

## SPECIAL REVIEW & OVERSIGHT COMMITTEE MINUTES

MAY 2, 2023

A Special Review & Oversight Committee meeting was held on May 2, 2023, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:33 p.m.

**PRESENT:** Committee Members: Chair Jeremy Dietrich, Vice Chair Paul Marnecheck, John Nickell; Council: Linda Barath, Joanne Krejci, Mike Wos; Administration: Mayor Larry Antoskiewicz, Wastewater Superintendent Mark Smith, City Engineer Justin Haselton, Law Director Tom Kelly, Finance Director Jenny Esarey; **Other:** Joel Spatz.

### APPROVAL OF MINUTES

Approval of the April 4, 2023 Review and Oversight minutes. Moved by Mr. Nickell, seconded by Mr. Marnecheck. Yeas: 3 Nays: 0. **Motion Carried.**

### NEW BUSINESS

1. Article III; The Council; Terms; Wards
  - Council Term Limits

Mr. Dietrich reviewed the attached report. There are many different options that could be considered. Mr. Dietrich had reached out to some additional cities to gain their perspective. He expressed his appreciation to Ms. Schroeder for her research and findings.

Ms. Krejci pointed out that whatever is decided would not go into effect this year. She went on to say even if we were to pass something, and decide to put it on the ballot in November, it would not affect anything for us until 2025. Mr. Dietrich concurred. He commented that you must have it in by September of this year to get it on the ballot for the residents. If we are going to move forward, we would want to act sooner than later so that it can be explained clearly. The next R&O Committee meeting is not until September; therefore, we would need to have another special meeting. Also, the Law Department would need time to get this prepared. If we wish to have it on this year's ballot, it is just a matter of how do we choose to do so.

Mr. Nickell had noticed that out of roughly 20 cities listed, 17 had four-year terms. His position was that four years made sense; it did not matter to him to have it staggered or not. Ms. Barath was in support of four years. However, her concern was whether the voters would understand it. She felt that we would have to get the word out fairly early if we plan to do it this year. Mr. Dietrich agreed; however, he felt that it would be confusing no matter what.

Ms. Krejci shared that she spoke with as many residents as she could. She felt that everybody favored four years, and they felt it was a waste of time to do it every two years. The feedback she received was that everybody liked the staggered concept. In her opinion, it should be four years, but it would need to be staggered; in order to have it make more sense. Mr. Dietrich inquired about how she felt pertaining to the Mayor's seat and Council, whether that would need to be staggered as well. Ms. Krejci felt that it would not affect anything with the Mayor. Mr. Dietrich noted that the Mayor and President would be running at the same time; like it is currently. Ms. Krejci commented that in theory, in 2025, Wards 1, 2, and 3 would run for a four-year term; Wards 4, 5, and 6 would run for a two-year term. She went on to explain that in 2027, Wards 4, 5, and 6 would rerun for a four-year term. Then Wards 1, 2, and 3, in 2029, would go for another four-year term. She did not consider how that would affect the President. Either way, the President and Mayor are going to be on with some Council members and then some Council will be in the off election.

Mr. Nickell wanted to know if there was a reason that it could not take affect as soon as we vote for it for next year. Ms. Schroeder pointed out that all of the petitions were signed for a two-year term; the residents signed

for a two-year term. Ms. Barath asked if that would increase the number of signatures. Ms. Schroeder indicated that it would not.

Mr. Marnecheck wanted to review how it is written up; he liked the current system. Ms. Webber expressed that she preferred to have it staggered; she felt it was a good idea. She pointed out how many other municipalities have the four years, in which most of them were staggered. She mentioned ways to clarify things so that the residents would understand more of what we are doing. Ms. Schroeder mentioned that when we are doing the Charter Amendments, there is a little synopsis of explanation of what we are actually doing, and that is put in the paper; similar to the print out.

Ms. Krejci reiterated that it is not going into effect until this next election, which would demonstrate that this is something we feel we need to do for the “future” of the City. Therefore, it has less of a personal interest; some of us might not be here in two years. This is something that would make more sense for the City long term. Ms. Webber asked about the Mayor and the President running at the same time, whether there would be a reason to stagger that. Mayor Antoskiewicz noted that he believed they would run at the same time; four-year terms. He went on to say you could stagger that if you desire. The only consideration you should look at is, whomever runs for Mayor and the President of Council would be on someone’s staggered; one of those two cycles. He felt that there should be some language implemented for those people if they run for either of those positions, that they must give up their seat. Otherwise, it would not be fair to the other three Council people; the other three could not do that. Mr. Dietrich inquired about the Mayor’s stance of whether it should be staggered or not. Mayor Antoskiewicz did not prefer one or the other. For him, the only issue is how you do it fairly for everyone.

