

KIRTLAND CITY COUNCIL MINUTES

Special Committee of Council

October 16, 2023

The meeting of the Special Committee (Council as a Whole) commenced at 7:36 p.m. Council members present were: Ronald Fenstermaker, Suzanne Grazia, Scott Haymer, Richard Lowery, Matthew Schulz and Joseph Smolic. Absent: Eric Ziegler.

Also in attendance were Mayor Kevin Potter and Law Director Matthew Lallo.

Council President Smolic noted that Councilman Lowery had requested the meeting be held to discuss possible term limits for Council members and the Mayor. Mr. Lowery noted that he did some research with the Ohio Municipal League and the National League of Cities and found that approximately 91 to 92 percent of cities do not have term limits, and there a few communities who had term limits and have removed them. Mr. Lowery said that eight to ten large cities in the country have Council and Mayor term limits. Mr. Lowery said he would like to hear Council members' thoughts on term limits.

Councilman Fenstermaker stated that from a city standpoint, he does not know whether it is good to have term limits or not good to have term limits. He is interested in why cities explored it, and why some cities have decided to remove them. He stated his view is that they are needed at a congressional level, but he is not sure if they are needed at a city level. He said he believes the lack of term limits in the Senate and Congress is a problem.

Councilman Lowery said he agrees that they are needed at the top level of government; he noted that he believes it starts here at the grass roots of the political system.

Councilwoman Grazia stated her agreement, noting that she believes it should start here with the city, and extend to the top levels of government.

Answering Councilman Haymer, Councilman Lowery said his thought would be term limits for Council and the Mayor for a total of three elected terms, and they would not have to be consecutive; appointment would not be counted in those terms. He does not believe it should be retroactive. He noted this is a community decision. Mr. Lowery said there has always been someone that steps up to run when there has been a vacancy.

Councilwoman Grazia noted the advantage of having fresh, new ideas from new people in the community. She said it is an opportunity that should be open to everyone.

Councilman Schulz stated concern about the unintended consequences. He noted there would be a class of people that are not bound by it and would be grandfathered in. He noted that candidates have to run for election and do the work to get the position; it is not just given to anyone.

Council President Smolic said someone in office should know when they are effective, and they should not run if they are no longer effective. Mr. Smolic said after being elected the first time, he was not planning to run again, but someone told him that you learn the job in the first term and become effective in the second term; he noted there is a lot of truth to that statement. Councilman Lowery agreed, adding that it is his opinion that by the fourth term the individual starts slacking and is there for some other reason.

In defining term limits, it was questioned if it would be determined by the seat in office; such as someone moving from a Ward Councilperson to Council-at-Large, or to the office of Mayor.

Answering Council President Smolic, Mr. Lallo advised that this would need to be a Charter amendment and would be placed on the ballot. It could not be retroactive. Mr. Lallo said he would defer to the Ohio Municipal

League or other national organizations that represent municipalities. He said Council should look at the studies relating to smaller towns, noting that in smaller towns there is a bit of institutional knowledge that comes with the terms. He noted that some of the other entities cautioned against term limits for smaller towns.

Council President Smolic noted that in terms of the financial audit, Mrs. Kovalchik had mentioned that the auditors do not look fondly upon a very young Council due to the lack of institutional knowledge. He said it can hurt a city financially, noting that it takes time to learn the financial aspects of a city.

Councilman Fenstermaker agreed that it is important to do more research regarding term limits for small towns.

Councilman Lowery asked that everyone continue to look at this and be open to consideration of possible term limits.

Upon completion of discussion, Mr. Lowery moved to adjourn and Mr. Fenstermaker provided the second. The motion passed 6-0 upon roll call vote and the meeting adjourned at 7:55 p.m.

President of Council

Clerk of Council