



City of Cleveland Heights Charter Review Commission

Decisions and Rationales

17 May 2018
Council Chambers
Cleveland Heights City Hall

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

1. Acceptance of Decisions and Rationales from 3 May 2018.

Moved and seconded to accept the Decisions and Rationales 3 May 2018.
Accepted unanimously.

2. Interview, Question and Answer Session with Tanisha Briley, City Manager, and Karen Knittel, City Planner

The Chair noted that the first two scheduled interviews for the evening, George Maier and Dr. Brenda May, were not present. Dr. May was dealing with a friend's medical emergency, and efforts to reach Mr. Maier for confirmation of his appearance had been unsuccessful. In light of these absences, it was determined to start with the third interview on the Agenda.

The Chair requested Ms. Briley and Ms. Knittel to describe their backgrounds briefly, make any preliminary comments they might think useful, and then answer questions from Commission members. Briley noted she joined the city in August 2013 and both plans and helps the trains stay on schedule. Knittel has been a planner all her career, starting with Community Development Block Grant program and then becoming more of a traditional land use planner; she was the city's lead on the Master Plan project.

Briley described the genesis of the Master Plan, the initiative for which came from the city administration, with Council being very supportive. When she joined the city, she found fragments about where the city wanted to go in the future. She sought a more complete picture of the preferred future for the city, including in light of strategic priorities that had been presented to her by

Council initially and then additionally over her early period in the job. Funding for the Master Plan came via a grant from Cuyahoga County. The process took about 18 months, involved substantial community input (the high degree of citizen engagement having drawn special notice and comment by county staff), and was adopted by Council in March 17. The Master Plan (which includes vision, goals, and numerous particularized recommendations for moving forward) helps organize for action, though it remains flexible to be able to take advantage of unexpected opportunities and to handle obstacles that arise. The Plan has about a five-year horizon and helps guide micro development. Knittel staffs the Plan activities, which will include a dashboard to track implementation. The dashboard notion and status of implementation was reviewed publicly by Briley at the 16 April Council meeting. [The video of that meeting has a detailed PowerPoint that was presented by the City Manager. The video is available on the Council section of the city website.]

A dashboard is a visual collection of icons to access information. The Master Plan dashboard will allow citizens to access all parts of the plan and to track progress in bringing it to fruition. Briley expressed her view that the process of the Council setting strategic priorities, and the steps taken toward delivering on those priorities, were perhaps not adequately visible to the public, and that a better job could and should be done in communication. The dashboard will be a significant step in this direction.

Briley described what she saw as the collaborative nature of governance in a council/manager system, as distinguished from a mayor/council system where other features are part of the design emphasis --variously described as conflict or checks and balances. Thus, she observed, with a city manager, the system develops consensus around goals and the process to reach them. The process emphasizes dialog, such as the steering committee that helped in the development of the Master Plan. The Plan has created and targeted actions that the City Council expects the City Manager to implement, with Council's ongoing support.

Briley and Knittel addressed the approach currently being taken to economic development matters in Cleveland Heights, including differences in developing privately owned land versus publicly controlled property, with examples.

3. Interview, Question and Answer Session with Kahlil Seren, Councilmember

Councilmember Seren, who by education and professional experience focuses on public policy matters, was invited to speak on topics covered in his recent response to the Commission Survey of members of Council. He addressed several issues on the structure of government. For him, the structure of government does influence a city's operational culture. In particular, he

questioned whether the system in Cleveland Heights is as nimble, aggressive and competitive as the mayor systems found in neighboring communities. He saw the issue of CDCs as an example -- showing delay, repeated studies, and in essence “design by committee.” He cited University Heights as a point of contrast. He questioned whether City Council could push innovation as much as a strong mayor who runs on particular proposals, and he advanced his views that the committee of the whole is risk averse and that a part-time council by nature inhibits bringing bold ideas forward. In this connection, he described the issues he encountered over a multi-year period in seeking a major policy change, involving a proposed requirement for posting a bond in the event of property foreclosure. He also said that he saw professional management as important for the city, leading him to suggest a charter-mandated, confirmable, chief administrative officer (answerable to the mayor, once hired) as desirable along with a strong mayor.

Seren explained his view on how the Commission came to be formed and on the effort of the Commission as to potential executive structural changes would be useful, since he perceived no interest on the part of a sufficient number of Council members to put such changes on the ballot regardless what the Commission might recommend.

He favors having some council members elected from wards, or if the fully at-large system were to remain, then having candidates compete for specific seats.

On other issues for the charter review commission, he suggested forbidding individual Council members from directing city expenditures (a prophylactic measure, not to address an existing specific circumstance), changing the method of handling council vacancies, and increasing transparency in government affairs.

4. Additional Business

Committee agreed to invite Dr. May to the next meeting, Thursday, 7 June.

Upon request, Dr. Keller will prepare and submit to the Commission in advance of the next meeting a set of key items and questions for consideration in thinking about alternative structures of government. He will also develop an overview of electoral process considerations potentially relevant to the charter, including with reference to provisions in other cities.

It was noted that the Commission members will need to address how they want to review the charter after deciding the issue of the form of government. For example, the charter could be reviewed in order of the provisions, or

certain specific issues could be selected. Identification of potential issues potential issues could be helped by looking at the upcoming **Final Report** of the Community Meeting and the **Overview of the Cleveland Heights Charter** drafted by Dr. Keller. In all cases the Commission must, as directed by Council, decide what the problem is, how any change might address the problem, and what the consequences of change might be for the city.

It was noted that the first scheduled meeting in July fell on the day after the fourth of July holiday, 5 July. The Committee decided not to change the date.

5. Public Comment

The first speaker, Leonard Horowitz, served on the Cleveland Heights Local Development Corporation in the early 1980s, on City Council from 1982 to 1993, and on the Planning Commission since 1999. He questioned the importance of form of government, since he has seen good and bad governments of both kinds, council/manager and mayor/council. He sees the city as valuing consensus (attributing this at least in part to a cautious approach prompted by its large dependence on homeowners for its revenues) and has having historically tackled problems in that way, citing as an example integration issues in the 1970s. He saw as a key to success an active, effective oversight of the executive by City Council. Garry Kanter stated his view of the genesis of the Commission, observed that Council can address issues (including charter amendment) at any time, believes that the form of government in Cleveland Heights is not well understood and also is not important, was critical of the attention paid by the Planning Commission to bikes, questioned why not all Council meetings are not recorded, and urged adherence to the state's sunshine laws. Karen Lash expressed her view as to an absence of leadership in the city, especially on the legislative side, and the resulting need for a change, and also urged the need for transparency in the conduct of city business. Joanne Siegel opined that there are issues the Commission needs to examine other than form of government, noting that the report from the Community Meeting should help identify these items. For her, major issues are having a mandatory charter review every ten years and, subject to legally required exceptions, having all city meetings documented. Tony Cuda opined that the current system is not working, not effectively dealing with the problems such as housing and economic development. He noted that presenters to the Committee had observed that the city is not good for developers and that business leaders are on their own. He sees the need for a full-time elected official in charge, in addition to a manager, in order to change the dynamics.

6. Adjournment

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