Mr. Vos suggested that perhaps we need an ordinance stating that you cannot run for more than one office in the City; you cannot run from a safe seat and you have to resign. Mr. Kelly explained that you cannot do that. He continued that if you hold an elective office and there is an election, and you wish to run for another elective office, you are not obliged to give up your present office to run for this other term; in most instances. Mr. Vos was in favor of the four years. He felt that staggering was a good idea. He pointed out that he did not want to have everyone brand new at the two-year mark.

Mayor Antoskiewicz felt that the four years is a good idea and did not prefer one or the other when it comes to staggering. He reviewed some of the past years. Mr. Dietrich did not think anyone wanted to get rid of the term limit; the twelve years is still the total. He pointed out that we do not have another position of At-large like other cities. Mr. Vos felt that it was not necessary to have an At-large and he liked that we have one person representing a specific area. He felt that when cities have several At-large positions, it is very redundant.

Ms. Krejci stated that she was reviewing the Board of Elections information, as to who is signing up for each ward. It seemed as though when running for At-large, there were roughly four or five names. Whereas running for a ward, it was one person in most places; maybe two in some cases. She felt that if you are At-large, you are not held quite as accountable as one in a ward. Mr. Dietrich agreed. Ms. Krejci felt that adding more people would cost the City more money. Mr. Dietrich was also not in favor of it, however, he wanted to bring it up. As other cities were discussed, Mr. Dietrich was in agreeance that we do not need an At-large position. Mr. Nickell agreed with having wards; like we currently have. Mr. Dietrich felt that we all agree on the twelve years. We mostly agree on the At-large issue and it seemed as though the majority supported the four-years. He wanted to know whether we would stagger it.

Mr. Marnecheck discussed if we stagger the terms and have the Council President and Mayor different, but keep term limits. He was inquiring if someone hits term limits as a ward, not on the cycle of Mayor and Council President, then when would they be able to run for Mayor or Council President. It would not have been four years that they were off of Council. Currently, you have to sit out a full term before you can run. If the Council term is four years, he wanted to know if that comes into play at all. Mr. Kelly clarified that the term limits apply to the individual office; for example, Ward 1, Ward 3, President or Mayor, etc. He continued that term limits apply to the specific office so that if you were to term out on term limits by having completed 12 years of service, you are then free to run for President of Council or Mayor, or any office that you would

like; there is no delay that is called for. The theory is, you cannot continue to hold the same office for more than twelve years. Although, we have had circumstances as to when someone is appointed to an unfilled or a partial term. The question would be whether that individual then has the right to continue to run for six consecutive terms of two years. In which case, he or she will have served twelve plus years; that has come up before. Mr. Kelly went on to say that you may run for office six times in the same position, even if you have filled a partial term for a month, a year, etc., on the theory that the voters have the right to consider you for that many elections or election cycles.

Mr. Dietrich mentioned that the ideal thing would be to perhaps table this and bring it up again. Mr. Wos felt that we should vote on it. Mr. Nickell felt comfortable. Mr. Dietrich was in favor of four years; he is good with staggering it or leaving it as is. Mr. Wos was in favor of four years and no staggering; four straight years, three terms. Ms. Webber was in favor of four years and staggering. Mr. Marnecheck had no comment. Ms. Krejci was in favor of four years and staggering. Ms. Barath added she was definitely in favor of four years. Mr. Nickell was in favor of four years and no staggering.

Mr. Wos did not like the idea of somebody being able to run from a position of safety for Council President or the Mayor. He went on to say there is no mechanism to block that according to the Law Director. He did not feel that it is right that one could run from a position of safety like that. Ms. Krejci stated that if we do this in two years, because we cannot do it now, in 2025, you would go for four years. Then the Council President and Mayor would be on a separate two years than the six Council people. Then you would have to allow people to run not from a safe seat. People would have to be in office and be able to run for Mayor or President of Council if we are doing it that way. Mayor Antoskiewicz commented that at least everybody would have that same opportunity then; not just half of Council. The Mayor concurred that if you pass it now for four years, it does not start until 2025. Then in 2025, Council would be elected for four-year terms. The Mayor and Council President would come up in 2027. Technically, all of Council could then run for those spots in a safe manner; it would not be on the same cycle. He continued in that case, at least everybody on Council had the same opportunity, versus the other way.

