
Letter to Village Council From the 2016 Charter Review Committee

August 1, 2016

Dear Village Council,

During the late spring and early summer of 2016, you were each asked to select a village resident to serve as members on the Village Charter Review Committee. In July of 2016 the following men and women set to the task of the Charter Review: Rick Centa, Scott Cerny, Cindy Krenisky, Shireen Mitchell, Wendy Santiago, Matthew Sokolich, and David Volek

As we began this process, everybody understood that they had a voice and that all voices at the table were of equal weight and that all opinions mattered. It soon became clear to all of us that “change for the sake of change” was not a reason to make a change to such an important Village document. In fact we all clearly understood that any change was to be made with only the best interest for our future as our Village continues to move into the 21st century and beyond.

As a result of our meetings we make the following recommendations to the Village Council of Cuyahoga Heights:

We recommend that the council ask the Law Dept. for ballot language to allow for the change in charter to establish 4 year staggering terms for council beginning with the 2017 election. We would recommend that the highest 3 vote getters in 2017 be awarded the 4 year term commencing in 2018 and the final 3 vote getters would have a 2 year term and run for re-election in 2020 which would then be for a four year term. We discussed both the positives and the negatives involved with such a change, and felt that the positives outweighed the negatives. Furthermore, we came to the conclusion that it was in the best interest of the Village to have council members focus on the daily business of running the Village rather than running for election every 18 months. However, we also recognize that this decision may not be popular for the residents and would respectfully ask they be given a voice in the matter with the ballot proposal.

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The next matter which came up for consideration was the position of the Village Clerk. It is our recommendation that there be no changes to the charter in regards to this position. It is our combined opinion that the title of Clerk is no longer sufficient to the tasks being required of the Clerk, and that the finances of the Village would be best served by the creation of a Finance Director or Chief Financial Officer (CFO). We believe that the Village council has the authority to create this position through the legislative process, and define the roles and responsibilities and most importantly the qualifications of the individual seeking to serve in that capacity. We also agree that the Mayor should have the authority to seek such a qualified person and that this person must be vetted by council and be approved by council before being hired as the CFO.

Under the current practice, this job is left to the Clerk, who also serves as the Village Treasurer, an elected official, who may meet only the minimum requirements as defined by the charter (Article II, Section 1A.) As an elected official it is possible that the clerk's judgment and discretion may be influenced by pressure from the political process. This would never be good for the Village, and the results could be devastating to our financial well-being. We also believe that even with the minimum standards set forth in Article II, Section A, there is a real possibility that no qualified candidate within the Village may choose to run for public office, and enhancing the qualifications, may instead eliminate Village residents from running all together.

This committee also recognizes that eliminating an elected position would be met with extreme resistance and is not the goal of the committee. Rather, the committee believes the duties and responsibilities of the position of clerk should change. This would include the hours required and the pay. Again it is important to note that this recommendation is meant to provide fiduciary security, and accountability to the financial administration of the Village. It is in no way a statement of the job the current Clerk is doing and should not be viewed as such. In fact this committee believes that Mr. Unger should continue in his duties until such time as he sees fit to change.

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With this recommendation we would ask council to carefully review the duties and responsibilities of the current Clerk as defined by the codified ordinance found in Chapter 234. It is the task of council to change these duties through the legislative process which needs to be in place prior to the 2017 general election.

We would respectfully ask council to have legislation in place prior to November of 2017.

Respectfully Submitted,

David J. Volek

Charter Review Chair Person

Village of Cuyahoga Heights