

CITY OF UNIVERSITY HEIGHTS  
MINUTES OF CHARTER REVIEW COMMISSION MEETING  
FEBRUARY 10, 2009

Chairman Harvey Morrison called the meeting to order at 7:30 p.m.

**A. ROLL CALL**

Present: Mr. Harvey S. Morrison  
Dr. Roderick H. Adams, Jr.  
Mr. F. Michael Boyle  
Mr. Jason Patrick Ferrante  
Mr. Luke McConville  
Mr. Robert McClintock  
Mr. Paul M. Miller  
Mrs. Susan Pardee  
Mr. Joseph M. Shafran (not at roll call)  
Mr. Mark N. Wiseman

Absent: Mr. Simon A. Carroll

Also Present: Law Director Kenneth J. Fisher  
Community Coordinator Walter Stinson  
Building Commissioner David Menn

**MOTION BY MRS. PARDEE, SECONDED BY DR. ADAMS to excuse the absence of Mr. Carroll. On voice vote, all voted “aye.”**

**B. REVIEW AND APPROVAL OF AVAILABLE MEETING MINUTES**

There were no corrections or additions to the minutes of January 27, 2009.

**MOTION BY MR. McCONVILLE, SECONDED BY MR. BOYLE to approve the minutes of January 27, 2009 as presented. On voice vote, all voted “aye.”**

**C. DISCUSSION WITH COMMUNITY COORDINATOR WALTER STINSON**

The Commission presented Community Coordinator Walter Stinson, Building Commissioner David Menn and Law Director Kenneth J. Fisher with the following questions in advance of the meeting:

1. How many employees are in the your Department? Describe all of their duties.
2. Who is your Direct Report in the City?
3. Which depts./dept. heads do you interact with on a daily basis?
4. What are the major challenges facing your department/the City?
5. What are the most critical issues facing University Hts., and is there anything that requires immediate action?
6. Where do you see your department/City in the next 5-10 years?
7. Where do you see the possibility for more efficient operations w/in Univ. Hts. Government?

Community Coordinator Walter Stinson answered the questions in writing, which are attached hereto and made part of this record as "Exhibit A." Mr. Stinson reviewed his responses and took questions from the Commission members.

In response to a question, Mr. Stinson mentioned that he has been the Community Coordinator for more than thirty-two (32) years. Mr. Miller noted that he determines satisfactory job performance by the employee listening and being responsive with follow-up. Mr. Miller praised Mr. Stinson for his performance in regard to two instances where he had dealings with him.

Mr. Miller inquired as to how many homes sell in University Heights in an average year. Mr. Stinson replied that approximately 300 homes sell each year (25 new homeowners a month). He mentioned that in 2008, 3 homes sold for over \$300,000; 25 homes sold for over \$200,000; 57 homes sold between \$150,000 and up to \$200,000; and 95 homes sold between \$100,000 and up to \$150,000. Mr. Wiseman requested that the listing of homes sold with purchase price be provided to the Commission. He also inquired if there is documentation on foreclosed homes. This information is available though the Building Department.

Mr. Wiseman inquired as to how many cases of elder abuse were reported in 2008. Mr. Stinson did not have the documentation with him, but estimated that there were 10 to 12 cases.

Mr. Morrison asked if Mr. Stinson submits an annual report the Mayor. Mr. Stinson replied no, however, since the Mayor meets with all directors on the first and third Monday of each month, he presents reports at those meetings, which are more timely.

Mr. Boyle inquired if neighboring cities have a Community Coordinator. Mr. Stinson responded that Cleveland Heights, South Euclid, Shaker Heights and Beachwood have personnel who fulfil some of the same job functions, but they may have different titles.

After questioning by Mr. Boyle, Mr. Stinson stated that the Mayor does not complete a written evaluation of his job performance. With regard to salary, Mr. Stinson explained that his starting salary in 1976 was \$15,000 and over the last 32 years, he has received moderate increases, like all city employees, to reach his current salary of approximately \$75,000.

There was discussion about the limited physical space at various buildings in the City Hall complex to effectively manage the manpower, equipment and the growing responsibilities of local government.

#### **D. DISCUSSION WITH BUILDING COMMISSIONER DAVID MENN**

Building Commissioner David Menn answered the Commission's questions in writing, which are attached hereto and made part of this record as "Exhibit B." Mr. Menn reviewed his responses and took questions from the Commission members.