As discussion ensued about ways to avoid confusion for voters, Ms. Krejci mentioned that we already do this in the School District. We are not talking about something that is foreign that the residents will not know what to do. Ms. Krejci pointed out the residents she spoke to liked the idea of the four years because of staggering; that is what made more sense to her. Mr. Dietrich felt it was a very good point about the School Board. Mr. Dietrich was leaning toward staggered but was still uncertain. Mr. Kelly brought up that the School Board is all elected At-large. Mr. Dietrich concurred. Mr. Kelly noted that you are dealing with individual wards. All of these forms of government will work regardless. He stated that efforts would be made to make it clear and more understandable for the voters; with whatever is decided. By his count, there are three in favor of the straight four years with no staggering, and two in favor of staggering; with one unspoken.

Ms. Barath raised question as to what would be a fair way to determine things if going with the stagger. Mr. Kelly suggested that one could flip a coin; half go heads, half go tails. Mayor Antoskiewicz inquired since it does not start until 2025, if you needed further discussion and could not get it on for 2023, however got it on for 2024, whether that would still make it effective for 2025. Mr. Kelly indicated that it would; in theory, he did not see why you could not. Mr. Dietrich wanted to know if we are talking about four years with two amendments. Mr. Nickell brought up scenarios with different Council in the future. Mr. Kelly added that we are due for another Charter Review Commission and Council could come and make a case to the them. He went on to say that if all of City Council were in favor, he would imagine that the Charter Review Commission would be persuaded. Mr. Dietrich felt that we could make the decision here. Mr. Nickell reiterated that he felt it was best to implement four years.

Mr. Dietrich spoke about the cost of putting it in the papers. He commented that perhaps we could just decide in favor of the four years. Mr. Wos agreed. Ms. Krejci stated that as much as she believed in the staggered option, she felt that the Mayor made some very good points, as well as Mr. Kelly; about the At-large for the School Board. The other point she mentioned was if we did end up doing this, it would be the off two years for Mayor and President of Council. People would be uneven basis, and you would still have some continuity

because the President of Council would still have been in the job. She continued that at least you would have the President as the same person. She suggested that perhaps we need to think about it little more.

As discussion ensued about enough time being provided for the Law Department, as well as plans for upcoming meetings, Mr. Wos reiterated his position for four years. He felt that we should not delay things. Mr. Nickell and Mr. Dietrich agreed. Mr. Dietrich inquired about the Mayor's position once more. Mayor Antoskiewicz indicated that his position would be just for the straight four years at this time. Mr. Dietrich changed his position to four years only; without staggering.

Mr. Dietrich pointed out it seemed that the majority was in agreement for straight four years, as to the direction we wish to lean for the Law Director. He reiterated four years verses two years, not staggered; beginning in 2025. Mr. Kelly inquired about the deadline for Charter Amendments. Ms. Schroeder indicated it would be the first week of September. Mr. Kelly pointed out there would be five meetings in order to have three readings; we do not want to cut it close. Ideally, we would have it ready for the first meeting in June, then the second meeting in June, and lastly, the first meeting in July; in order to have three readings.

Mr. Kelly concluded that he, along with Ms. Schroeder, will draft a Charter Amendment in the form of legislation to be presented to the voters in November; creating four-year terms for all wards and effective January 1, 2026. The target date for such would be June 6, 2023 for the next Special R&O Committee meeting.

