



City of Cleveland Heights Charter Review Commission

Submissions to the Commission

Committee of the Whole
14 May 2018

Messages and Documents Index

1. Tony Cuda
2. Melissa Yasinow
3. Garry Kanter

The following messages and other materials have been submitted to the Facilitator since the last sharing of Submissions. The materials are ordered by date received.

1. Tony Cuda – Message 4 May 2018

Mr. Malone, in his testimony last night, asked the question, "why do so few people run for city council?"

Mr. Volpe said (please allow me to paraphrase), CH has no leadership; it is difficult to do business here; CH is stagnating; there is no vision.

If you put those 2 statements together, I think there is a logical answer/conclusion to be made: We have a structural issue in our current charter that is causing these problems.

Please consider the following:

1. Anyone who has leadership qualities would not run for a part time LEGISLATIVE position (city council) with no EXECUTIVE authority.
2. Fulltime, EXECUTIVE authority is what is missing from our ELECTED representation. (No CEO = stagnation.)
3. Ed Kelly was an aberration; an anomaly. He was a leader, who, by the sheer [sic] force of personality, served this community. He served in a leadership position IN SPITE OF (not because of) the city charter. Our charter did not give him: A) Executive

authority. B) A fulltime position C) A real paycheck. DO NOT expect this kind of leadership to happen again and again with our current form of government. Our current charter makes it less likely leadership will happen (because of A, B & C).

4. Our city charter has created a CULTURE OF NON-INVOLVEMENT. The reason so few people run is because for 100 years there has been no elected leadership in our community. Leadership is what motivates people to be involved, not part time legislators. Our charter, over time, has put this city to sleep.

I work in Shaker Hts every day. There is a culture of involvement when it comes to city government and their schools. Severance Center (the blight just sitting there for years on end) could not happen in Shaker. The people would demand immediate action; the government would respond accordingly. Again, they have a culture of involvement, and a city charter that makes things happen.

Tony Cuda

2. Melissa Yasinow – Message 4 May 2018

Larry:

I hope that all is well with you. I am writing about two matters.

First, I wanted to make the Commission aware of a current dispute between the Council and Mayor in Perry, Ohio. (The article is [here](#)). Apparently, the Mayor went on leave on April 13, but has not disclosed why, or when she is coming back. The Council has given a unanimous vote of "no confidence," but that vote is only ceremonial. The Council is considering circulating petitions to remove the Mayor, but, even if they get enough signatures, the matter would have to go before the Lake County Court of Common Pleas for trial.

Undoubtedly, the situation in Perry has been problematic for some time, and recently got so bad that it ended up with a "no confidence" vote. As also seen in [Willoughby Hills](#), the Mayor-Council system is predicated upon conflict between the executive and legislative, which often ends up in the media and the courts. I do not believe that such a system would benefit Cleveland Heights, and I do believe that a Council-Manager form of government best serves our community.

Second, I had an experience that I feel is instructive of some interactions with the City, where an individual may confuse "not getting a response that they like" with "not getting a response at all." I recently heard that a resident was upset at a community meeting, stating that they had not gotten a response after emailing their concerns about three vacant properties. I reviewed the email correspondence, and I saw that the City Manager had replied to this individual within 24 hours, stating that she would review the matter with staff and that they'd get back to this person as soon as possible. One week later, Housing Director Allan Butler responded with an update on each property. With one property, Mr. Butler stated that he was working with the owning bank to get it listed for sale so that it could be renovated. With the other two properties, however, they were vacant by choice and current on all taxes, thereby limiting what he could do (although Mr. Butler did issue a citation for an exterior violation on one of the vacant-by-choice properties). There were no further communications from this resident (at least of which I'm aware) until they publicly claimed that the City was unresponsive.

I find the City's staff to be dedicated, prompt, and professional. Although some communications may slip through the cracks, my experience is that the vast majority of concerns are timely addressed. Unfortunately, some residents are not always pleased with the answer they receive, and, as a result, they believe that they have not received a response at all. I hope that this anecdote may be helpful to you and the Commission.

Sincerely,

Melissa Yasinow
Vice Mayor, City of Cleveland Heights

3. Garry Kanter – Message 10 May 2018

To Whom It May Concern,

On May 8, 2018, FutureHeights Board Member Robert Brown published another biased article regarding the Cleveland Heights Charter Review Commission in which he failed to disclose his personal interest and participation.

His article on the May 3, 2018 Commission Meeting titled: "Developers speak at CH Charter Review Commission meeting" makes no mention that it was Board Member Brown himself who submitted the names of proposed guest speakers Paul Volpe and Peter Rubin to the Commission as "Experts" on the issue of form of government.

<http://www.heightsobserver.org/read/2018/05/08/developers-speak-at-ch-charter-review-commission-meeting>

Board member Brown's January 31, 2018 e-mailed recommendations to the Commission are included in the document titled:

"Proposed Speakers/Interviews" on the Commission home page at:
<http://www.clevelandheights.com/DocumentCenter/View/1730/Proposed-Speakers>

Board Member Brown specifically recommends both Mr. Volpe and Mr. Rubin, but this disclosure is nowhere to be found in his so-called "reporting" of May 8, 2018.

This same lack of disclosure took place in Mr. Brown's "reporting" of the March 29, 2018 Commission meeting, titled "Business owners Zagara and Presser speak to CH Charter Review Commission", when John Zagara and Steve Presser were that week's "Experts" on form of government.

<http://www.heightsobserver.org/read/2018/04/03/business-owners-zagara-and-presser-speak-to-ch-charter-review>

Mr. Presser was recommended by Board Member Brown in that same January 31, 2018 e-mail to Dr. Keller. There is no disclosure of this material information by Board member Brown in his "reporting".

Mr. Zagara was recommended by Commissioner Carla Rautenberg, who I believe was involved with that "tainted" citizen group Board Member Brown discussed at a Commission meeting. Along with Mr. Zagara, Ms. Rautenberg recommends no less than four past or present FutureHeights officials as "Experts" on form of government to speak to the Commission. FutureHeights, of course, is the publisher of The Heights Observer.

Further, there has been no change to Board Member Brown's author's bio, rectifying the disclosure issues I raised in my original e-mail of April 25, 2018.

Nor has the publisher of The Heights Observer publicly addressed these continued journalistic failures.

I ask again that the Heights Observer promptly demonstrate the journalistic integrity it claims to uphold.

The separate - and quite troubling - question of why FutureHeights Board Member Brown and his cohorts are influencing who speaks at Commission meetings will be left to the Commission to address. As will the question of what exactly qualified any of these business people to speak to the Commission as "Experts" in form of government.

Sincerely,

Garry Kanter