Mr. Morrison stated that as the Charter currently reads, the Building Department is a division under the Department of Public Safety, headed by the Safety Director. He added that the Mayor is currently the Safety Director, but under a new administration the Mayor may not be the Safety Director.

Mr. Morrison inquired if four (4) inspectors are adequate to maintain a quality level of service with regard to foreclosed, abandoned or neglected properties. Mr. Menn replied that the department personnel are doing the best they can. Job duties have been rearranged in order to stay on top of the problem. Mr. Menn stated that one additional inspector would help the situation. Starting salary for an inspector would be \$30,000. He added that city inspectors must maintain the following State licenses: electrical, plumbing, and building inspector. Three (3) of the current inspectors are licensed and two (2) are in the training program.

Mr. Miller inquired as to how many homes in University Heights were foreclosed last year. Mr. Menn responded that there were approximately forty-five (45) foreclosures. Mr. Miller also inquired as to the number of rental properties in the city. Mr. Menn replied that there are approximately 500 rental properties in the city, up from 450 when the rental permit program started in 2005. He mentioned that rental inspections are performed biennially. Mr. Menn stated that a possible reason for the increase in rental property is the condition of the housing market; people are purchasing houses to rehabilitate and sell, but cannot sell them so they rent them out. Mr. Morrison asked for statistics on deeds in lieu of foreclosures (bank owned). Mr. Menn did not have that information available at this meeting.

Dr. Adams requested an explanation of how the department could be separated into two separate departments of buildings and housing. Mr. Menn replied that he and the other inspectors are building inspectors, who are required to be certified. Building inspectors handle the permit work. His goal is to be able to hire staff, who do not require certification, to handle exterior inspections, grass notices, complaint notices, etc. Mr. McConville inquired if the logic behind hiring non-certified staff is to hire them at a lower rate. Mr. Menn confirmed that they could be started at a lower rate. He stated that more staff would be beneficial because the foreclosure crisis has added to the demands on the department. He is also investigating requiring lenders in foreclosure cases to register with the City.

Mr. McConville asked to what extent the Building Department is dealing with issues relating to rentals with college students in them. Mr. Menn responded that college student rentals have been very quiet this year. However, he added that rentals in general consume a lot of the department's time because of the rental permit program.

Mr. McClintock inquired if there is a large turnover in the Building Department. Mr. Menn replied that there is not a large turnover, but as personnel becomes qualified they look for other opportunities in larger cities and the challenge is to keep those qualified personnel in the department. It was noted that there have been four (4) inspectors in the department for at least 10 years, except for a period when the department was down to three (3) inspectors. Mr. Menn also noted that since the part-time Building Commissioner retired, he was promoted to full-time Building Commissioner and the Assistant Building Commissioner position was eliminated. Mr. McClintock asked how University Heights compares with surrounding communities on the number of inspectors on a per home basis. Mr. Menn did not have those statistics, but he noted that the other cities have separate housing and building departments.

Mr. McClintock inquired if exterior inspections are new. Mr. Menn responded that the program is not new, the goal of the program is to inspect each home in the city every five years. He mentioned that an inspector who normally handles exterior inspections had to be redirected to handle the foreclosure properties; therefore, the number of exterior inspections have decreased.

Mr. Menn stated that he is trying to be proactive and is looking into technology such as using e-mails to save on the cost of postage, paper and supplies. He also mentioned that the department purchased a new computer system last year in an effort to become more efficient. His current goal is to get computer systems in the vehicles to cut down on the paper flow. Mr. Menn commented about the lack of physical space in the Building Department for staff and records.

Mr. Boyle inquired if the City makes money on fees collected in the Building Department. Mr. Menn stated that the fees collected do not cover the department's budget, which is approximately \$590,000. He added that in 2008 the department collected approximately \$280,000 in fees. Mr. Menn noted that he is also looking at the fee structure to determine if there is a need for adjustments.

There was brief discussion of the contractor renewal process in regards to how complaints about contractors are handled. Mr. Menn stated that any building or housing related complaints should be brought to his attention. It was noted that snow plowers contractors have to register with the Police Department.

Mr. Wiseman inquired if the City performs point of sale inspections on post foreclosure properties once the deed goes to the new owner. Mr. Menn stated if a property transfers there is of point of sale inspection even in foreclosure purchases.

Mr. Wiseman asked if Community Development Block Grant funds have been applied for to assist with vacant and foreclosed properties. Mr. Menn responded that the City is currently in the process of applying for a \$279,000 grant through the First Suburbs Consortium to establish a rehabilitation program. He also noted that the City is laying the groundwork to be part of the Cuyahoga County Land Bank Agreement, which is anticipated to start in April, 2009.

