



CLEVELAND HEIGHTS

Charter Review Commission

May 8, 2024

6:00 PM

City Hall – Executive Conference Room

1) Call to Order

- a. Chair Linda Striefsky called the meeting to order at 6:00 PM.

2) Roll Call

- a. Members present: Linda Striefsky, Graig Kluge, Jonathan Ciesla, Harriet Applegate, Graham Ball, Drew Herzig, and Guy Thellian.
- b. Members absent: Stephanie Morris and Roland Anglin.
- c. Staff present: Assistant Law Director Lee Crumrine.

3) Approval of Minutes of May 1 and May 4 meetings (pending availability).

- a. Motion to approve the minutes of May 1 by Jonathan Ciesla, seconded by Graham Ball. Motion passed 7-0.

4) Review and Confirm or Amend Agenda

- a. Motion by Chair to amend the agenda to hear from Council member Jim Posch and Civil Service Commission Chair Judith Miles and then proceed to discuss buckets.

5) Public Comments

- a. None.

6) Old Business

- a. Discussion with Judith Miles, Chair of the Civil Service Commission
 - i. Chair of the Civil Service Commission, Judith Miles, attended the meeting. Miles asked that the CRC invite the members of the Civil Service Commission to meet with the CRC. She also suggested the possibility of a joint meeting between the CRC and the Civil Service Commission.
- b. Discussion with Council member Jim Posch.
 - i. Council member thanked the Commission for the opportunity to offer comments, noting his very recent appointment. Posch identified some issues to recommend to the CRC. He stated that it is important to have inquiry and oversight to balance the powers of the branches,

which will facilitate collaboration. He stated that it should be made easier to run for office, including reducing the number of signatures required for a nominating petition and prohibition on signing more nominating petitions than there are seats to be filled. He suggested some protocols for Council members' inquiries and what should be given to Council members so they can do their jobs. He would like a culture for the City where objectives are measured to identify goals. He stated that all directors should be confirmed by Council, but nominated by the Mayor, and that Council have a mechanism, by super majority vote, to override the firing of a director. He thinks the same procedure should be used for boards and commissions. He suggested increasing the period for Council to appoint a vacancy to 60 days. He would not recommend adopting ranked choice voting at this time. He recommended adopting gender-neutral language. He stated that Shaker Heights uses its home rules powers to hold virtual meetings. He stated that he is concerned about the use of emergency legislation. He prefers charter reviews more frequently than every 10 years.

- ii. Guy Thellian stated that some members had some misgivings about whether to recommend ranked choice voting, and he asked Council member Posch to have an open mind about the issue.
 - iii. Drew Herzig noted that the option for virtual meetings is good information. Councilor Posch noted that Shaker heights conducts its work sessions, which are the functional equivalent of our City's Committee of the Whole meetings, as virtual meetings.
 - iv. Drew Herzig noted that the CRC plans to recommend fewer signatures on nominating petitions. Councilor Posch said that 50 signatures was too few. He sees a valuable function in candidates needing to talk to voters to get signatures.
- c. Discussion of new draft of proposed text for Ranked Choice Voting charter provision and ordinance from Drew Herzig and Harriet Applegate.
- i. Harriet Applegate stated that they will insert in the draft the equation suggested by Graham Ball and delete
 - ii. Drew Herzig stated that they are checking on advice about the provision in the draft ordinance stating that the Board of Elections shall have authorization "to promulgate whatever rules are necessary to implement this Act." Chair wondered if the City has the authority to direct the Board to enact regulations.
 - iii. A question was raised about Section 8, second line, needing an edit. Drew Herzig will follow up on this.
- d. Status report on plans for second public input meeting to be held May 21.
- i. Chair asked for comments on her draft slides for the public input meeting as soon as possible.
- e. Discuss any CRC member questions/comments on revisions to charter draft and discuss remaining issues list items
- i. The CRC discussed the sentence of the nondiscrimination amendment moved from Section 3.6 requiring the Mayor to submit a report about the City's equal opportunity employer policy. Completion of this discussion was deferred to the May 11 meeting.

- ii. The CRC discussed the use of “electors” versus “registered voters.” Assistant Law Director Lee Crumrine explained the distinction between “elector” and “registered voter.” Motion to use “elector” in place of “registered voters was made by Chair, seconded by Harriet Applegate. Drew Herzig stated his preference for “registered voters.” Graham Ball stated that “registered voters” is clearer and that the Cuyahoga County Board of Elections stated that there is no difference. Chair pointed out that informal discussions with Board personnel are not necessarily the official understanding. Motion passed 5-2.
- f. Status of drafting of segments for report and of proposed Charter.
 - i. Chair stated that she does not yet have draft of all the sections of the report from other commissioners.
- g. Buckets
 - i. Chair explained the challenges in preparing separate proposal for each bucket, particularly revisions to modernize language which are made throughout the draft charter. Chair suggested considering how many buckets are necessary. She explained the problem of amendments that potentially conflict.
 - ii. The CRC discussed the pros and cons of developing bucketed amendment proposals and what the buckets should be.
 - iii. Guy Thellian stated that it is more likely that a proposal be passed if it is conveniently presented as a separate draft.
 - iv. Motion by Chair to adopt the proposed buckets, revise the draft final report based on those buckets, and begin drafting bucketed amendments, seconded by Jonathan Ciesla. Motion passed 7-0.

7) Review of Meeting Action Items

- a. None.

8) Public Comment

- a. None.

9) Review of Meeting for Lessons Learned

- a. None.

10) Adjourn

- a. Motion to adjourn by Guy Thellian, seconded by Jonathan Ciesla. Approved unanimously. Adjourned at 8:03 P.M.

Next meeting: Saturday, May 11, 2024, 10 AM to 3 P.M.