#### **ADJOURNMENT**

Moved by Mr. Nickell, seconded by Mr. Marnecheck to **adjourn the May 2, 2023 Special Review and Oversight Committee meeting**. Yeas: 3; Nays:0. **Motion Carried.**

**Meeting adjourned at 7:25 p.m.**

**WILLOUGHBY:**

Council Members: 7 (1 at Large)  
Terms: 2 years

**BROADVIEW HEIGHTS:**

Council Members: 7 (3 at Large)  
Terms: 4 years

**INDEPENDENCE:**

Council Members: 6  
Terms: 2 years (5 terms)

**MAYFIELD VILLAGE:**

Council Members: 7  
Terms: 4 years (NO terms limits)

2 Ward members expire 2023  
2 Ward members expire 2025  
1 At-Large expire 2023  
2 At-Large expire 2025

**MAYFIELD HEIGHTS:**

Council Members: 7 (1 at Large)  
Terms: 4 years (3 terms)

Staggered, election every two years

**BROOK PARK:**

Council Members: 7 (w/ 1 Council President)  
Terms: 2 years (3 terms)

**AVON:**

Avon City Council has seven members who each serve 4 year terms staggered with the At-Large terms expiring together and the Ward terms expiring together, but 2 years apart from the At-Large. Prior to 2012 the Council all served 2 year terms and were not staggered.

In the 2012 General Election, voters amended Avon's Charter, changing the duration of Council's terms from 2 years, with all 7 members of Council running for office during one General Election, to 4 year, "staggered" terms, with elections for Ward representatives during one General Election and At-Large representatives 2 years later.

To facilitate the transition from 2 to 4 years, in the year 2013, the 4 Ward Council representatives were elected to serve 4 year terms, from 2014 through 2017, and so forth. In 2013, the 3 At-Large representatives were elected to serve 2 year terms, from 2014 through 2015 and in the year 2015, the candidates elected to the At Large positions will serve 4 year terms. Once elected, the 3 At-Large

**LAKESWOOD:**

Lakewood City Council is comprised of seven Councilmembers; Three who represent the city at-large, and four who represent each of the city's wards. Councilmembers are elected in non-partisan elections and serve four-year staggered terms. All ward terms expire at the same time. All at-large terms expire at the same time, two years later (or earlier, however you want to look at it). So Council will always have a two year biennium where there is no movement of seats.

**SHAKER HEIGHTS:**

We have 7 Council members in Shaker, at large, with staggered 4-year terms.

**MEDINA:**

Medina City Council is comprised of seven Councilmembers; two who represent the city at-large, four who represent each of the city's wards, and one President of Council who is at-large.

They each have a 4 year term and are staggered.

Four will be up for election/re-election this year and the other three in 2025.

**WESTLAKE:**

Westlake has 7 councilmembers, all concurrent, all 4-year terms.

**BRECKVILLE:**

Council - 7 Members All are At-Large Staggered – 4/1/2024 and 4 will expire in 1/1/2026.  
No term Limits

CHARTER: The terms of Councilmen shall be staggered. Four (4) Councilmen shall be elected at each regular municipal election. Of the four candidates so elected the three (3) receiving the highest number of votes shall each serve for a term of four (4) years and the one (1) receiving the next highest number of votes shall serve for a term of two (2) years.

**AVON LAKE:**

7 members of Council; 3 At-Large and 4 Wards

4 year terms; staggered; no term limits

**CHARDON:**

7 Council members are all at-large and serve 4-year terms.  
The terms are staggered every 2 years.

**BROOKLYN:**

7 members at large, serve for 4 year terms, staggered: Mayor and 3 Council, then in two years 4 Council.

No term limits.

**KENT:**

9 Councilmembers-3 At Large, and 6 Ward Councilmembers

The Mayor and At Large expire 12/31/2025

Wards expire 12/31/2023

Terms are for four years and are staggered.

**BRUNSWICK:**

4 Ward Councilmen and 3 Council At-Large.

All serve 4-year terms.

Ward and At-Large Council terms are staggered by 2 years.

Wards expire on 12/31/2023 and our At Large terms expire on 12/31/2025.

No term limits.

***FAIRLAWN:***

7 members, one elected at large, and 6 each from separate wards that serve 4 year terms.

Terms are staggered

Council members from wards 1, 3 and 5 are up for election in 2025, and the Council members from wards 2, 4 and 6 and the Councilman-at-Large are up for election this year.

***BAY VILLAGE:***

Bay Village has 1 President of Council, elected, who serves a 4-year term.

2 At Large Council members who serve 4 year terms, staggered

4 Ward Council members who serve 2 year terms, all being re-elected at the same time.

This year, for example, the President of Council, one member of Council-at-large and all four Council members will run for re-election.

In two years, the process will repeat with the other Council-at-large member running with the 4 Ward Council, with the exception that the President of Council will not need to run again until he completes his four year term for which he is running this year.