Mr. Menn was not aware of how many homes in University Heights are in tax foreclosure. With regard to possible houses that need to be demolished, Mr. Menn stated that there may be one or two in the city, but he feels that demolition is not an answer. He prefers to repair the homes, get them back on the market and sold to families.

Mr. Morrison asked if the Building Department has central air. It was noted that the annex building which accommodates the Building and Finance Departments does have central air, but the Building Commissioners office does not – there is a window unit in that office, and that all offices in the City Hall building have window air conditioners.

Mr. McClintock inquired into the amount of rental permit fees. Mr. Menn replied that the fees are \$250 for a single dwelling and \$500 for a double dwelling, payable every two years. He noted that the fees will increase to \$500 for a single dwelling and \$750 for a double dwelling, payable every two years. Mr. McClintock questioned that rationale behind the increase fees and suggested that it might serve as a deterrent. Mr. Menn stated that the City is reviewing the fees.

#### **E. DISCUSSION WITH LAW DIRECTOR KENNETH J. FISHER**

Law Director Kenneth J. Fisher answered the Commission's questions orally and then took questions from the members.

1. *How many employees are in the your Department? Describe all of their duties.*

There are two employees in the Law Department: the Law Director and City Prosecutor.

Law Director:

- attends all Council, Planning Commission, Board of Zoning Appeals, Civil Service Commission and Records Retention Commission meetings, and Council committee meetings upon request;
- writes ordinances and resolutions;
- issues opinions upon request from the Mayor, Council members and directors.

City Prosecutor:

- represents the City in all matters in Shaker Heights Municipal Court.

2. *Who is your Direct Report in the City?*

Mr. Fisher stated that pursuant to the Charter, the Law Director and Clerk of Council are the only appointees of City Council, but he reports directly to the Mayor and all members of City Council.

3. *Which departments/department heads do you interact with on a daily basis?*

Mr. Fisher noted that he interacts with all the various directors on a daily basis (not each director every day). He does not maintain an office or staff at City Hall, but rather operates out of his private law firm with his private staff. The private office staff is paid out of the Law Director's salary, which is approximately \$49,000 per year. The Prosecutor, who also utilizes his private office staff as well, is paid approximately \$18,000 annually.

4. *What are the major challenges facing your department/the City?*

Mr. Fisher stated that the major challenge facing the City is finances. As a City which generates the majority of its revenue from income tax, the City has always had to watch its spending and operates within its means. He mentioned that the City is looking at ways to become even more efficient and safeguard the tax dollars.

5. *What are the most critical issues facing University Hts., and is there anything that requires immediate action?*

Mr. Fisher stated that the City has a proactive Council who is always looking to improve how government works. He stated that Mayor Rothschild has served University Heights with dignity and grace for more than 30 years. He added that the department heads are all very professional people, who work well together.

6. *Where do you see your department/City in the next 5-10 years?*

Mr. Fisher commented that within the next 5-10 years there may be a new Law Director providing the same service for the City and a prosecutor providing similar service.

7. *Where do you see the possibility for more efficient operations w/in Univ. Hts. Government?*

Mr. Fisher stated that the buildings within the municipal complex are not efficient from an operational standpoint. The Building and Finance Departments are located in a single family home. He suggested that the Service Department should be relocated to another site.

Mr. Fisher recommended that the City continue to work with neighboring communities on items such as joint dispatch, joint purchasing, etc. in an effort to save money. He also suggested that cooperation continue with other communities and agencies such as John Carroll University.

Diverting to address comments regarding problems with snow plow and landscaper contractors, Mr. Fisher noted that City tries to be responsive to complaints and he talks to residents frequently about various issues.

Dr. Adams inquired as to the average number of hours spent on City business. Mr. Fisher stated that he does not keep time records. He receives an annual salary to perform whatever work is necessary. Mr. Fisher noted that he does work for the City on a daily basis.

Mr. Wiseman asked if Mr. Fisher works for other cities in Cuyahoga County and if neighboring cities have a full-time Law Director with an office at City Hall. Mr. Fisher replied that he is also the Law Director in the City of Brunswick. But, has also worked for the City of Maple Heights and the City of Cuyahoga Heights. Mr. Fisher noted that the Cities of Shaker Heights, Beachwood, South Euclid, and Cleveland Heights have part-time Law Directors, but they all have offices and staff at their City Halls. Mr. Fisher stated that he does work closely with the Clerk of Council at City Hall.

