholden to?

Not only do those donations mean a “Win”, they ensure access to and influence over our city council members. Those loans and contracts mentioned earlier are testament to that.

That access expands because those “winners” are then made executives within these Democratic organizations. The executives of the Cuyahoga County Democratic Party last year included five (5) of our council members: Stein, Stephens, Roe, Yasinow, Wilcox and Coryell.

The Cleveland Heights Democrats Club has four (4) of our current council in its upper echelon: Roe, Stephens, Yasinow, and Seren.

And, party loyalty continues even after office. For his actions in getting the 2015 Income Tax Increase passed, past mayor, Ed Kelley, will be rewarded with the complete repaving of his street - not the chip sealing the rest of us schleps receive.

Free speech, and the ability to control the message, is in the hands of the Democratic Party, the developers and law firms that donate heavily to "Democrats" campaigns, and the "winners".

The losers are the residents of Cleveland Heights."