No term limits.

***STOW:***

7 members – 3 At Large and 4 Ward Council members

All Council may serve 4 – 2 year terms.

All Council members and Mayor terms will expire 12/31/2023

No staggered terms.



# Report Form on Local Questions and Issues

### Instructions:

Use a separate form for each issue. It is the responsibility of the county board of elections to prepare and check ballot language for proper form before submitting local questions and issues for approval. Attach a copy of the ballot language and a copy of the resolution, ordinance, or petition and forward to the Secretary of State. Only the most populous county is to submit this report form and ballot language for a question or issue overlapping into another county or counties.

Cuyahoga County Board of Elections

• **Subdivision:** City of Fairview Park **Overlapping Counties**  Yes  No  
(Checking "yes" indicates your county is the most populous county for the question or issue.)

• **List Overlapping Counties** n/a

Date of Resolution: 7/1/19  
Date Filed with Board: 9/4/19  
Date of Election: 11/5/19  
Authority: R.C. Section: Charter Art. XIV  
Percent Required for Passage: majority affirmative  
Ballot Language Prepared By: \_\_\_\_\_

**BOND ISSUE**

Amount: \$ \_\_\_\_\_ Maximum number of years bonds to run: \_\_\_\_\_

Purpose: \_\_\_\_\_

Estimated \_\_\_\_\_ mills for each one dollar of tax valuation which amounts to  
for each one hundred dollars of tax valuation \$ \_\_\_\_\_

Commencing in \_\_\_\_\_

**TAX LEVY**

Purpose: \_\_\_\_\_

Additional  Renewal  Replacement \_\_\_\_\_ mills for \_\_\_\_\_ years or  CPT,  
commencing in \_\_\_\_\_

Renewal  Replacement of \_\_\_\_\_ mills and increase of \_\_\_\_\_ mills for \_\_\_\_\_ years or  CPT,  
commencing in \_\_\_\_\_

Renewal  Replacement of \_\_\_\_\_ mills being a reduction of \_\_\_\_\_ mills for \_\_\_\_\_ years or  CPT,  
commencing in \_\_\_\_\_

Substitute \$ \_\_\_\_\_ initial sum; of \_\_\_\_\_ mills for \_\_\_\_\_ years or  CPT,  
commencing in \_\_\_\_\_

**MISCELLANEOUS QUESTION (Charter amendment, income tax, zoning, permissive tax, etc.)**

Charter Amendment: Shall Article IV, Section 1 of the Charter of the City of Fairview Park be amended to provide that the five (5) Ward Members of Council be elected for a single two (2) year term in 2023 and a four (4) year term in 2025 and then every four (4) years thereafter resulting in the positions of President of Council and at-large Member of Council being

Purpose: staggered by two (2) years from the positions of the five (5) Ward Council Members?

MM/DD/YYYY

Date

Director

**Proposed Charter Amendment  
City of Fairview Park**

**A majority affirmative vote is required for passage.**

Shall Article IV, Section 1 of the Charter of the City of Fairview Park be amended to provide that the five (5) Ward Members of Council be elected for a single two (2) year term in 2023 and a four (4) year term in 2025 and then every four (4) years thereafter resulting in the positions of President of Council and at-large Member of Council being staggered by two (2) years from the positions of the five (5) Ward Council Members?