After being questioned about benefits received, Mr. Fisher stated that he does not receive any benefits, however, he pays into the Public Employees Retirement System (PERS).

Mr. McConville inquired if there are any provisions within the current Charter that should be changed. Mr. Fisher stated that the Charter needs to be amended to reflect how the City is currently conducting business within the Mayor-Council plan. He mentioned that there are chains of commands within the Charter that do not exist. Therefore, the Charter should be changed to reflect how each department currently operates.

Mr. McConville asked if there is a political conflict of interest by representing both Council and the Mayor. Mr. Fisher stated that there is no issue, his client is the City of University Heights, which includes the Mayor, Council and department heads. He gives the best advice that he can to everyone.

Mr. Morrison asked if Mr. Fisher had any recommendations for changes to Article 6 of the Charter regarding the administrative officers and departments. Mr. Fisher stated that the Mayor appoints everyone except the Law Director and Clerk of Council which is okay as is. However, he recommended that the Commission should consider amending the name of the Division of Building Engineering and Inspection, which does not exist, and establishing the Building Commissioner in the Charter.

Mr. Boyle requested an explanation of the threshold issue. Mr. Fisher stated that if the Commission decides to recommend a change in the form of government from Mayor-Council form to Council-Manager form, then that is the threshold issue which should be considered first because that will affect other potential changes to the Charter. He noted that in a Council-Manager form of government, the Mayor becomes a ceremonial head only and the City Manager would be the chief executive officer of the City. Mr. Fisher suggested that the City Manger form of government is not the correct form for University Heights because the present form of government works well. He also noted that larger communities typically have City Managers. Mr. Fisher stated that he likes the City Manager form of government, but in his opinion, does not think it is appropriate for University Heights based upon the size of the city, its revenue, and the fact that University Heights is a developed community.

Mr. Boyle inquired if the Commission is to present its recommendations to the Law Director for drafting in proper form. Mr. Fisher replied that he will draft ballot issues for presentation to the Council in ordinance form. Mr. Boyle asked Mr. Fisher to attend subsequent meetings of the Commission to assist in its work. Mr. Fisher stated that he or his assistant, Dennis Nevar, will be present at future meetings.

After a question from Mr. Morrison, Mr. Fisher noted that the salary for the City Manager in Brunswick is \$100,000 and he has an administrative assistant. He noted that the City Manager hires all the employees. Mr. Morrison pointed out that Brunswick has a significant tax base.

Mr. Wiseman confirmed the logistics of the review process, such that the Charter Review Commission makes recommendations in the form of a report. Then, the Law Director prepares ballot language for each of the recommendations. He asked if the language has to be presented by a deadline. Mr. Fisher replied that he will check on the time line in order to get the issues on the November ballot. But, he added that there is plenty of time for the Commission to finish its duties to meet the deadlines in order to be on the November ballot.

#### **F. ADDRESSING QUESTIONS/COMMENTS FROM ATTENDING CITIZENS**

Dr. Sarah Wilder, 3706 Meadowbrook Blvd., a 38-year resident, and co-convener of the Concerned Citizens for University Heights, presented written comments which are attached hereto and made part of this record as "Exhibit C." Dr. Wilder shared her concerns regarding the need for input from broader groups of University Heights residents. She recommended that the work of the Charter Review Commission be delayed until such time that opportunity is given for all residents to offer input. She mentioned that many people feel the City is being dismantled and requested that an open forum be held as soon as possible to seek input from residents. Dr. Wilder also noted that she was personally offended that there were no African-American women appointed to the Commission. She mentioned that there was not adequate time for people, who may have wanted to participate, to become aware that the Commission was being formed.

Mr. Morrison explained that the Council members appointed the Commission. He suggested that interested residents come to the Commission's regularly scheduled meetings on the second and fourth Tuesday of every month and offer their input.

Mayor Beryl E. Rothschild stated that at the last meeting the Commission only heard one position from Dr. Keller, who advocated a City Manager form of government. She noted that in neighboring communities Cleveland Heights has a City Manager and Shaker Heights has a Chief Administrative Officer established by ordinance not the Charter. Mayor Rothschild urged the Commission to consider everything very carefully and not dismantle government. Mr. Morrison stated that there is no conspiracy going on. Mr. Wiseman stated that the dismantling of the city government is not on the table for consideration.

