



# City of Cleveland Heights Charter Review Commission

## Submissions to the Commission – Revised

Committee of the Whole  
13 March 2018

### Messages and Documents Index

1. Hugh Weinberg
2. Nancy Darling
3. David Porter
4. Garry Kanter
5. Kathleen Rosen
6. Susan Wean
7. Susan Wean – Addendum
8. Melissa Yasinow

The following messages and other materials have been submitted to the Facilitator since the last sharing of Submissions. The materials are ordered by date received.

1. Hugh Weinberg – Message 1 March 2018

Dear Mr. Keller:

On the NextDoor site, we were told that we could submit comments about possible Cleveland Heights Charter Revisions. While I hope to submit more detailed comments, either in writing or in person, if the Commission holds a public forum of some kind.

I support having a Mayor who is directly elected by the people. The Mayor would be more accountable than a City Manager appointed by the City Council, and I think the people would feel they have more of a say in how their city is run (with their tax dollars). The Mayor, who could be either full-time or part-time, could nevertheless have a top executive officer (a kind of CEO or Chief of Staff, if you will), to help handle the day-to-day requirements of running the city. In fact, the City Manager position could be retained and still be charged with various executive functions. The manager could be appointed by (and thus answerable to) the Mayor (who, as I said, would be answerable to the people themselves).

As for the City Council, I support having council members elected to represent specific wards or districts, especially if there is a stronger centralized government in the Mayor's Office. One of Cleveland Heights' greatest strengths is the diversity of its people and neighborhoods. Partly because of this diversity, communities' needs don't always overlap and might even be diametrically opposed to each other. Admittedly, some neighborhoods get more attention than others. That doesn't mean that differences can't be resolved, but each community should have "a seat at the table." If the Commission recommended this means of representation, it could also, retain one or two at-large seats, whose mission could be, among other things, working to help reconcile differences among communities.

For many years, I worked for the NYC government, where, many years ago, they used to have a President of the City Council and some at-large members (as well as members representing districts). Currently, the NYC Council only has members who represent specific districts. Also, it has a Speaker, who is elected by council members. The position of President of the City Council no longer exists, but has morphed into a position known as the Public Advocate (which I won't go into here).

Please forward my opinions to the Commission or other appropriate officials. I'd be glad to expand upon them, if I'm given an opportunity in the future.

Thank you for your consideration.

Hugh Weinberg

email: [hughbweinberg@gmail.com](mailto:hughbweinberg@gmail.com)

phone: 646-342-4161

## 2. Nancy Darling – Message 4 March 2018

[*Mayor of Cleveland Heights* was the subject of the message]

I think they should be elected as well as council.

Put this on the ballot!

How about an ordinance on paint colors for house exteriors. I have heard Shaker Hts has this.

Sincerely Nancy Darling  
The Victorian Condominiums

3. David Porter – Message 6 March 2018

Mr. Keller:

A suggestion from the audience:

From the conversations to date, there are concerns that our current system has not always led to the President of Council/Mayor being a leader (or at least seen as a leader) on the issues such as housing and business development.

Let me suggest that to avoid the need to change our form of government to respond to this concern, there is a relatively easy fix to this that doesn't require a lot of drafting or effort. Start by adding the following at the end of Charter section III-11:

“In addition to the foregoing general powers and duties, the Mayor shall collaborate with the City Manager in promoting and pursuing the strategic plan or vision of the City as determined from time to time by the Council, and shall collaborate with the City Manager in promoting and pursuing the attraction of residents, business, employment and development to the City and the retention of residents, businesses, employment, and development within the City.”

Once that provision makes clear that it is the Mayor's role to be actively engaged in these activities (as a partner of, not a boss to, the CM), it is possible, though I think unnecessary, to beef up the first paragraph of the section to clarify that the selection of the CP/Mayor entails an analysis by Council of the capability of the candidate to fulfill the additional role, including not only their background abilities, but commitment to performing the duties.

“In selecting the Mayor and Vice Mayor, the Council shall consider the background, abilities and commitments of the persons selected in light of the role of the Mayor set forth in the next paragraph.”

To fairly compensate the Mayor for the added work, I'd suggest the Mayor be paid 150% of the then current Council pay. Still part time, but extra pay for extra work.