	<b>Yes</b>
	<b>No</b>

Rev. 9/4/19

**Propuesta de Enmienda a los Estatutos  
Ciudad de Fairview Park**

**Se requiere un voto afirmativo por mayoría para su aprobación.**

	<b>Sí</b>
	<b>No</b>

CITY OF FAIRVIEW PARK  
ORDINANCE NO. 19-29  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILMAN MCDONOUGH

AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF FAIRVIEW PARK THE PROPOSAL TO AMEND ARTICLE IV, SECTION 1 OF THE CHARTER OF THE CITY OF FAIRVIEW PARK TO PROVIDE THAT THE POSITIONS OF PRESIDENT OF COUNCIL AND THE AT-LARGE MEMBER OF COUNCIL SHALL BE ELECTED IN THE REGULAR MUNICIPAL ELECTION SCHEDULED IN NOVEMBER 2023, FOR A TERM OF FOUR (4) YEARS BEGINNING IN JANUARY 2024, AND EVERY FOUR (4) YEARS THEREAFTER; AND THAT POSITIONS OF THE FIVE (5) WARD MEMBERS OF COUNCIL SHALL BE ELECTED IN THE REGULAR MUNICIPAL ELECTION SCHEDULED IN NOVEMBER 2023, FOR A TERM OF TWO (2) YEARS, FOR TERMS BEGINNING JANUARY 1, 2024, AND SUCH WARD COUNCIL MEMBER POSITIONS SHALL STAND FOR ELECTION IN NOVEMBER 2025, FOR FOUR (4) YEAR TERMS BEGINNING JANUARY 1, 2026, AND EVERY FOUR (4) YEARS THEREAFTER, AND DECLARING AN EMERGENCY

WHEREAS, in September of 2018, the Mayor appointed nine (9) qualified electors to the 2018/2019 Charter Review Commission (“Commission”); and

WHEREAS, per Article XIV of the Charter, the Commission is charged with reviewing the Charter of the City of Fairview Park, Ohio (“Charter”), and recommending alterations, revisions and amendments, if any, to the Council; and

WHEREAS, per Article XIV of the Charter, the Council shall review the recommendations of the Charter Review Commission and approve or disapprove each individual recommendation. The Council thereafter shall submit to the electors any such proposed alterations, revisions, or amendments of this Charter it has approved by an affirmative vote of at least a majority plus one of its members pursuant to Article XII of this Charter at the next General Election; and

WHEREAS, the current Charter provides that the positions of President of Council, At-Large Member of Council and the five (5) Ward Members of Council shall be elected at the regular municipal election in the year 2011 for a term of four (4) years and every fourth year thereafter; and

WHEREAS, the Charter Review Commission recommends that the positions of President of Council and the at-large Council Member continue to be elected in this cycle and positions of the five (5) Ward Members of Council be elected for a single two (2) year term in 2023 and a four (4) year term in 2025 and then every four (4) years thereafter resulting in the positions of President of Council and at-large Member of Council being staggered by two (2) years from the positions of the five (5) Ward Council Members.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

19 SEP 4 PM 2:04

SECTION 1. It shall be proposed to the electors of the City of Fairview Park to amend Article IV, Section 1 of the Charter of the City of Fairview Park to provide that the positions of President of Council and the at-large Member of Council shall be elected in the regular municipal election scheduled in November 2023, for a term of four (4) years beginning in January 2024, and every four (4) years thereafter; and that positions of the five (5) Ward Members of Council shall be elected in the regular municipal election scheduled in November 2023, for a term of two (2) years, for terms beginning January 1, 2024, and such Ward council member positions shall stand for election in November 2025, for four (4) year terms beginning January 1, 2026, and every four (4) years thereafter.

SECTION 2. That the proposed amendments to Article IV and Article IX read as follows:

ARTICLE IV  
THE COUNCIL

**SECTION 1. NUMBER AND TERMS.**

All legislative powers of the City, except as otherwise provided by this Charter and by the Constitution of the State of Ohio, shall be vested in a Council of seven members, five of whom shall be elected by the several wards, one of whom shall be elected at large, and one of whom shall be elected at large as president of Council.

~~Members of Council, including the President of Council, shall be elected at the regular municipal election in the year 2011 for a term of four (4) years and every fourth year thereafter for a term of four (4) years. All members of the Council shall assume office on the first day of January next following their election.~~ **THE POSITIONS OF PRESIDENT OF COUNCIL AND COUNCILPERSON AT-LARGE SHALL BE ELECTED IN THE REGULAR MUNICIPAL ELECTION SCHEDULED IN NOVEMBER 2023, FOR A TERM OF FOUR (4) YEARS BEGINNING JANUARY 1, 2024, AND EVERY FOUR (4) YEARS THEREAFTER.**

**THE FIVE (5) WARD COUNCIL POSITIONS SHALL BE ELECTED IN THE REGULAR MUNICIPAL ELECTION SCHEDULED IN NOVEMBER 2023, FOR A TERM OF TWO (2) YEARS, FOR POSITIONS BEGINNING JANUARY 1, 2024, AND SAID POSITIONS WILL STAND FOR ELECTION IN NOVEMBER 2025, FOR FOUR (4) YEAR TERMS BEGINNING JANUARY 1, 2026, AND EVERY FOUR (4) YEARS THEREAFTER."**

