



City of Cleveland Heights Charter Review Commission

Decisions and Rationales

7 June 2018
Council Chambers
Cleveland Heights City Hall

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

1. Acceptance of Decisions and Rationales from 17 May 2018.

Moved and seconded to accept the Decisions and Rationales 17 May 2018.
Accepted unanimously.

2. Interview, Question and Answer Session with Dr. Brenda May, Director, Noble Neighbors.

The Chair noted that Dr. Brenda May had been dealing with a friend's medical emergency at the time of the last meeting when she had originally been scheduled to meet. He thanked her for arranging to attend this later meeting to talk with the Commission.

The Chair explained the Commission's role as defined by City Council, which was the basis for having a variety of people talk with the Commission on the issues facing the city. He requested Dr. May briefly to describe her background and that of Noble Neighbors, to make any preliminary comments she might think useful, and then be prepared to answer questions from Commission members.

Dr. May began by observing that she sees service on the Commission as important for the city and she believes that all members will do what they regard as best for the city. She described the nature and purpose of the Noble Neighbors Association as growing a collective vision for its geographical area (roughly two square miles encompassing five census tracts along Noble Road in the city) and establishing governmental and other relationships to pursue the vision. [Its website is www.nobleneighbors.com.] The catalyst for formation

of the Association was a random attack in the area but it gradually evolved toward pursuit of a much broader vision of what the Association would, and could, be and do for the larger Noble neighborhood. This helped deal with the significant housing issues and other situations seen as needing attention. She believes the city needs local areas to pay attention to and engage with issues and concerns for their respective locales and develop and pursue related visions forward, just as the Association has sought to do for its own area.

Dr. May perceived the appropriate role of the city as giving support to what the organized citizenry such as Noble Neighbors seeks, not just as giving directives, and she felt the city had been responsive in this regard for Noble Neighbors as to both hard issues and easy ones. All members of Council have been involved with the Association. In addition, the Association has worked with a wide spectrum of the city's professional staff, such as the police academy and other programs with the police department. She worried about the status of staff, now selected on a professional basis, which she saw as potentially changing if there were to be an elected mayor where changes could be made for reasons of political favor.

She expressed wariness that that a strong mayor might be imagined as a sort of "superhero." In addition, she worried that ward representation could end up as a "token," and believed the Noble neighborhood needed to become known citywide; it needed representation but there would be more than one way to accomplish that.

She commented how, at any important discussion, she seeks consensus on conclusions so that the vision is broadly shared. In response to question if other areas had reached out to learn about Noble Neighbors, she cautioned that any attempt to duplicate her organization would need to be broad based and inclusive, going beyond simply having occasional locally organized events. Noble Neighbors has developed a broad vision and agenda. She has found council responsive and believes the city manager is held accountable through annual evaluations of his/her performance on dealing with issues highlighted by the council.

Overall Dr May said she did not see the structure of government as providing a definitive answer for what is best for the community and therefore declined to give a yes/no answer on status quo or change, although she noted that Noble Neighbors had been working within the current system and doing so in a manner she regards as successful.

3. Suggestion to have the current Law Director address the Commission

The Chair shared a suggestion the Commission received to have the current Law Director speak to the Commission. The suggestion noted the Law Director serves in that capacity in other cities as well as being a member of the Pepper Pike City Council. By consent, the Commission decided not to invite the Law Director to speak.

4. Moving Toward Initial Decisions

It was noted that member Gaynier could not attend but had prepared and submitted a brief written outline of certain of his views and related questions. Reference was made to a document setting out some issues and questions about form of government that had been distributed by Larry Keller, the intent of which had been to provoke thought on the subject. There followed an extended period of comment and discussion of the manner and timing of moving toward a directional decision on form of government (mayor v. city manager; council structure/election), with each member contributing views on procedure and/or substance. Among the areas of focus were the extent and quality of information before the Committee, the felt need for promoting vision and leadership, potential comparisons to other municipalities or analogous governance systems, the need to understand what sub-issues are implicated by alternate forms of government, and the need for enhanced communication regarding what the city's existing government has or has not been doing to address recognized issues. The note presented by Mr. Gaynier was identified as useful in assisting thinking, and it was suggested that perhaps if each member were to prepare and submit something similar, this would help further the discussion in an organized manner. With that in mind, it was moved, seconded and unanimously agreed that each member should prepare a short written statement setting out his/her views on the issues at hand regarding structure of government, similar to what Mr. Gaynier had done, to be sent to Larry Keller who will then circulate the statements to all members in advance of the next meeting.

5. Additional Business

There was no additional business.

6. Public Comment

The first speaker, Lisa Gaynier, commented that the discussion had been easy to follow until reference was made to documents that had not been made available to the public before the meeting. This prompted the Chair to give

brief descriptions of the contents of an issues/questions memo that had been circulated to Commission members prior to the meeting by Larry Keller, and of the note submitted by Mr. Gaynier. The second speaker, Garry Kanter, passed out an organization chart of the city, downloaded from the website, and commented citizens are not effectively part of it. He sees a lack of open government in view of council retreats that are not open to the public, along with the absence of (i) minutes from the Committee of the Whole, (ii) elections in which candidates go head to head, and (iii) suitable production by the city of documents requested from it and, relatedly, an elected law director. The third speaker, Sandy Moran, also criticized the city regarding production of requested records and overall responsiveness, citing a submission by Diane Hallum. She went on to observe that Dr. May had not been elected by and should not be regarded as representative of the neighborhood as to city responsiveness, citing her (Ms. Moran's) own unsatisfactory experience with efforts to get action on roaming pit bulls; she also made observations about the status of small commercial business spaces along Noble Road. Finally, she was critical of the conduct of certain councilmembers at a recent charter review meeting. The fourth speaker, Michael Bennett, questioned the belief that there is not a general outcry for change in form of government and referred to the document reporting on the Community Meeting and follow-up survey for what he regarded as contrary evidence. Bob Brown, the final speaker, questioned whether a city manager can be a true visionary and leader and whether a council composed of multiple part-time individuals can provide fill the gap effectively; he sees an absence of voter engagement and attributes it at least in part to the absence of a single elected official to provide a focal point. He believes a chief administrative officer could be effectively defined in a charter. He sees different forms of government as working differently depending on variations in the circumstances faced by the cities in question; thus he sees a need to work on identifying with specificity the problems at hand in Cleveland Heights and how the need to address those problems might bear on selection of the most sensible form of government for the city. He concluded with the observation that, in his view, those who have a disdain for elected officials should recognize that this amounts to a disdain for democracy.

7. Adjournment

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