David Porter  
2248 Harcourt Drive  
Resident since 1981

4. Garry Kanter – Message 7 March 2018

Mr. Keller,

Even without ward representation, the city would benefit from city council elections that were for contested for individual seats, as opposed to the current pooling method of the top four (or three) vote-getters being elected.

This is how Common Pleas Judges are elected - head to head for each seat.

Please include this suggestion in the topics the Commission considers.

Sincerely,

Garry Kanter

5. Kathleen Rosen – Message 12 March 2018

Dear Mr. Keller,

As a resident of Cleveland Heights, I am requesting a positive change in city council transparency. Currently, the “Committee of the Whole” meetings of the council take place unrecorded and without official minutes published. These are the meetings where much of the real work and decision-making take place, and as such should be at the very least recorded, with the recordings made freely available to the public. While there may not be a need for detailed written minutes (if recording is available), there should also be a report out or summary of decisions taken at such meetings. I believe this should apply to all meetings of council as a whole, and committee meetings where substantive votes are taken. In this age of technological enhancements, there is no reason to hold these meetings in an information blackout.

I am writing you in your role as facilitator of the Cleveland Heights Charter Review Commission. I would ask that you pass my opinion on to the Commission.

Thank you,

Kathleen T Rosen  
3246 Clarendon Rd.  
Cleveland Heights, Ohio 44118

6. Sarah Wean – Message 12 March 2018

March, 2018

Dear Cleveland Heights Charter Review Commissioners,

Although I recently moved out of Cleveland Heights because my family couldn't find an equivalent housing choice to allow us to age in place over the years, I am pleased

to have been asked to provide my perspective on the activities of the Charter Commission.

As a 26-year resident of the city, I took great interest in community issues and learned a great deal about them through my stints as a City of Cleveland Heights Housing Service consultant; as one of a number of concerned citizens who rallied around quality of life and city planning issues by creating FutureHeights in 2000; and as a neighborhood volunteer in the Grant Deming's Forest Hill Historic District. Frankly, I have such an abiding interest in the success of the city that I still pay much more attention to Cleveland Heights' issues than those of my new Cleveland neighborhood.

My experiences have led me to the conclusion that Cleveland Heights has not been well served by its current government structure and that a strong, elected mayor, with representation by a council elected from a combination of wards and at large members, would be both more accountable to residents and better able to lead the city on key issues that affect every neighborhood, resident and stakeholder.

The current form of government, with no one truly overseeing the city manager's work and no one full time person truly accountable to the voters, gets in the way of responding to active citizens seeking answers (and timely action) to contemporary quality of life issues.

This structure may have worked well in the early 20th century Progressive-era view of government needing to be placed on a business footing, but today's challenges require a new approach.

The costs of the council-manager form of government are clear.

The insular culture in which I worked at city hall in the 90's allowed many of the internal systems that should have been modernized over time to remain archaic and inefficient.

I became even more aware of these drawbacks as my neighborhood struggled to understand and remedy vacant and foreclosed housing issues that have overwhelmed the city and its resources. As Grant Deming residents worked with the city over many years, including advocating that they adopt a foreclosure bond tool that has yet to come to any meaningful discussion, we came to see that it was ill-prepared, even on a 21st century data level, to handle the intricacies of combating this issue.

Housing data that should have been available at the touch of a computer key was only available stuffed in a file cabinet on many pieces of paper. The housing department's go-it-alone culture didn't allow for reaching out to collaborate with local

resources for better data collection (such as CWRU's NEOCANDO, as was pointed out at the time to the city by our volunteers).

When FutureHeights was formed in 2000 to organize active citizen support for the community, the council-manager form of government created a prescription for inertia that made the city ill-prepared to work with us. The structure of no accountability encourages the administration to keep residents at arm's length. And instead of having the leadership in place to embrace organized citizen assistance, City Hall was entrenched with a suspicious and defensive response. When no full time city employee is elected by residents, it should come as no surprise that accountability to residents (or even their entirely part-time elected representatives) might suffer.

