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2023 Cleveland Heights Charter Review Commission

Survey for Mayor and City Council

We all recognize that changes have made to the Charter to effect and reflect an elected mayor form of government. The charge to this Commission is to review the Charter and develop recommendations for amendments, if any, in the best interest of the City. This consideration is to include whether amendments are necessary or advisable, to better and further implement the Mayor-Council form of government. The Commission is also charged to review the 2019 final report of the 2019 Commission.

For each category below, please consider further changes to the Charter that, in your opinion, the Charter Review Commission should consider, without necessarily implying that you would make such a change.

- 1. What are the most important changes to the Charter that you would like to see as a result of this Charter review process?**

Textual changes recommended by the last charter review commission particularly those for gender neutrality. Those numerous non-substantive textual changes are set forth in the last Commission's report.

Article 3, section 4, should be returned to the original provision where the appointed councilmember would fill the seat until the next scheduled municipal election.

Establish that the last date for filing nominating petitions is 90 days before the general election as opposed to the earlier Sept. date that was linked with the Mayor primary.

Article V, sections 1 and two administrative offices and departments. All Department heads would require city Council approval.

Article XV, pertaining to charter review; establish the future charter review commission's shall be comprised of seven members with four appointed by Council and three by the Mayor. I take no position as to whether the Mayor's appointments

are subject to Council approval.

All Article IX changes recommended by the last Commission.

2. What changes, if any, should be considered regarding the balance of powers between the Mayor and City Council? For example:

- a. There has been debate concerning the extent to which members of City Council may request information from, or communicate with, “the administrative service”. This is a carry-over from the prior Cleveland Heights City Charter, for a city manager form of government. Should the existing Charter text, permitting requests only for “the purpose of inquiry”, be deleted, or should the charter otherwise address the process by which City Council members request information from City departments and accountability for responses to such requests?

I have concerns about this being done by way of the charter amendment unless drafted in a way that prevents abuse by Council members.

- b. Should the Charter be modified as to the authority to establish or determine the organization and duties of each department?

No, flexibility to make changes should be maintained and that will be eliminated with a charter provision unless drafted to allow for such flexibility.

- c. Should the Charter be modified to require City Council approval for hiring of directors beyond the Directors of Law and Finance?

Yes.

- d. Currently, the Mayor appoints the Civil Service Commission, subject to City Council approval, and the City Council appoints the Planning Commission. Should the method of appointment to the City commissions be changed?

No.

- e. The method of filling vacancies on City Council was changed in 2022. Are any further changes needed?

See my earlier answer.

- f. Do you recommend consideration of other changes as to the balance of powers?

Please briefly explain the reasons for your answers.

It is my opinion that two years into this new form of government, it is too soon to make significant substantive changes as a knee-jerk reaction to the conflict between some Council members and the Mayor, and an unhappiness with the Mayor's management style

- 3. If not included in your responses above, do you think that the Commission should consider these changes:**
 - a. Adopt Ranked Choice Voting**
 - b. Change the way City Council is elected - change to electing City Council by wards or by a hybrid method of wards and at large, as opposed to retaining at large**
 - c. Add to the Charter provisions as to ethics expectations for the Mayor, City Council and Department Heads and training for the Mayor and City Council**
 - d. Add a comprehensive nondiscrimination policy statement**
 - e. Add provisions to protect the rights of residents without citizenship, such as sanctuary city status**

Please briefly explain the reasons for your answers.

I am not in favor of ranked choice voting as essentially have a modified version where voters choose the top three or four from the list of available candidates.

I am not in favor of either a ward or a hybrid system.

I am open to an ethics provision although much of what would be in an anticipated charter provision is already covered by state ethics laws.

I am okay with a comprehensive nondiscrimination policy statement and believe that was one of the recommendations from the last charter review commission.

I am opposed to any provision making this city a "sanctuary city." This legislation was previously considered by a prior Council and there were legal concerns. Given the ongoing issues with those cities that previously said they were sanctuary cities in connection with the flood of migrant immigrants, I believe this would be a bad idea.

- 4. As to the final report of the 2019 Charter Review Commission, are there particular changes recommended in that report (apart from any relating to the City Manager), which you recommend that the current Commission consider?**
 - a. In particular, should these changes be considered:**
 - i. Gender neutral language and modernized language**
 - ii. Initiative, recall and referendum provisions**
 - iii. Charter review timing**
 - iv. Changes to provisions on finances and budgeting**

- b. Are there any other recommendations from the 2019 Final Report that you recommend be considered by the current Commission?**

Please briefly explain the reasons for your answers.

See my earlier answers.