



City of Cleveland Heights

Charter Review Commission

Decisions and Rationales

15 February 2018
Council Chambers
Cleveland Heights City Hall

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

1. Acceptance of Decisions and Rationales from 1 February 2018

Moved and seconded to accept the amended Decisions and Rationales 1 February 2018.
Accepted unanimously.

2. While awaiting the first speaker, the Committee started with item 5 on the agenda.

Chair suggested asking for business speakers from the three Special Improvement Districts (SID) and a developer. Noted that next meeting speakers will be Tom Wagner, member of the 2014 Lakewood Charter Review Commission and Les Jones, President, Forest Hill Home Owners Association. A person from Euclid will be at the 29 March meeting. Discussion of having three or four speakers at a meeting but most were concerned about these could be accommodated in a single meeting given the experience thus far.

Placing a general survey on the website was discussed though questions arose over whether the responses would be only from those of one view or how representative it would be. A survey about a public hearing was also suggested but some feared it would be a self-selected sample who would respond. It was pointed out that the Commission can receive comments and statements using the Facilitator's E-Mail address which is on the website.

3. Presentation by Earl Leiken, Mayor, Shaker Heights

His background is as an attorney who served on both the school board and council before successfully running for mayor. This made the transition to mayor easier. The mayor is the chief executive in Shaker Heights, serves on the Planning Commission and presides over council. The mayor appoints a Chief Administrative Officer (CAO) with the approval of council. The CAO serves at the pleasure of the mayor. By tradition, not by charter, the mayor appoints committees of council which also have citizen members. He also serves as the Safety Director. The CAO is also the Clerk of Council. The Mayor sets the agenda of council.

The council elects a Vice Mayor and that office rotates among the members of Council. The Mayor has worked with the CAO for ten years and she knows what decisions the Mayor is interested in. CAO's have long tenures and, in fact, only two have held the office since its creation by ordinance in 1974. He sees the success of this arrangement coming from a collaborative governance process.

The Mayor sets the strategic direction but needs Council buy-in. Economic development structured by the Mayor though he works with the Director of Economic Development and CAO. CAO does the detail work for economic development. Major proposals go through Council committees which make recommendations to the full Council.

Perceived the government of Cleveland Heights as having leadership. He shared the example of the dispatch center in which Tanisha Briley, the current City Manager, played a major role in the process.

He prefers at-large elections for council as members should be invested in the whole community. In alternate two-year election cycles, three members of Council are elected for four year terms and four members of Council and a mayor are elected for four year terms. Council elections are generally contested and members don't run on the mayor's program.

In response to questions, he did not see an issue with the current form of government in Cleveland Heights. A city manager could be a leader in the Mayors and Managers Association and he thought Tanisha could be a leader in the Association. He is concerned less with the status of the city manager than not having wards. His advice to a new mayor who has not served on council prior to becoming mayor was to talk with members of council and other officials such as administrators before taking action.

4. Presentation of Dennis Wilcox, former councilmember and Mayor of Cleveland Heights

The big duty of a charter review commission is to ascertain the consequences of any changes. Saw the government in Cleveland Heights working well, reflected in the 60% vote to increase the income tax. Saw collaborative governance as key to effective governance regardless of the form of government. Used example of capital budget where Council started the issue but worked with the City Manager and staff. Also noted getting the message out about revenue loss from the reduced local government fund and repeal of the estate tax. Saw the EPA sanctions less of a leadership question than a lack of resources. City Manager as leader is a question of how best to communicate. Sees that resulting from the Council and the Manager strategically determining who is to communicate what, with the Council handling the political issues.

Favors at-large over wards for election of council as wards localize decisions and can fight over allocations of resources among wards. Likes candidates campaigning all over the city as well as every Member of Council able to answer yes to the question from any citizen, "Are you my councilmember." Sees the Council as sufficiently empowered, starting with the ability to fire the City Manager. Doesn't see electing the mayor alone as changing much as he received more calls when Mayor. Annual evaluation of City Manager implements the power of Council to set the salary and evaluate the performance. If the City Manager not following the wishes of the Council or harming the city, the Council must fire the Manager. This evaluation makes the City Manager accountable to the people. Council needs to be on the same page. As Mayor he sought input on Saturday morning and then meeting on Monday night. Each week he brought goals to the table.

Sees strong mayor as workable if all are on the same page but strong mayor also brings some baggage such as the veto. Concerns with strong mayor also included fear of hiring campaign staff rather than professional staff and disturbing police, fire and EMS professionalism as well the general rating of the government.

He pointed to the finance provisions needing attention in charter review. He promised to provide his view of any other provisions that need attention.

5. Decision about a Committee Discussion Meeting

Committee agreed to not have presentation at the 15 March meeting and have a Commission discussion about the information they have received to this point.

6. Public Comment

Twelve persons presented public comments. Was suggested and accepted to have those who had not made public comments go first. Paul Volpe noted he is an architect and development consultant to many cities including Cleveland Heights. Suggested a focus group type process for the Commission to learn the perspectives of those who interact with the city or have a business. Bruce Hennes was President, Coventry Neighbors, participated in campaigns and see the government historically as “hybrid.” If mayor is strong then city manager is accountable but if mayor weak then city manager, then developers find it difficult to get anything done. Example is Ed Kelley as a strong mayor and did considerable economic development as developers could work with a politician. Hennes further stated that prior to Ed Kelley, there was no accountability. John Zagara, owner of Zagara’s Marketplace, suggested looking at other charters, perhaps by a subcommittee, as well as surveying the community. Online survey can be done easily. He stated that, “The current charter places the person with the highest authority behind the curtain of Council. That person has no responsibility-- no accountability, to the voters, and I feel that's a weaker form of government than we should have for this next 100 years.” Judi Miles, who is an attorney as well as having done community work. Found diverse relationships and commercial opportunities. Suggests Commission cast a broad net and get input from other cities about what works now not a hundred years ago to meet growing problems. Kermit Lind lifetime resident and involved with public policy and development in inner ring suburbs. Inner ring suburbs experienced growth of issues that current government not structurally able to address as well as issues of one hundred years ago. No Council-Manager system adoptions in Cuyahoga County since Cleveland Heights. Now need different leadership to confront state and national governments who used to be allies but are now more like enemies. Jim Miller saw residences of council members as living in two bands on the map that was distributed and not reflected of the whole city. Result of at-large elections which also cost more than ward elections. Bill Mitchell sees Council-Manager government as undemocratic and bureaucratic with an inherent split between authority and responsibility. Michael Bennett questions lack of information as website is passive and not informative; he sees no updates in the City News and nothing on the City's Facebook page. Karen Lash now sees at-large in a better light but Noble Neighbors is an example of where parts of the city were ignored. Tony Cuda observed that governments at state and national levels demand election of officials but here neither the mayor nor the city manager is elected. Sees issues demanding full-time leadership. Bob

Brown advocated a mid-point public hearing with an hour, hour and a half, for public comments. Susan Efroymson stated public is informed and their opinions should be gathered. May deadline is important for changing form of government for electing officials. Electing a mayor allows for vision creation as well dealing with the state. Suggest use of a running mate. Excellent people in office currently but the structure needs to be changed.

10. Adjournment

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