There remains no one person to approach at city hall to bring people and important community resources in through the door, greatly hindering the city's ability to respond to its ongoing challenges, such as fighting the problem of vacant and blighted homes, accommodating the city's increasingly poor and aging population, and becoming a place young people want to live and raise their families.

I don't place the blame for this inertia on individuals, but on a system that doesn't encourage new ideas and proactivity to city opportunities and challenges when they present themselves.

Through these iterations of my life as an engaged citizen, I've come to the conclusion that accountability and progress in Cleveland Heights can better be achieved by embracing an elected mayor form of government, coupled with a mix of ward representation and at-large council members. I hope the Commission will come to the same conclusion after its careful study and deliberation.

Some may take the position that the current system has worked over the years and that change would violate the old maxim "if it isn't broken, don't fix it". However, Cleveland Heights long questioned the need for a master plan, something FutureHeights and others consistently proposed from 2000 until 2017. Similarly, for years the city rebuffed calls for the creation of a community development corporation, which could be a municipal partner in development issues; today they are finally in talks with FutureHeights to achieve that overdue goal. Perhaps the city will also recognize the benefit of adopting the foreclosure bond legislation residents have sought for years as a way to shift the cost of vacant properties from taxpayers to the financial institutions which unnecessarily created the vacancies.

All these examples reveal the belated progress of valuable ideas in a system that, while not "broken", nonetheless can miss important opportunities due to a structure that does not contain enough accountability or resident input for today's world.

You have before you an important opportunity, one that comes along only every ten years if council allows it, to move Cleveland Heights forward by asking its voters to decide if a change in form of government might best position the city for a brighter and healthier future.

Please recommend that Cleveland Heights City Council allow this issue, and these changes to the city charter, to be put to a city-wide vote this November, 2018.

Sincerely,

Sarah Wean

7. Susan Wean – Message and Attachment 13 March 2018

Dear Mr. Keller,

I would like you to pass along to the Cleveland Heights Charter Review Commission this letter with an addendum to the letter I sent to the commission members yesterday, clarifying my position on what form of government I support for Cleveland Heights.

I thought it was implied, and although I did not actually state it, I believe Cleveland Heights would benefit from an elected mayor and mayor appointed Chief Administrative Officer, such as the City of Shaker Heights has.

Thank you.

Sarah Wean

Appendix 1

Addendum to Letter on Form of Government  
Susan Wean

March, 2018

Dear Cleveland Heights Charter Review Commissioners,

Although I recently moved out of Cleveland Heights because my family couldn't find an equivalent housing choice to allow us to age in place over the years, I am pleased to have been asked to provide my perspective on the activities of the Charter Commission.

As a 26 year resident of the city, I took great interest in community issues and learned a great deal about them through my stints as a City of Cleveland Heights Housing Service consultant; as one of a number of concerned citizens who rallied around quality of life and city planning issues by creating FutureHeights in 2000; and as a neighborhood volunteer in the Grant Deming's Forest Hill Historic District. Frankly, I have such an abiding interest in the success of the city that I still pay much more attention to Cleveland Heights' issues than those of my new Cleveland neighborhood.

My experiences have led me to the conclusion that Cleveland Heights has not been well served by its current government structure and that a strong, elected mayor, with representation by a council elected from a combination of wards and at large members, would be both more accountable to residents and better able to lead the city on key issues that affect every neighborhood, resident and stakeholder.

The current form of government, with no one truly overseeing the city manager's work and no one full time person truly accountable to the voters, gets in the way of responding to active citizens seeking answers (and timely action) to contemporary quality of life issues.

This structure may have worked well in the early 20th century Progressive-era view of government needing to be placed on a business footing, but today's challenges require a new approach.

The costs of the council-manager form of government are clear.

The insular culture in which I worked at city hall in the 90's allowed many of the internal systems that should have been modernized over time to remain archaic and inefficient.

I became even more aware of these drawbacks as my neighborhood struggled to understand and remedy vacant and foreclosed housing issues that have overwhelmed the city and its resources. As Grant Deming residents worked with the city over many years, including advocating that they adopt a foreclosure bond tool that has yet to come to any meaningful discussion, we came to see that it was ill-prepared, even on a 21st century data level, to handle the intricacies of combating this issue.