ARTICLE IX  
NOMINATIONS AND ELECTION

**SECTION 4. ELECTIONS.**

~~The regular municipal election shall be held on the first (1st) Tuesday after the first (1st) Monday in November of odd numbered years, commencing in 1977, for the Mayor, the President of Council and all members of Council.~~ **THE REGULAR MUNICIPAL ELECTION SHALL BE HELD ON THE FIRST (1ST) TUESDAY AFTER THE FIRST (1ST) MONDAY IN NOVEMBER**

**OF ODD NUMBERED YEARS, COMMENCING IN 2023, AND AS PRESCRIBED BY ARTICLE IV, SECTION 1 OF THE CHARTER.**

SECTION 3. That this amendment to the Charter of the City of Fairview Park shall be submitted to the electors pursuant to Articles XII and XIV of the Charter of the City of Fairview Park and in accordance with all other laws.

SECTION 4. That the forgoing proposed amendment to the Charter of the City of Fairview Park, on receiving at least a majority of the votes cast at the November 5, 2019 General Election, shall become effective immediately upon passage.

SECTION 5. That the Clerk of Council is authorized to promptly forward a certified copy of this Ordinance to the Cuyahoga County Board of Elections so that the Board of Elections shall cause an appropriate notice to be given of the election to be held on November 5, 2019 of the foregoing amendment to the Charter of the City of Fairview Park and otherwise to provide for the election in the manner provided by the general laws of the State of Ohio.

SECTION 6. That the Clerk of Council shall cause the full text of the proposed amendment to the Charter to be published once a week for two (2) consecutive weeks in a newspaper published in the City of Fairview Park, with the first publication being made at least fifteen (15) days prior to the General Election to be held November 5, 2019 as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, and Section 731.211 of the Ohio Revised Code.

SECTION 7. Spaces shall be provided on the ballot where the electors of the City of Fairview Park can indicate a “yes” or a “no” to the question submitted and that the ballot submitting the question of the adoption of the amendment shall read as follows:

**PROPOSED CHARTER AMENDMENT  
CITY OF FAIRVIEW PARK**

A majority affirmative vote is necessary for passage

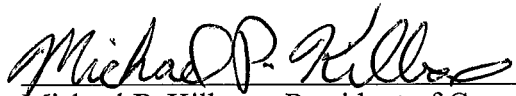
“Shall Article IV, Section 1 of the Charter of the City of Fairview Park be amended to provide that the positions of President of Council and the at-large Member of Council be elected in the regular municipal election scheduled in November 2023, for a term of four (4) years beginning in January 2024, and every four (4) years thereafter; and that positions of the five (5) Ward Members of Council be elected in the regular municipal election scheduled in November 2023, for a term of two (2) years, for terms beginning January 1, 2024, and such Ward council member positions stand for election in November 2025, for four (4) year terms beginning January 1, 2026, and every four (4) years thereafter?”

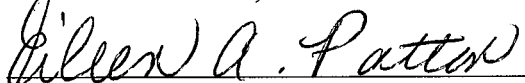
SECTION 8. It is found and determined that all formal actions of this council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this council, and that all deliberations of this council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 9. That this ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety and welfare; and so that this amendment can be place on the ballot at General Election of November 5, 2019; and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the mayor, otherwise from and after the earliest period allowed by law.

PASSED: 07.01.19  
APPROVED: 07.02.19

1<sup>st</sup> reading: 06.03.19  
2<sup>nd</sup> reading: 06.17.19  
3<sup>rd</sup> reading: 07.01.19

  
Michael P. Kilbane, President of Council

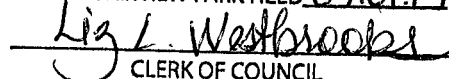
  
Eileen Ann Patton, Mayor

  
Liz L. Westbrook, Clerk of Council

LIZ L. WESTBROOKS, CLERK OF THE COUNCIL  
OF THE CITY OF FAIRVIEW PARK, OHIO, DOES  
HEREBY CERTIFY THAT THE ABOVE IS A TRUE  
COPY OF ORDINANCE / RESOLUTION NO.

19-29

AT A MEETING OF THE COUNCIL OF THE  
CITY OF FAIRVIEW PARK HELD 07.01.19

  
CLERK OF COUNCIL