



City of Cleveland Heights Charter Review Commission

Decisions and Rationales

3 May 2018
Council Chambers
Cleveland Heights City Hall

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

1. Acceptance of Decisions and Rationales from 29 March 2018 and 19 April 2018 Special Session

Moved and seconded to accept the Decisions and Rationales 29 March 2018 and 19 April 2018 Special Session. Accepted unanimously.

2. Interview, Question and Answer Session with Developers, Peter Rubin and Paul Volpe

The Chair summarized the overall framework of the Commission's work and the process of information gathering in which it is currently engaged.

Peter Rubin, a long-time Cleveland Heights resident, described his background and history in urban and inner ring development activities in the Cleveland area, starting with the founding of his development company in 1987. Paul Volpe, a recent Cleveland Heights resident but a long time resident of the area and now with a son and his family also living in Cleveland Heights, described his background as an architect and his work in urban design and development in multiple communities mostly in Northeast Ohio but also elsewhere in the state. Messrs. Rubin and Volpe have frequently worked together on development projects in urban settings.

Volpe noted the difficulty and importance of the issues before the Commission. Based on his years of experience, he offered views that were generally adverse (except as to quality of services) on whether or not Cleveland Heights was a welcoming and responsive place for investment (with particular reference to, among other things, housing), had good quality services, had been stagnating,

showed accessibility, leadership and vision (including the significance of having each), showed collaboration (and the importance of collaboration), had effective decision-making, and exhibited appropriate implementation of the recent master plan. He commented on what he saw as the impact of political conflict in recent years within the city, contrasted the city's economic development with that of the City of Cleveland, noted his assessment as to the effect of varying forms of government -- directly elected, "strong" mayor versus council-manager --on this situation, and stated his preference between the two.

Rubin, who disclaimed expertise on forms of government, characterized Cleveland Heights as post-maturity and thus, in his view, facing two overarching choices: managing decline or developing and implementing a new vision. He cited Lakewood as an example of a city at a similar stage of life that has a vision and is implementing it (necessarily in increments and with pretty good success), as contrasted with Cleveland Heights which in his view currently does not have a vision but could have one, as an incubator city for Northeast Ohio. He commented that economic development required stable expectations and standards, a willingness on the part of the city to be receptive to ideas, to listen, and to be willing to take risks, and also a community consensus; he gave his assessment of Cleveland Heights and its personality in these regards, with examples such as Severance and Lee/Meadowbrook. He did not offer a view on what form of government would be best for the city, but did express the belief that the particular form was less important than having and implementing a vision.

3. Interview, Question and Answer Session with Tom Malone, former Finance Director

Tom Malone described his background, from working with the Cuyahoga County budget unit (involving, among numerous other things, interaction with local governments in the county), then in a local commercial bank position again dealing with local governments, and then as finance director for Fairview Park (during which time he was, in addition, active with a council of several local governments along the west shore), before becoming finance director of his home city, Cleveland Heights in 1998. He retired in 2012 but then functioned as finance director in Euclid until permanent retirement in 2015.

Citing certain experiences, he offered his views about features of ward-based representation, a "strong" mayor system versus a council-manager system (including whether the latter had or had not worked well for Cleveland Heights), having either the law director or finance director be an elected position, the necessity for conducting certain negotiations in private up to a point (particularly with reference to labor negotiations), the importance of good

candidate personnel with leadership skills, the desirability of encouraging more candidates to run for local office, and the complexity of the economic development process (with references to resource limitations and involvement of multiple layers of government), as well as the impact (or not) of the form of government on the development process. In addition, he advanced specific suggestions for charter millage dedicated to infrastructure improvements, and a requirement for candidates to be current on their income tax filings.

4. Discussion of the April 19 Community Meeting

Katie Solender briefly summarized the meeting activities. It was generally agreed that the meeting had been successful, with substantial energy and engagement by attendees, and that it had helped to inform the public as well as to provide citizens an opportunity to air their views. Dr. Larry Keller provided a short initial look at the data collected at the meeting, as well as a selection of certain specific suggestions that had been made by attendees. He explained that a written report, currently in preparation and expected to be available in the coming days, would note more comprehensively the issues and proposals raised by participants in the meeting, and also show results from the follow-up survey.

5. Considerations for Additional Information Gathering

The Chair described the proposed agenda for the next meeting and solicited views on possible additional topics warranting collection of data and or particular additional guest speakers that ought to be invited. He noted that, based on communications with local electoral officials, it appeared that rank choice voting may not be legally available in Ohio. Following discussion, it was determined to pursue further inquiry on the topic, possibly consulting with an election law specialist at CSU. It was also noted that the assembly of pertinent general background on electoral requirements and processes would be useful for a future meeting.

Further, it was agreed to ask Councilmember Kahlil Seren to speak at the next meeting.

6. Handling/Drafting Potential Charter Changes

Upon inquiry from a commission member, Dr. Keller provided an overview of the process of generating charter changes. He noted that charter review commissions not only determine which provisions, if any, need to be changed but also draft new and amended charter provisions to carry out the determinations on change along, with a report. He proceeded to describe the anticipated process as had been planned at the outset of the Commission's

work and is now incorporated in the projected schedule that is guiding the Commission's approach, including sequential activities of the committee of the whole, involvement of the law department, a public hearing, formal Commission action, and submission to the city council. There was discussion of the manner in which topics might be taken up, handled, and resolved as the Commission continued its work, including the desirability of being flexible and keeping matters moving.

7. Public Comment

Five persons presented public comments. Garry Kanter offered views on what he believed were the biggest issues in Cleveland Heights (which he does believe include form of government) and whether they had been properly included in discussion at the Community Meeting. He focused in particular on what he called “transparency” in City Council activities, and he commented on leadership in the city as well as head-to-head elections. Shirley Schaefer spoke on the desirability of a city manager in a hybrid mayoral system and also a mixed ward/at-large electoral system for council. Susan Efroymson commented favorably on the Community Meeting, then went on to suggest the possibility of what she described as moderation in change, in the sense of incremental change in structure of both the executive/administrative element of government (mayor/administrator) and the council element (mixed ward/at-large). She noted an off-record comment by Mr. Ott (following his presentation at the April 19 special session of the Commission) about having an assistant to the city manager, and, noting certain data Mr. Ott had cited to the Commission, suggested the desirability of understanding the comparative success of council manager cities having generally the same size population and demographics as Cleveland Heights. Tony Cuda commented favorably on the Community Meeting, provided and explained his reactions to the presentations earlier in this meeting by Messrs. Volpe, Rubin and Malone as respects economic development issues, and offered views on comparative housing values, leadership, accountability, COO versus CEO, and what he characterized as a hybrid system of city government. Akshai Singh referred to democracy and representation, in that context expressing his view on the notion of an elected mayor and an electoral system that included wards.

8. Adjournment

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