Housing data that should have been available at the touch of a computer key was only available stuffed in a file cabinet on many pieces of paper. The housing department's go-it-

alone culture didn't allow for reaching out to collaborate with local resources for better data collection (such as CWRU's NEOCANDO, as was pointed out at the time to the city by our volunteers).

When FutureHeights was formed in 2000 to organize active citizen support for the community, the council-manager form of government created a prescription for inertia that made the city ill-prepared to work with us. The structure of no accountability encourages the administration to keep residents at arm's length. And instead of having the leadership in place to embrace organized citizen assistance, City Hall was entrenched with a suspicious and defensive response. When no full time city employee is elected by residents, it should come as no surprise that accountability to residents (or even their entirely part-time elected representatives) might suffer.

There remains no one person to approach at city hall to bring people and important community resources in through the door, greatly hindering the city's ability to respond to its ongoing challenges, such as fighting the problem of vacant and blighted homes, accommodating the city's increasingly poor and aging population, and becoming a place young people want to live and raise their families.

I don't place the blame for this inertia on individuals, but on a system that doesn't encourage new ideas and proactivity to city opportunities and challenges when they present themselves.

Through these iterations of my life as an engaged citizen, I've come to the conclusion that accountability and progress in Cleveland Heights can better be achieved by embracing an elected mayor form of government, coupled with a mix of ward representation and at-large council members. I hope the Commission will come to the same conclusion after its careful study and deliberation.

Some may take the position that the current system has worked over the years and that change would violate the old maxim "if it isn't broken, don't fix it". However, Cleveland Heights long questioned the need for a master plan, something FutureHeights and others consistently proposed from 2000 until 2017. Similarly, for years the city rebuffed calls for the creation of a community development corporation, which could be a municipal partner in development issues; today they are finally in talks with FutureHeights to achieve that overdue goal. Perhaps the city will also recognize the benefit of adopting the foreclosure bond legislation residents have sought for years as a way to shift the cost of vacant properties from taxpayers to the financial institutions which unnecessarily created the vacancies.

All these examples reveal the belated progress of valuable ideas in a system that, while not "broken", nonetheless can miss important opportunities due to a structure that does not contain enough accountability or resident input for today's world.

You have before you an important opportunity, one that comes along only every ten years if council allows it, to move Cleveland Heights forward by asking its voters to decide if a change in form of government might best position the city for a brighter and healthier future.

Please recommend that Cleveland Heights City Council allow this issue, and these changes to the city charter, to be put to a city-wide vote this November, 2018.

Sincerely,

Sarah Wean

8. Melissa Yasinow – Message 13 March 2018

Larry:

To supplement my earlier commentary about my concern on a ward-based system, I'm providing you, and, thus, the Commission, an article that came out today regarding Cleveland's allocation of funds for road maintenance. The article is titled "[Street resurfacing funds are unfairly distributed, says Cleveland City Council member.](#)"

Cleveland City Councilman Mike Polensek, Ward 8, wrote a letter to Cleveland Council President Kevin Kelley complaining about the way that Cleveland allocates road repair funding. According to Councilman Polensek, the current formula creates "winners and losers" for funding--rather than an even allocation across wards--and "punishes wards where the members of council have year after year made sure to use their ward allotments as effectively as possible."

As I stated before the Commission previously, I believe that our at-large system serves our City quite well. As councilmembers, we are charged with caring about the City (and its roads) as a whole. There is no protectionist mindset, and we do not fight for resources in a zero-sum game of winners v. losers.

I would not want these resource fights to come to Cleveland Heights, and I believe that they would if wards were adopted, either exclusively or in a ward/at-large mix. Thank you.

Sincerely,

Melissa Yasinow  
Vice Mayor, City of Cleveland Heights

## *Why would a Cleveland Heights “progressive” want to replace our “progressive” form of local government?*

When I began my education as a city planner back in 1970, I learned about the cronyism and corruption associated with some big city mayors, like the Tammany Hall politics of New York City in the early 1900's. I also learned that the city manager form of government was instituted in some cities as a reform-minded, progressive alternative to corrupt big city political machines.