Evan Karrs, Meadowbrook Blvd., commented on his experiences with the Building Department, Mr. Stinson and Mayor Rothschild. Mr. Karrs stated that changes are needed in the City, and he commented about the poor condition of houses in the Northwest corner of University Heights. He mentioned that the foreclosure crisis has exacerbated the situation. Mr. Karrs stated that the foreclosure problem is getting worse and the lower reappraisals will cut into the City's revenues. He suggested that the City look into modernizing the Web site to provide Building Department forms electronically, thereby making it more convenient for residents who cannot come into City Hall between 8:00 am and 4:00 pm. Mr. Morrison suggested that Mr. Karrs address his concerns to the Council at its meeting.

Steven D. Bennett, 3761 Hillbrook Road, encouraged the Commission to establish a structure that is flexible enough to allow future Mayors and Council members to take part in regionalism, collaborations and consolidation of services.

**G. NEW BUSINESS, INCLUDING BUT NOT LIMITED TO DISCUSSION REGARDING ALL CITY GOVERNMENT MODELS AND IMPACT UPON CHARTER RECOMMENDATIONS**

Mr. Morrison suggested that the members of the Commission express their opinions regarding the threshold issue relative to the form of government. He noted that the Commission's options are to: 1) maintain the current Mayor-Council structure; 2) change to a Council-Manager structure; or 3) maintain the Mayor-Council structure with a City Administrator.

Dr. Adams stated that there is room for improvement in City operations, and prior to this meeting he was leaning toward the Council-Manager form of government, but now he is not sure. Mr. Adams stated that he is open to the process.

Mrs. Pardee stated that she is in favor of a professional structure. She likes the idea of the City Manager form of government, but does not believe it is right for University Heights. Mrs. Pardee was leaning toward a strong Mayor-Council for with a City Administrator written into the Charter. Under her ideal structure, the City Administrator would take on the tasks of public and community relations, economic development and technology as well as others.

Mr. Shafran stated that initially he was concerned about the flat organizational chart, but has since found out that most local governments have a number of people reporting to a City Manager or Mayor. He suggested reviewing the organizational chart and functions and then dividing the functions up between a Chief Administrative Officer, who would run the day-to-day operations of the City, and a Chief Executive Officer, who would develop and maintain relationships necessary to future governing and delivery of quality services.

Mr. Boyle stated that times are changing and the City needs to have a professionally trained full-time manager in order for the City to thrive. He commented that this person would be responsible for the fiscal needs of the City and providing quality services, and would also facilitate the checks and balances, accountability, responsibility for the budget, evaluating personnel and establishing goals. Mr. Boyle was leaning toward a City Manager or City Administrator. But, he also felt it is important for the Mayor to represent the City and its needs in the today's environment on items such as regionalism.

Mr. McConville stated that he would like to see a professional brought in to manage economic development and facilitate shared opportunities with other municipalities. Mr. McConville mentioned that he is open to a City Manager form of government, but he is hesitant to go to a Council-Manager form because Mr. Fisher is currently working under both forms and he had a definite preference. He also noted that in conversations with residents, he discovered that people want to be able to vote for a Mayor. Mr. McConville stated that the structure has to change and if he had to vote at this meeting, he would opt for the Mayor-Council form of government with a City Administrator because it is a structure that he feels the residents would more easily adopt.

Mr. Ferrante stated that he is in agreement about considering a professional, but a City Manager may be too much for University Heights. He suggested looking at putting an intermediary professional in place, whether it be a Manager or City Administrator. He added that having a professional in place would allow for more flexibility because he would be held accountable for his job. Mr. Ferrante stated that the Commission's decision should not reflect on the legacy of Mayor Rothschild, but rather be a testament to it because this is a change that must take place in order to move the City forward from the foundation that she has put into place.

Mr. Miller stated that he likes the City and the services that are provided. He mentioned that things could be improved and that there needs to be a measurement that goals are being met, which could be done under the same governmental structure. Mr. Miller stated that it is not the Commission's job to consider whether or not the electorate will vote for the recommendations. He could not envision a City the size of University Heights having an appointed position running the City, but rather he prefers a one on one relationship with a Mayor. Mr. Miller stated that he was leaning toward keeping the exact same form of government that is currently in place.

