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2023 Cleveland Heights Charter Review Commission

Survey for Mayor and City Council

We all recognize that changes have been 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?

See Attached List of possible areas of the charter that should be considered for change.

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?

Anything that clarifies council’s right to get information in a timely manner from the administration would be helpful. Information is essential for any legislative branch of government to do its job (oversight, review legislation, create legislation).

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

Not sure, but my instinct says, no.

- 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?

Not sure, but there must be an application process.

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

Yes. Council needs 60 days. The Council President should appoint a new member if council is deadlocked after 60 days (offered that amendment at the time it was passed). New member should not have to run in an even numbered year.

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

See my attached list.

Please briefly explain the reasons for your answers.

In order to have a balance of power, ie “co-equal branches of government,” both branches must be fully empowered to do their job. Even if separation of powers is achieved in the charter, it is essential to also have clear checks and balances between the branches.

3. If not included in your responses above, do you think that the Commission should consider these changes:

- a. Adopt Ranked Choice Voting **Not sure, but no at this time.**

- 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 **There are pluses and minuses to both. Willing to discuss.**

- 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 **Yes!**

- d. Add a comprehensive nondiscrimination policy statement **Yes!**

- e. Add provisions to protect the rights of residents without citizenship, such as sanctuary city status **Not sure.**

Please briefly explain the reasons for your answers.

Ranked choice voting is confusing. Wards could lead to more parochial interests; At-large is difficult to navigate for some interested in serving.

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 **Yes**
 - ii. Initiative, recall and referendum provisions **Will have to review**
 - iii. Charter review timing **Good as is**
 - iv. Changes to provisions on finances and budgeting **Will have to review**
 - b. Are there any other recommendations from the 2019 Final Report that you recommend be considered by the current Commission? **Will have to review**

Please briefly explain the reasons for your answers.

2019 Final Report had several good recommendations, among them, gender neutral language; clarifications on existing language, and an ethics clause that went beyond the ORC.

CHARTER AMENDMENT TOPICS / TONY CUDA 2024

- ▶ Council vacancy amendment
- ▶ Filing deadline for council/mayoral candidates
- ▶ Ethics clause
- ▶ Gender ID in current charter
- ▶ Role of council president/Election of council president
- ▶ Number of Departments/Who gets to decide?
- ▶ Competitive bidding clause
- ▶ Council access to law director
- ▶ Appointing of Charter Review commissions
- ▶ Charter review process/Council appointments
- ▶ # of signatures for recall
- ▶ Citizen committees/Who appoints
- ▶ # of signatures on candidate petitions/limit citizens can sign
- ▶ Yard sign ordinance (not in charter)
- ▶ Online meeting / attendance requirement / voting online
- ▶ Review all recommendations from CRC
- ▶ Wards / Mixture wards/at-large
- ▶ Right of inquiry
- ▶ Mayor's right to be in exec session/council committee meetings when council making personnel decisions