Naturally, being a progressively-minded young college student, I found a lot to like in the city manager form of government in its call for professional management of the city over politically motivated management. I also learned, however, that some support for the city manager form of government came not from progressively minded individuals but from members of what could be called the corporate elite, who wanted more control over city government and believed that average citizens couldn't be trusted to choose a city's leader.

Today, after working as a city planner for over forty years – in suburban communities as well as in a big central city – I've come to understand that selecting a form of city governance is a lot more complicated than simply choosing between potentially corrupt politicians, on the one hand, and unelected managers who may have little direct accountability to citizens, on the other hand.

I've come to believe that the city manager form of government may work well for growing and stable communities that need little more from their city government than good business-like management. In Cuyahoga County, this may apply to cities like Pepper Pike or Bay Village, although both of those cities are among the 55 municipalities in Cuyahoga County that are led by a popularly elected mayor. Only Cleveland Heights and Bedford have chosen to be governed without a mayor elected by local citizens.

For Cleveland Heights and other suburbs grappling with issues like declining population, building abandonment, falling property values, demographic changes and increasing tax burdens, I've concluded that a government made up of seven part-time city council members and their appointed city manager is unlikely to provide the kind of bold and decisive leadership necessary to navigate a city's forward progress through these formidable obstacles.

Some advocates for the current council-manager form of government in Cleveland Heights say that any form of government can work as long as the people running the government are capable and hard working. No doubt this is true to some extent, but others, including me, would argue that certain forms of government are *more likely* to result in effective leadership for a community with the issues that Cleveland Heights is facing.

In fact, I believe that our current city council members and city administrators are, for the most part, very capable, scrupulously honest and hard working. What holds us back I believe is not the people in our government but our current *form* of government – one that results, from my observations, in painfully slow decision-making, an overly risk-averse approach to progress, disadvantages in working with the elected leaders of other governments, the lack of a singular

vision for our community, and the lack of leadership necessary to articulate and implement that vision. In addition, I have found that the goals of transparency and accountability are more elusive in a government led by and appointed manager than in one led by an elected mayor.

Some advocates for city manager-led governments argue that a popularly elected mayor may lack professional management skills and that city government would suffer without the benefit of a professionally trained manager. Shaker Heights, however, offers a simple alternative that pairs a popularly elected mayor, who functions as the city's leader, with a chief administrative official, who oversees the day-to-day operations of the city – something like the roles of a CEO and a COO in the business world.

What would a more decisive, more accountable form of government in Cleveland Heights have done differently than has been the case in recent years? Although, as it is said, hindsight is always 20-20, I believe that a mayor-led form of government would have likely done a better job in addressing such local issues as the following:

- building new houses on vacant lots and rehabilitating recently foreclosed houses (as has been done in South Euclid and some parts of Cleveland);
- crafting a vision and an incentive package for the transformation of Severance Center, while the property was in receivership, and soliciting an owner willing to invest in that transformation (as is being done with the Van Aken district in Shaker Heights);
- facilitating optimal, tax-paying new uses on vacant and under-utilized properties like the Medusa Building on Monticello, the Rockefeller Point (May-Lee) Building, the former Medic/Pick'n'Pay site on Noble, the long-vacant Lee-Meadowbrook site, and the former Oakwood Country Club site;
- developing a practical plan to stabilize and revitalize the Noble neighborhood;
- attracting technology-oriented start-up businesses to Cleveland Heights;
- capitalizing on our proximity to the institutions of University Circle; and
- partnering with or creating a community development corporation (as has been done in Lakewood, Shaker Heights, South Euclid and Cleveland).

*Cleveland Heights is a community with unique assets and tremendous opportunities.* It is the “place to be” for many of us, including those of us who would describe ourselves as progressively minded advocates for good government. As one of those citizens, I have come to the conclusion that it is now time for the citizens of Cleveland Heights to amend our City Charter to change our form of local government to one that can better provide the vision and the leadership to act decisively, effectively, transparently and accountably.

Along with many other citizens, I have concluded that the right form of government for Cleveland Heights, moving forward, is one led by a popularly elected mayor, paired with a professional chief administrative officer and a city council that is part of a system of checks and balances.\*

*\*The make-up of city council is a Charter issue that warrants a separate discussion.*