Mr. McClintock stated that he feels there needs to be a way to measure the efficiency of the staff and services provided. He noted that it will not hurt the City to incorporate a professional into the structure who could look objectively at the operations and determine if and where it may be more efficient to regionalize services on a larger scale. Mr. McClintock mentioned that he is not in favor of merging with any other city, but he feels there is room for structural improvements. However, he was unsure if a City Manager is the way to go. Mr. McClintock was in favor of considering a professional Administrator or Manager in some form.

Mr. Wiseman stated that nothing the Commission is doing is aimed at the Mayor or the job she has done for the City for the last 30+ years. He pointed out that none of the issues brought up by the directors can be resolved by the Charter Review Commission, but rather must be dealt with by the Mayor, Council or other type of managerial person. And, he stated that the Commission must consider what the residents are likely to vote for because if the recommendations are defeated at the election then that would be the worst possible outcome. Mr. Wiseman stated that some positions are

going to have to be merged and some services are going to have to be cut, and the City needs a strong politically detached professional to make those tough decisions. He added that doing nothing is not an option. Mr. Wiseman was in favor of adding a professional position and was open to considering whether it be a City Manager or City Administrator.

Mr. Morrison stated that over the course of time since the Commission has been convened, and in his personal opinion, he has not heard anything that has led him to believe there is a present need for a change in the City's form of government or that it is economically feasible. Mr. Morrison stated that he is willing to establish a framework within the Charter to allow a City Administrator to be appointed if the Council feels the funds are available. However, he could not agree to definite change when there is doubt about available funding and because he has not heard back from Dr. Keller about the approximate cost of a City Administrator. He also mentioned that there has been little input from residents. Mr. Morrison agreed that there needs to be changes to the Charter, but he stated that he could not immediately recommend establishing a system for a City Manager or City Administrator when looking at the economics of such a change.

Mr. Wiseman suggested that the dialogue continue at the next meeting. He suggested that the Commissioners come back to the next meeting with clear ideas of what they would like to see in the Charter. Mr. Ferrante hoped that a vote will be taken on the structure of government at the next meeting so that the process of reviewing the Charter can move forward. Mr. Morrison recommended that Law Director Ken Fisher be asked to attend the next meeting. Mr. Boyle stated that after hearing everyone's comments, six or seven members would consider professionalizing the structure.

Mr. Shafran stated that the Commission really needs to take a look at the functions within the structure of the organizational chart. He reiterated that the City needs an operations officer and an executive officer.

Mr. Morrison mentioned that he does not want the voters to have to choose between a City Administrator or services, and that is why he suggested the option of allowing a City Administrator if funds are available. Mr. Shafran stated that finding the funds is under Council's authority. He added that the Commission must look at the separation of functions and come up with a structure that will work to the benefit of the community. Mr. Morrison stated that his option could read, "The City Council shall have the authority to hire a City Administrator." rather than "The City Council must hire a City Administrator." He noted with that language the fiscal issue is not being addressed. Mr. Shafran reiterated that the Charter should cover the functions that need to be performed and then allow the Council to do what it needs to do.

Mr. Pardee stated that she has experience with school levy issues and if the Commission comes up with the reasons and evidence as to why the recommendations were made, and then campaign to educate the public to those facts, the issues will prevail. Mrs. Pardee suggested that the matter be discussed for an hour or two at the next meeting and then call for a vote on the structure of government.

**MOTION BY MR. BOYLE, SECONDED BY MRS. PARDEE that the Commissioners leave this meeting and consider inserting a professional position into the Charter which is different from the current structure now and come back with their specific recommendations for discussion at the next meeting.**

Mr. Miller mentioned that the problems facing the City are not unique to University Heights, but all cities across the nation are experiencing the same situations, however, less than 50% of those cities have a City Manager form of government. He had a problem with that.

Mrs. Pardee commented that the motion as stated would force the Commission into one form which some members may not agree with. Mr. Boyle clarified that the motion was not specific to a City Manager or City Administrator, it just refers to a professional position. He added that if members do not agree with a professional position then they can vote against the motion.

**MOTION BY MR. MORRISON, SECONDED BY MR. MILLER to table the previous motion. On voice vote, all voted “aye.”**

**H. ADJOURNMENT**

**MOTION BY MR. FERRANTE, SECONDED BY MR. SHAFRAN to adjourn the meeting. On voice vote, all voted “aye.”**

The meeting adjourned at 10:45 p.m.

The next meeting will be held on Tuesday, February 27, 2009 at 7:30 p.m. in City Hall Council Chambers.

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Harvey S. Morrison, Chairman

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Jason Patrick Ferrante, Secretary